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COMMONWEALTH OF PENNSYLVANIA

Legislative Journal.

Session 1943. 135th of the General Assembly.

Vol. 27. HARRISBURG, PA., MONDAY, APRIL 26, 1943. No. 48.

SENATE

MONDAY, April 26, 1943.

The Senate met at 4:00 o'clock p. m. Eastern War Time.

The PRESIDENT (Lieutenant-Governor John C. Bell, Jr.) in the Chair.

PRAYER

The Chaplain, Rev. EDWIN S. WALLACE, D.D., offered the following prayer:

As the earth inclines toward the sun for light and warmth that produce life, so may our hearts and minds incline toward Thee, the sun of righteousness, whose rays will illumine our darkness and make our lives productive of only good. May our growth in the knowledge of God be continuous and as natural as is growth in the vegetable world.

Help us to increase in likeness to the divine by cultivating the Christian virtues, the seeds of which Thou hast implanted in our souls. Then the harvest of our lives will be for the glory of God and our own rejoicing.

The time allotted to us for honoring God and serving our fellowmen is short. In the business of the day may the members of this body be actuated by the earnest desire to produce beneficient results for all people.

May gratitude arise from the altars of our hearts today as incense arose from the altars of Thy holy temple in the long ago.

All we pray is in the name of our Lord and Savior. Amen.

JOURNAL APPROVED

The PRESIDENT. A quorum of the Senate being present the Clerk will read the Journal of the preceding session.

The Clerk proceeded to read the Journal of the preceding session, when, on motion of Mr. HEYBURN and Mr. SCARLETT, the further reading was dispensed with, and the Journal was approved.

LEAVE OF ABSENCE

Mr. Wade asked and obtained leave of absence for Mr. ZIESENHEIM.

He also asked and obtained leave of absence for Mr. EDMONDS, on account of illness.

NOMINATIONS BY THE GOVERNOR

The Secretary to the Governor being introduced, presented communications in writing from His Excellency, the Governor of the Commonwealth, which were read as follows, and referred to the Committee on Executive Nominations.

MEMBER SCHUYLKILL COUNTY BOARD OF ASSISTANCE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, April 26, 1943.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate James Redcliffe, Jr., (Republican) Maple Hill, Shenandoah, Schuylkill County, for appointment as a member of the Schuylkill County Board of Assistance, to serve until December 31, 1943, and until his successor is duly appointed and qualified, vice Andrew H. Riddle, deceased.

EDWARD MARTIN.

MEMBER OF THE BOARD OF TRUSTEES

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, April 26, 1943.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate William R. Miller, Park Place, Mahanoy City, Schuylkill County, for appointment as a member of the Board of Trustees of Locust Mountain State Hospital, for the term of four years, and until his successor is qualified, vice William Becker, deceased.

EDWARD MARTIN.

HOUSE MESSAGE

RESOLUTION RECALLING FROM THE GOVERNOR HOUSE BILL No. 421

The Clerk of the House of Representatives being introduced presented extract from the Journal of the House of Representatives, which was twice read as follows, considered and agreed to:

In the House of Representatives, April 22, 1943.

Resolved (if the Senate concur), That House Bill No. 421, Printer's No. 85, entitled:

An Act to add section ten to the act approved the first day of July one thousand nine hundred thirty-seven (P. L. 2624) entitled "An act authorizing townships of the second class to adopt and enforce zoning ordinances regulating the location construction and use of buildings the size of courts and open spaces the density of population and the use of land" authorizing townships to make appropriations for said purposes

be recalled from the Governor for the purpose of amendment.

BILLS SIGNED

The PRESIDENT (Lieutenant-Governor John C. Bell, Jr.) announced that the Chief Clerk having reported that the following bills had passed both Houses of the General Assembly and the same being correct, the titles were publicly read as follows:

House Bill No. 170, entitled:

An Act to further amend the act, approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177), entitled "Administrative Code of 1929," by changing the name of the Pennsylvania Motor Police to the Pennsylvania State Police.

House Bill No. 332, entitled:

An Act to amend section one thousand two hundred twelve of the act, approved the third day of June, one thousand nine hundred thirty-seven (P. L. 1225), entitled "The Game Law," by authorizing the refund of certain moneys erroneously paid into the State Treasury for hunting license fees by former county treasurers.

House Bill No. 363, entitled:

An Act authorizing the conveyance to the Borough of Norristown of a certain tract of land in the Borough of Norristown, County of Montgomery, Pennsylvania.

House Bill No. 390, entitled:

An Act to further amend section three of the act approved the eleventh day of May one thousand nine hundred twenty-one (P. L. 522) entitled as amended "Dog Law of 1921" by providing for the issuing of free licenses for seeing-eye dogs.

House Bill No. 549, entitled:

An Act to further amend sections three hundred one and three hundred three of the act, approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 343), entitled "Fiscal Code," by authorizing the Treasury Department, with the approval of the Governor to invest State deposits in short-term obligations of the United States government and to dispose of the same.

House Bill No. 686, entitled:

An Act to permit the sale and purchase of imitation butter or oleomargine for consumption by inmates and employes of charitable and penal institutions within the Commonwealth for a period of two years, and suspending certain provisions of the law prohibiting such sales and purchase for the same period of time, under certain circumstances requiring the keeping of records and the making of reports and providing penalties.

Whereupon,

The PRESIDENT (Lieutenant-Governor John C. Bell, Jr.) in the presence of the Senate signed the same.

PERMISSION TO ADDRESS SENATE

Mr. GELTZ asked and obtained unanimous consent to address the Senate.

Mr. GELTZ. Mr. President, yesterday throughout the world there was observed the anniversary of an event which meant more to the world and to humanity than any other single event that has ever occurred in this world. We observed yesterday and have for nineteen hundred years observed on that day, not the birth but the re-birth or resurrection of the Person in this world Whose teachings and Whose philosophy have meant more than any other single thing.

I wonder, Mr. President, in that observance if we remember that in order to commemorate the light coming through the darkness in the world, we keep in mind that in order to have that great event and to have light coming through dark it was necessary that the supreme sacrifice be made? We have now for nineteen hundred years looked back upon that sacrifice as the greatest and the most supreme sacrifice made on this earth. That sacrifice, Mr. President, was made by the Great Teacher, Who, above all things, taught us love for our fellowmen. His greatest teaching, I believe, was love thy brother.

It seems to me that this Easter season should be especially important to us, because of the fact that now thousands of our fellow citizens, and I am afraid it will not be long until tens of thousands of our fellow citizens will be making that great and supreme sacrifice for the purpose again of bringing hope in a dark world.

We talk about those boys, our patriots, who are in the service and who are giving their all. We talk sometimes about those at home whom we believe are not making a sufficient sacrifice parallel with the one the boys in the service are making.

I wonder, however, if we stop and try to analyze the purpose for which the sacrifice of these boys is being made. Why are we fighting this war? When that question is asked, some individuals say we are fighting for Americanism—that is true—some others say we are fighting to make the world safe for democracy, something we heard some twenty-five years ago—and that, too, might be true—but that is not the most significant thing.

These boys are fighting and are willing to make the sacrifice, in my opinion, in order that this world may continue on, on the principle of brotherly love, in order that there may be continued in this world that greatest teaching that Christ gave us, love thy brother, and that is necessary, Mr. President, because there grew up in this world, in certain parts of the world, an opposite principle, an opposite or contradictory philosophy, and that was one apparently which was hate thy fellowman.

If we just go back a few years we recall that after the last World War there was desolation and poverty pretty much throughout the world. Because of that desolation and poverty there was fertile soil for false leaders in Europe, there was fertile soil for hypocrites and demagogues to sow their seeds and to have them flourish, and that continued on until those false leaders became strong enough to set the world on fire.

I am afraid that in this country we have had some of that philosophy of hate spread among our citizens, we have some individuals teaching hatred, teaching labor to hate its employer, teaching the tenant to hate his landlord, teaching the poor to hate the rich, and that is a philosophy which is exactly foreign and opposite to that which was taught by the Great Teacher.

Therefore, Mr. President, I wonder if this Easter season

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should not be one of special and particular significance to each and every one of us? We have heard in this Chamber and we have heard in other places that we must make certain that our form of government is preserved for the boys who will come back, that we must do what we can to make certain that conditions are existent here upon their return as they were when they left. I do not think that is enough. I think that each and every one of us, and each and every citizen of this country, should firmly resolve at this time to do everything she or he possibly can, not to have conditions here as they were when the boys left, but to have them better than they were when the boys left, and I think that if each and every one of us, the citizens of this country, would firmly resolve to try to put into our daily lives and practice a practical Americanism based upon the great teaching of Jesus Christ, love thy brother, then each and every one of us will be keeping faith with those boys who have gone away to make their great sacrifice for us.

The PRESIDENT. The Chair wishes to thank Senator Geltz for his splendid address.

PERMISSION TO ADDRESS SENATE

Mr. JASPAN asked and obtained unanimous consent to address the Senate.

Mr. JASPAN. Mr. President and members of the Senate, last Monday night while I was in the midst of discussing a very important bill dealing with the registration of our citizens, known as Senate Bill No. 305, as introduced by the gentleman from Philadelphia, Senator Farrell, I was unceremoniously interrupted.

I appreciate the fact that the Senate was within its rights—the matter was technical—and I am not going to quarrel with the Senate on that score at the present time.

However, I do say it is a very dangerous practice at any time to suppress debate, irrespective of the length to which a member may go. There were many things I intended to go into while I was discussing that bill.

However, as I said before, I was cut short, and at the present time I wish to read into the record a statement as appearing in the Philadelphia Record of last week entitled "Urges Pickling of Farrell Bill—Committee of 70 Cites Veto of Similar Law by Governor James." The article is as follows:

"URGES PICKLING OF FARRELL BILL

"Committee of 70 Cites Veto of Similar Law by Governor James

"The Elections Committee of the State House of Representatives was urged yesterday to let the Farrell registration bill die with adjournment of the present session of the Legislature.

"The Committee of 70 suggested that the measure, which already has passed the State Senate, 'be kept in committee, so that permanent registration can be enjoyed by all qualified electors in the city, and not only by those who are fortunate enough to continue their places of residence in the district from which they have registered.'

Provisions of Bill

"The legislation, sponsored by State Senator Louis H. Farrell, of the eighth (Northeast) district, proposes to abolish removal notices as a method of certifying to the Registration Commission a change in a voter's address when he moves from one election district to another. More than 100,000 Philadelphia voters annually would be affected.

"The Committee of 70's request was contained in a letter to Representative Ivan C. Watkins, Schuylkill Republican, chairman of the House Elections Committee, written by William Barclay Lex, chairman of the civic group's committee on elections.

What Governor James Said

"Lex suggested that members of the House committee read Governor James' message vetoing a similar bill in 1939.

"The Governor wrote, at that time, that the bill would cause, 'unnecessary expenditures of county funds, the perpetration of fraud and the inconvenience of bona-fide voters. . . . The requirements that electors moving from one election district to another in the same city appear in person and register de novo are unnecessary to the citizens and negatives the permanent feature of registration.'

"'Under the proposed act,' 70's letter read, 'approximately 100,000 persons would be required to re-register each year in Philadelphia, since the bill provides that those who move from one election district to another must register again in person. This, we believe, will cost the taxpayers large sums of money, inconvenience electors and will tend ultimately to turn permanent registration into personal registration.'"

In closing, Mr. President, may I say that in 1939, many of us here were members of the Senate. The House was controlled by the Republicans, the Senate was controlled by the Republicans, and a similar bill had passed both Houses and yet a Republican Governor, Governor James, vetoed the bill.

REPORTS FROM COMMITTEES

Mr. CROWE, from the Committee on Education, reported as committed, Senate Bill No. 575, entitled:

An Act to amend clause (d) of section six hundred two and one-tenth of the act, approved the eighteenth day of May, one thousand nine hundred and eleven (P. L. 309), entitled "An act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws, general, special or local, or any parts thereof, that are or may be inconsistent therewith," further regulating the power of directors of school districts in the sale of unused and unnecessary lands and buildings.

Mr. KEPHART, from the Committee on Judiciary Special, reported as committed, Senate Bill No. 615, entitled:

An Act to amend section sixty of the act, approved the seventh day of June, one thousand nine hundred and seventeen (P. L. 447), entitled, as amended "An act relating to the administration and distribution of the estates of decedents and of minors, and of trust estates; including the appointment, bonds, rights, powers, duties, liabilities, accounts, discharging and removal of executors, administrators, guardians, and trustees, herein designated as fiduciaries the administration and distribution of the estates of presumed decedents; widow's and children's exemptions; debts of decedents, rents of real estate as assets for payment thereof, the lien thereof, sales and mortgages of real estate for the payment thereof, judgments and executions therefor, and the discharge of real estate from the lien thereof; contracts of decedents for the sale or purchase of real estate; legacies, including legacies charged on land; the discharge of residuary estates and

of real estate from the lien of legacies and other charges; the appraisement of real estate devised at a valuation; the ascertainment of the curtilage of dwelling houses or other buildings devised; the abatement and survival of actions, and the substitution of executors and administrators therein; the survival of causes of action and suits thereupon by or against fiduciaries; investments by fiduciaries; the organization of corporations to carry on the business of decedents; the audit and review of accounts of fiduciaries; refunding bonds; transcripts to the court of common pleas of balances due by fiduciaries; the rights, powers, and liabilities of nonresident and foreign fiduciaries; the appointment, bonds, rights, powers, duties, and liabilities of trustees, durante absentia; the recording and registration of decrees, reports and other proceedings, and the fees therefor; appeals in certain cases; and, also, generally dealing with the jurisdiction, powers, and procedure of the orphans' court in all matters relating to fiduciaries concerned with the estates of decedents," further regulating the administration and distribution of the estates of missing persons; prescribing the jurisdiction, powers and duties of the orphans' court relative thereto, and of the trustees appointed by said court for the management, control and distribution of such estates; and repealing existing laws.

EXECUTIVE NOMINATIONS

Mr. WATKINS from the Committee on Executive Nominations reported with a favorable recommendation the following nominations, made by His Excellency, the Governor, which were laid over for one day under the rules.

JUSTICES OF THE PEACE AND ALDERMAN

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, April 22, 1943.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following:

William L. Moyer, 43 North Church Street, Mohnton, Berks County, for appointment as Justice of the Peace in and for the Borough of Mohnton, Berks County, until the first Monday in January, 1944, vice H. J. Bigony, deceased.

Charles Henry Baum, 1336 Schuylkill Avenue, Reading, Berks County, for appointment as Alderman in and for the Nineteenth Ward of the City of Reading, Berks County, until the first Monday in January, 1944, to fill a vacancy.

Thomas M. Uttley, R. D. No. 3, Huntingdon, Huntingdon County, for appointment as Justice of the Peace and for the Township of Henderson, Huntingdon County, until the first Monday in January, 1944, to fill a vacancy.

EDWARD MARTIN.

BILLS INTRODUCED AND REFERRED

Mr. WOODWARD read in his place and presented to the Chair, Senate Bill No. 624, entitled:

An Act increasing the powers, duties, and personnel of the Pennsylvania State Police; abolishing the police forces of the various municipalities and imposing the duties heretofore performed by such organizations and individuals upon the Pennsylvania State Police; requiring municipalities to contribute certain sums to the Commonwealth, and to continue to maintain police headquarters; and making an appropriation.

Which was committed to the Committee on State Government.

Mr. KEPHART read in his place and presented to the Chair, Senate Bill No. 625, entitled:

An Act providing referendums to ascertain the will of electors on the question of baseball and football on Sundays, and for the enactment of licensing ordinances and resolutions in accordance therewith.

Which was committed to the Committee on Judiciary Special.

He also read in his place and presented to the Chair, Senate Bill No. 626, entitled:

An Act to regulate persons, partnerships and corporations engaged in the business of renting motor vehicles; authorizing the Public Utility Commission to administer and enforce the provisions of this Act; and imposing penalties.

Which was committed to the Committee on Public Utilities.

Mr. BOWERS read in his place and presented to the Chair, Senate Bill No. 627, entitled:

An Act to amend Route 26030 of the act, approved the twenty-second day of June, one thousand nine hundred thirty-one (P. L. 594), entitled "An act establishing certain township roads as State highways; authorizing their construction, maintenance, and improvement under certain conditions and restrictions; limiting the obligation of the Commonwealth in the construction of certain structures located on such highways; conferring certain powers upon the Department of Highways and local authorities, persons, associations and corporations for sharing the cost of the maintenance and construction of such highways; and making an appropriation to carry out the provisions of said act," by changing and shortening said route.

Which was committed to the Committee on Highways.

He also read in his place and presented to the Chair, Senate Bill No. 628, entitled:

A Supplement to the act, approved the twenty-second day of June, one thousand nine hundred thirty-one (P. L. 594), entitled "An act establishing certain township roads as State highways; authorizing their construction, maintenance, and improvement under certain conditions and restrictions; limiting the obligation of the Commonwealth in the construction of certain structures located on such highways; conferring certain powers upon the Department of Highways and local authorities, persons, associations and corporations for sharing the cost of the maintenance and construction of such highways; and making an appropriation to carry out the provisions of said act," establishing an additional route in the County of Fayette.

Which was committed to the Committee on Highways.

He also read in his place and presented to the Chair, Senate Bill No. 629, entitled:

An Act to amend the title and sections one and fourteen of the act approved the fourth day of April, one thousand nine hundred twenty-nine (P. L. 144) entitled "An act prescribing the powers and duties of the Department of Agriculture with regard to farm products; providing for co-operation with the Department of Internal Affairs to establish standard receptacles for farm products; authorizing the Department of Agriculture to establish and promulgate standards for the grade and other classification of farm products, and to promulgate regulations for the enforcement thereof; defining farm products to in-

clude agricultural, vegetable, fruit, and floricultural products of the soil, live stock and meats, wool, hides, poultry, eggs, dairy products, nuts, mushrooms, and honey; and providing penalties," by further defining farm products and placing canned farm products within the terms of the act.

Which was committed to the Committee on Agriculture.

Mr. BECKER read in his place and presented to the Chair, Senate Bill No. 630, entitled:

An Act to further amend subsection B of section one thousand eleven of the act approved the fifteenth day of May, one thousand nine hundred thirty-three (P. L. 565), entitled "An act relating to the powers and duties of the Department of Banking and the Secretary of Banking in exercising supervision over, and taking possession of and conducting or liquidating the business and property of, corporations, associations, and persons receiving deposits or otherwise transacting a banking business, corporations acting as fiduciaries, and building and loan associations; providing for the payment of the expenses of the Department of Banking by supervised corporations, associations, or persons, and appropriating the Banking Department Fund authorizing the Department of Banking, under certain circumstances, to examine corporations, associations, or persons affiliated. or having business transactions with supervised corporations, associations or persons; authorizing appeals to the Supreme Court, and prescribing and limiting the powers and duties of certain other courts and their prothonotaries, registers of wills, recorders of deeds, and certain State departments, commissions, and officers; authorizing certain local public officers and State departments to collect fees for services rendered under this act; providing penalties; and repealing certain acts and parts of acts," further regulating distribution of the assets of building and loan associations in liquidation by the Secretary of Banking.

Which was committed to the Committee on Banking.

He also read in his place and presented to the Chair, Senate Bill No. 631, entitled:

An Act relating to the administration, liquidation and distribution of title insurance reserve funds in the possession of the Secretary of Banking as receiver and providing for the rights and powers of corporations in respect to the writing of policies of reinsurance in connection therewith.

Which was committed to the Committee on Banking.

RESOLUTION

SENATE BILL No. 272, PRINTER'S No. 245, RECALLED FROM THE GOVERNOR

Mr. WALKER offered the following resolution which was twice read as follows:

In the Senate, April 26, 1943.

Resolved (if the House of Representatives concur), that Senate Bill No. 272, Printer's No. 245, entitled "An act to apportion the Commonwealth of Pennsylvania into congressional districts," be recalled from the Governor for the purpose of amendment.

RULE 39 SUSPENDED

Mr. WALKER. Mr. President, I ask unanimous consent that Rule 39, which requires resolutions be referred to an appropriate committee, be suspended and the Senate do now proceed to the consideration of the resolution just read.

The PRESIDENT. Is there objection? The Chair hears none.

On the question,

Will the Senate agree to the resolution?

POINT OF INFORMATION

Mr. BARR. Mr. President, I rise on a point of information.

The PRESIDENT. The gentleman from Allegheny will proceed.

Mr. BARR. Mr. President, is unanimous consent required in order to recall a bill from the Governor.

The PRESIDENT. No.

Mr. BARR. I object, Mr. President.

The PRESIDENT. There is no provision requiring unanimous consent to recall a bill from the Governor. A majority, voting in favor of the recall resolution, is required.

And the question recurring,

Will the Senate agree to the resolution?

It was agreed to.

Ordered, That the Clerk present the same to the House of Representatives for concurrence.

NOMINATIONS BY THE GOVERNOR

NOTARIES PUBLIC

The Secretary to the Governor being introduced, presented in writing from His Excellency, the Governor of the Commonwealth, nominations for appointment as Notaries Public.

CONSIDERATION OF NOTARIES PUBLIC

Mr. WATKINS. Mr. President, I move that the Senate do now proceed to the consideration of nominations for appointment as Notaries Public, sent to the Senate, by His Excellency, the Governor of the Commonwealth, on April 26, 1943.

Mr. LETZLER. Mr. President, I second the motion.

The motion was agreed to.

The nominations were read as follows:

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, April 26, 1943.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for appointment as Notaries Public, for terms of four years to compute from the date of confirmation:

ADAMS COUNTY

Edgar A. Moser, Gettysburg.

ALLEGHENY COUNTY

John Dolce, Pittsburgh, 1101 N. Lang Ave.
E. G. Manspeaker, McKeesport.

BERKS COUNTY

Harry E. Boyer, Reading.

DAUPHIN COUNTY

Miss Cleo F. Henry, Harrisburg.
Miss Mildred E. Stoner, Harrisburg

DELAWARE COUNTY

Mrs. Sara V. Morris, Upper Chichester Twp., Box 66, Boothwyn.
Newlin P. Palmer, Chester.

ERIE COUNTY

Richard D. Agresti, Erie.
Kenneth L. Brown, Erie.

LANCASTER COUNTY

Miss Ruby M. Detwiler, Lancaster.

NORTHUMBERLAND COUNTY

Charles E. Hoover, Shamokin.

PHILADELPHIA COUNTY

Arthur S. Bailey, Phila., 1822 W. Columbia Ave.
Andrew J. Hascher, Phila., 3304 Kensington Ave.
Joseph J. Schonberger, Phila., 2431 N. Colorado St.
Miss Irene L. Taylor, Phila., 18th St and Allegheny Ave.

WAYNE COUNTY

C. L. Tegeler, Damascus Twp., Damascus.

EDWARD MARTIN.

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, April 26, 1943.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for reappointment as Notaries Public, for terms of four years to compute from the dates set opposite their names:

ALLEGHENY COUNTY

Miss Sue Abercromie, Verona, April 30, 1943.
Miss Rhoda M. Klose, Pittsburgh, 4709 Blvd., April 30, 1943.
David J. Ryan, Pittsburgh, 202 City-County Bldg., April 30, 1943.

BERKS COUNTY

Mrs. Grace I. Webber, Tulpehocken Twp., Rehrersburg, April 30, 1943.

DAUPHIN COUNTY

Miss Mary E. Fenical, Harrisburg, April 30, 1943.

FAYETTE COUNTY

Edward Hay, Uniontown, April 30, 1943.

LEBANON COUNTY

Aaron C. Stager, Lebanon, April 30, 1943.

PHILADELPHIA COUNTY

John E. Green, Phila., c/o N. Snellenburg and Co., 12th and Market, Sts., April 30, 1943.
Randall A. Snyder, Phila., 220 S. 16th St., April 30, 1943.
Miss Marian Ward, Phila., 2801 Huntington Park Ave., April 30, 1943.
George Williams, Phila., 1027 W. Somerset St., April 30, 1943.

VENANGO COUNTY

Fred W. Richardson, Oil City, April 30, 1943.

WASHINGTON COUNTY

Mrs. Edith C. Fisher, Monongahela, April 30, 1943.
B. E. York, Washington, April 30, 1943.

WAYNE COUNTY

F. Carroll Krautter, Dreher Twp., Newfoundland, April 30, 1943.

ALLEGHENY COUNTY

Oscar R. Linn, Pittsburgh, 235 Water St., May 1, 1943.

DELAWARE COUNTY

Stephen R. Manley, Yeodan, May 1, 1943.

LUZERNE COUNTY

Frank P. Scrudato, Pittston, May 1, 1943.

PHILADELPHIA COUNTY

Louis De Sipio, Phila., 5430 Webster St., May 1, 1943.
Holman G. Knouse, Phila., 1524 Chestnut St., May 1, 1943.
Henry Happ, Phila., 1312 E. Haines St., May 1, 1943.

WASHINGTON COUNTY

R. A. Brownlee, Claysville, May 1, 1943.
Mrs. Gertrude D. Swallow, Washington, May 1, 1943.

YORK COUNTY

Miss Edna Harnish, West York, May 1, 1943.

PHILADELPHIA COUNTY

John E. Baxter, Phila., 134 South 4th St., May 2, 1943.

BUTLER COUNTY

Wallace McKitten, Butler, May 3, 1943.

LACKAWANNA COUNTY

Mrs. Winifred Munley, Scranton, May 3, 1943.

ALLEGHENY COUNTY

Charles O. Anderson, McKeesport, May 4, 1943.

LACKAWANNA COUNTY

I. Edward Nasoni, Scranton, May 4, 1943.

ALLEGHENY COUNTY

Ira R. Hill, Pittsburgh, 3219-322 Grant Bldg., May 5, 1943.

CRAWFORD COUNTY

Mrs. Ora B. Snodgrass, West Shenango Twp., Jamestown, May 5, 1943.

LYCOMING COUNTY

Joseph R. Axman, Jersey Shore, May 5, 1943.

PHILADELPHIA COUNTY

Harry R. McKeon, Phila., 74th and Ogontz Ave., May 5, 1943.
Miss Anna C. Mellon, Phila., 2213 W. Glenwood Ave., May 5, 1943.

EDWARD MARTIN.

NOMINATIONS FOR NOTARIES PUBLIC

A motion was made by Mr. WATKINS and Mr. LETZLER, That the Senate do advise and consent to said nominations.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—46

Barr,	Ealy,	Letzler,	Tallman,
Becker,	Farrell,	Mallery,	Taylor,
Bowers,	Geltz,	McCreesh,	Thomas,
Carr,	Gourley,	McGinnis,	Tyler,
Chapman,	Haluska,	McQuiddy,	Wade,
Coleman,	Heyburn,	Ruth,	Walker,
Cox,	Holland,	Scarlett,	Watkins,
Crider,	Homsher,	Shapiro,	Wilson, H. I.,
Crowe,	James,	Snowden,	Wilson, T. B.,
Deitrick,	Jaspan,	Stevenson,	Woodring,
Dent,	Jones,	Stiefel,	Woodward,
DiSilvestro	Kephart,		

NAYS—0

Two-thirds of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Governor be informed accordingly.

REPORT FROM COMMITTEE

Mr. LETZLER. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. LETZLER, from the Committee on Education, reported as committed, Senate Bill No. 572, entitled:

An Act to add section 617.2 to the act approved the eighteenth day of May, one thousand nine hundred eleven (P. L. 309), entitled "An act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws, general, special, or local, or any parts thereof, that are or may be inconsistent therewith", authorizing school districts of the third and fourth class to continue work on school buildings abandoned as projects by the Works Projects Administration or other Federal agency, on contracts entered into pursuant to solicited bids, in order to protect such buildings from loss or damage by the elements.

SENATE BILL No. 112, PRINTER'S No. 189, CALLED UP

Mr. WOODRING. Mr. President, I call up from the table Senate Bill No. 112, Printer's No. 189, recalled from the Governor.

RECONSIDERATION OF SENATE BILL No. 112

Mr. WOODRING. Mr. President, I move that the Senate do now reconsider the vote by which Senate Bill No. 112, entitled:

An Act providing for the retention on the several permanent personal registration lists of electors of the names of persons who are members of any branch of the armed forces of the United States or of any uniformed organization of women officially connected therewith providing for proof of such membership prescribing penalties for making false statements in connection therewith prohibiting cancellation of registration for failure to vote during this period and suspending inconsistent laws during the effective period of the act

passed finally.

The PRESIDENT. How did the Senator vote?

Mr. WOODRING. Mr. President, I voted "aye".

Mr. COX. Mr. President, I second the motion.

The PRESIDENT. How did the Senator vote?

Mr. COX. Mr. President, I voted "aye".

The motion was agreed to.

And the question recurring,

Shall the bill pass finally?

Mr. WOODRING. Mr. President, I move to reconsider the vote by which the bill passed third reading.

The PRESIDENT. How did the Senator vote?

Mr. WOODRING. Mr. President, I voted "aye".

Mr. COX. Mr. President, I second the motion.

The PRESIDENT. How did the Senator vote?

Mr. COX. Mr. President, I voted "aye".

The motion was agreed to.

And the question recurring,

Will the Senate agree to the bill on third reading?

Mr. WOODRING. Mr. President, I ask unanimous consent to offer amendments at this time.

The PRESIDENT. Is there objection? The Chair hears none.

The Clerk read the amendments as follows:

Amend title, page 1, 8th and 9th lines of title, by striking out the words "prohibiting cancellation of registration for failure to vote during this period"; Amend sec. 1, page 2, line 7, by striking out the word "when" and inserting in lieu thereof the words: "or to cancel the registration of any person when in either case"; Amend sec. 1, page 2, line 14, by inserting after the word "name" the following: "or cancelling his or her registration;" Amend sec. 2, page 3, lines 7 to 12 both inclusive, by striking out all of said lines; Amend sec. 3, page 3, line 13, by striking out the figure "3" and inserting in lieu thereof the figure: "2"; Amend sec. 4, page 3, line 16, by striking out the figure "4" and inserting in lieu thereof the figure: "3".

On the question,

Will the Senate agree to the amendments?

They were agreed to.

On the question,

Will the Senate agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill as amended lie over for printing on final passage.

SENATE BILL No. 135, PRINTER'S No. 265, CALLED UP

Mr. HEYBURN. Mr. President, I call from the table Senate Bill No. 135, Printer's No. 265, returned from the Governor, entitled:

An Act to amend section seven hundred sixteen of the act approved the third day of June, one thousand nine hundred thirty-seven, (P. L. 1225), entitled "An act concerning game and other wild birds and wild animals; and amending, revising, consolidating, and changing the law relating thereto," authorizing the sale and purchase of hides of lawfully killed deer under certain circumstances and making it unlawful to buy or sell raccoons for propagating purposes.

SENATE INSISTS UPON ITS AMENDMENTS NON-CONCURRED IN BY THE HOUSE TO SENATE BILL No. 135, PRINTER'S No. 265

Mr. HEYBURN. Mr. President, I move that the Senate insists upon its amendments non-concurred in by the House to Senate Bill No. 135, Printer's No. 265.

Mr. DEITRICK. Mr. President, I second the motion.

The motion was agreed to.

Ordered, That the Clerk inform the House of Representatives accordingly.

SENATE BILL No. 138, PRINTER'S No. 108, CALLED UP

Mr. HEYBURN. Mr. President, I call from the table Senate Bill No. 138, Printer's No. 108.

RECONSIDERATION OF SENATE BILL No. 138

Mr. HEYBURN. Mr. President, I move that the Senate do now reconsider the vote by which Senate Bill No. 138, entitled:

An Act to amend sections six hundred four, six hundred five and six hundred seven, and to further amend section two thousand four hundred seven of the act, approved the ninth day of April, one thousand nine hundred and twenty-nine (P. L. 177), entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments, boards, commissions and officers thereof, including the boards of trustees of State Normal Schools, or Teachers Colleges; abolishing, creating, reorganizing or authorizing the reorganization of certain administrative departments, boards, and commissions; defining the powers and duties of the Governor and other executive and administrative officers, and of the several administrative departments, boards, commissions, and officers; fixing the salaries of the Governor, Lieutenant-Governor, and certain other executive and administrative officers; providing for the appointment of certain administrative officers, and of all deputies and other assistants and employes in certain departments, boards, and commissions; and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments, boards and commissions shall be determined," by further defining the duties of the Department of Internal Affairs

passed finally,

The PRESIDENT. How did the Senator vote?

Mr. HEYBURN. Mr. President, I voted "aye".

Mr. JAMES. Mr. President, I second the motion.

The PRESIDENT. How did the Senator vote?

Mr. JAMES. Mr. President, I voted "aye".

The motion was agreed to.

And the question recurring,

Shall the bill pass finally?

BILL RECOMMITTED

Mr. HEYBURN. Mr. President, I move that Senate Bill No. 138, on final passage, be recommitted to the Committee on State Government.

Mr. LETZLER. Mr. President, I second the motion.

The motion was agreed to.

REPORT FROM COMMITTEE

Mr. KEPHART. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. KEPHART, from the Committee on Judiciary Special, reported as committed, Senate Bill No. 625, entitled:

An Act providing referendums to ascertain the will of electors on the question of baseball and football on Sundays, and for the enactment of licensing ordinances and resolutions in accordance therewith.

BILL ON CONCURRENCE IN HOUSE ADMENMENTS RECALLED FROM THE GOVERNOR

Agreeably to order,

The Senate resumed the consideration of House Bill No. 440, entitled:

An Act to further amend section seven hundred two of the act approved the fifth day of May one thousand nine hundred thirty-three (P. L. 289) entitled "An act relating to nonprofit corporations defining and providing for the organization merger consolidation and dissolution of such corporations conferring certain rights powers duties and immunities upon them and their officers and members prescribing the conditions on which such corporations may exercise their powers providing for the inclusion of certain existing corporations of the first class within the provisions of this act prescribing the terms and conditions upon which foreign nonprofit corporations may be admitted or may continue to do business within the Commonwealth conferring powers and imposing duties on the courts of common pleas prothonotaries of such courts recorders of deeds and certain State departments commissions and officers authorizing certain local public officers and State departments to collect fees for services required to be rendered by this act imposing penalties and repealing certain acts and parts of acts relating to corporations" by further regulating the method of approval of amendments of articles of incorporation of nonprofit corporations by the members thereof.

And the admendments made thereto having been printed as required by the Constitution,

On the question,

Will the Senate concur in the same?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—46

Barr,	Ealy,	Letzler,	Tallman,
Becker,	Farrell,	Mallery,	Taylor,
Bowers,	Geltz,	McCreesh,	Thomas,
Carr,	Gourley,	McGinnis,	Tyler,
Chapman,	Haluska,	McQuiddy,	Wade,
Coleman,	Heyburn,	Ruth,	Walker,
Cox	Holland,	Scarlett,	Watkins,
Crider,	Homsher,	Shapiro,	Wilson, H. I.,
Crowe,	James,	Snowden,	Wilson, T. B.,
Deitrick,	Jaspan,	Stevenson,	Woodring,
Dent,	Jones,	Stiefel,	Woodward,
DiSilvestro,	Kephart,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

BILL ON CONCURRENCE IN HOUSE AMENDMENTS

Agreeably to order,

The Senate resumed the consideration of Senate Bill No. 67, entitled:

An Act to amend the act approved the second day of May one thousand nine hundred twenty-nine (P. L. 1278) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto" establishing the method of appointing promoting reducing in rank suspension furloughing discharging and reinstating members of the police force of counties of the

second class creating and defining the powers and duties of a civil service commission imposing certain duties and expenses on such counties and prescribing penalties.

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Will the Senate concur in the same?

Mr. SHAPIRO. Mr. President, in connection with Senate Bill No. 67, I desire to interrogate the sponsor.

The PRESIDENT. Will the gentleman from Allegheny permit himself to be interrogated?

Mr. GELTZ. Yes, Mr. President.

Mr. SHAPIRO. Mr. President, I should like the gentleman from Allegheny to explain, if he can, the meaning of the clause on page 15, beginning at line 13, which says "any member of a county police board for counties of the second class who was dismissed from such board since January 1, 1943 for any reason except those as specified in Section 330.10 of this act shall be reinstated to his former position in the police force without any examination whatsoever."

What is the purpose of the provision, Mr. President, on page 1, beginning with line 13.

Mr. GELTZ. Mr. President, the purpose of that section is to give protection to any of those individuals who may have taken some part in having this bill promoted and passed.

Mr. SHAPIRO. Does the gentleman from Allegheny mean that some people who promoted the passage of this bill were dismissed on January 1 or thereafter?

Mr. GELTZ. Mr. President, this is just one of those "in case" clauses, just in case one of them was dismissed—I do not know whether any of them were dismissed or not. I do not know that it would apply to any individuals who had been on the police force but it was put in there as a protective measure.

Mr. SHAPIRO. It seems to me, Mr. President, with this provision in the bill, that any policeman dismissed since January 1 must be automatically reinstated under the provisions of this bill, no matter what the reason, unless it comes within the provision of section 330.10 which I think is for the commission of a specific offense; otherwise policemen would have to be put back automatically.

Mr. GELTZ. I do not see any harm in that, Mr. President.

And the question recurring,

Will the Senate concur in the same?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—32

Becker,	Deitrick,	Kephart,	Thomas,
Bowers,	Ealy,	Letzler,	Tyler,
Carr,	Farrell,	Mallery,	Wade,
Chapman	Geltz,	Scarlett,	Walker,
Coleman,	Heyburn,	Snowden,	Watkins,
Cox,	Homsher,	Stevenson,	Wilson, H. I.,
Crider,	James,	Tallman,	Wilson, T. B.,
Crowe,	Jones,	Taylor,	Woodward,

NAYS—14

Barr,	Haluska,	McGinnis,	Shapiro,
Dent,	Holland,	McQuiddy,	Stiefel,
DiSilvestro,	Jaspan,	Ruth,	Woodring,
Gourley,	McCreesh,		

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

BILL ON FINAL PASSAGE

BILL OVER IN ORDER

Mr. HEYBURN. Mr. President, I ask unanimous consent that House Bill No. 545 on final passage, entitled:

An Act to further amend section four of the act approved the twenty-first day of May one thousand nine hundred thirty-one (P. L. 149) entitled "An act imposing a State tax payable by those herein defined as distributors on liquid fuels used or sold and delivered within the Commonwealth which are ordinarily practically and commercially usable in internal combustion engines for the generation of power providing for the collection and lien of the tax and the distribution and use of the proceeds thereof requiring such distributors to secure permits to file corporate surety bonds and reports and to retain certain records imposing duties on retail dealers common carriers county commissioners and such distributors providing for rewards imposing certain costs on counties conferring powers and imposing duties on certain State officers and departments providing for refunds imposing penalties and making an appropriation" by imposing and continuing the additional emergency tax on liquid fuels for a further limited period of time

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILL POSTPONED

Mr. HEYBURN, Mr. President, I move that further consideration of Senate Bill No. 99, on third reading, entitled:

A Joint Resolution proposing an amendment to Section one of article Fourteen of the Constitution of the Commonwealth of Pennsylvania by making sheriffs eligible to succeed themselves

be postponed for the present.

Mr. WADE, Mr. President, I second the motion.

The motion was agreed to.

BILL ON THIRD READING

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 222, entitled:

An Act to amend section one of the act approved the twenty-second day of May one thousand nine hundred thirty-three (P. L. 851) entitled "An act fixing the pay and mileage of jurors and witnesses" changing the pay of jurors

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1. Section one of the act approved the twenty-second day of May one thousand nine hundred thirty-three (P. L. 851) entitled "An act fixing the pay and mileage of jurors and witnesses" is hereby amended to read as follows

Section 1. Be it enacted etc That from and after the time this act takes effect the pay of jurors in this Commonwealth shall be [three dollars ($3)] four dollars ($4) per day together with mileage at the rate of six cents (6c) for each mile going to and returning from the county seat [and the pay of witnesses shall be two dollars ($2) per day together with the mileage at the rate of three (3c) for each mile going to and returning from the county seat]

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—46

Barr,	Ealy,	Letzler,	Tallman,
Becker,	Farrell,	Mallery,	Taylor,
Bowers,	Geltz,	McCreesh,	Thomas,
Carr,	Gourley,	McGinnis,	Tyler,
Chapman.	Haluska,	McQuiddy,	Wade,
Coleman,	Heyburn,	Ruth,	Walker,
Cox,	Holland,	Scarlett,	Watkins.
Crider,	Homsher,	Shapiro,	Wilson, H. I.,
Crowe,	James,	Snowden,	Wilson, T. B.,
Deitrick,	Jaspan,	Stevenson,	Woodring.
Dent.	Jones.	Stiefel,	Woodward,
DiSilvestro,	Kephart,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

BILL OVER IN ORDER

Mr. HEYBURN. Mr. President, I ask unanimous consent that Senate Bill No. 291, on third reading, entitled:

An Act to further amend section forty-nine of the act approved the seventh day of June one thousand nine hundred and seventeen (P. L. 447) entitled as amended "An act relating to the administration and distribution of the estates of decedents and of minors and of trust estates including the appointment bonds rights powers duties liabilities accounts discharge and removal of executors administrators guardians and trustees herein designated as fiduciaries the administration and distribution of the estates of presumed decedents widow's and children's exemptions debts of decedents rents of real estate as assets for payment thereof the lien thereof sales and mortgages of real estate for the payment thereof judgments and executions therefor and the discharge of real estate from the lien thereof contracts of decedents for the sale or purchase of real estate legacies including legacies charged on land the discharge of residuary estates and of real estate from the lien of legacies and other charges the appraisement of real estate devised at a valuation the ascertainment of the curtilage of dwelling houses or other buildings devised the abatement and survival of actions and the substitution of executors and administrators therein the survival of causes of action and suits thereupon by or against fiduciaries investments by fiduciaries the organization of corporations to carry on the business of decedents the audit and review of accounts of fiduciaries refunding bonds transcripts to the court of common pleas of balances due by fiduciaries the rights powers and liabilities of nonresident and foreign fiduciaries the appointment bonds rights powers duties and liabilities of trustees durante absentia the recording and registration of decrees reports and other proceedings and the fees therefor appeals in certain cases and also generally dealing with the jurisdiction powers and procedure of the orphans' court in all matters relating to fiduciaries concerned with the estates of decedents" by changing the provisions of subsection (b) thereof which authorize executors or administrators to make distribution and pay or deliver legacies without the audit of their accounts

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 304, entitled:

An Act to amend Sections 1604 1605 1606 1607 and 1608 of the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1333) entitled "An act concerning elections including general municipal special and primary elections the nomination of candidates primary and election expenses and election contests creating and defining membership of county boards of elections imposing duties upon the Secretary of the Commonwealth courts county boards of elections county commissioners imposing penalties for violation of the act and codifying revising and consolidating the laws relating thereto and repealing certain acts and parts of acts relating to elections" by further regulating the payment of primary and election expenses the making of contributions therefor and the filing of expense accounts

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Sections 1604 1605 1606 1607 and 1608 of the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1333) entitled "An act concerning elections including general municipal special and primary elections the nomination of candidates primary and election expenses and election contests creating and defining membership of county boards of elections imposing duties upon the Secretary of the Commonwealth courts county boards of elections county commissioners imposing penalties for violation of the act and codifying revising and consolidating the laws relating thereto and repealing certain acts and parts of acts relating to elections" are hereby amended to read as follows

Section 1604 Contributions by Agent Vouchers Payment of Petty Expenses

(a) It shall be unlawful for any person to make any contribution for primary or election expenses with funds designated or given to him for the purpose by any other person firm or corporation Each person making a contribution for primary or election expenses shall do so only in his own name

(b) Every payment made by a candidate or treasurer of a political committee for or in respect to any primary or election expenses amounting to more than ten dollars [or more] shall be vouched for by a bill stating the payment and by a receipt and shall be made by check or money order drawn to the order of the individual association or corporation to whom the payment is due

(c) Any person may if so authorized in writing by a candidate pay in behalf of the candidate the necessary expenses of the candidate for stationery postage telegraph telephone and public messenger services and traveling expenses including carfare gasoline hotel bills and other petty expenses Each person so authorized shall be reimbursed by the candidate or by a treasurer of a political committee supporting his candidacy for the amount so paid upon the submission of a sworn statement of the payment or payments made by him which shall be vouched for by a bill containing the receipt of that person

Section 1605 Contributions for Election Expenses to Be Made to Candidates or Treasurers Contributions by Corporations Prohibited

(a) No person who is not a candidate or no treasurer of a political committee shall pay give or lend or agree to pay give or lend any money or any other valuable thing to or incur any liability for any primary or election expenses whatever in behalf of any person or persons except a candidate or a political committee having a treasurer

(b) No corporation or unincorporated association or officer or agent thereof whether incorporated or organized under the laws of this or any other state or any foreign country except those formed primarily for political purposes or a political committee shall pay give or lend or authorize to be paid given or lent either directly or through any other person or in reimbursement of any such payment gift or loan by any other person any money or

other valuable thing belonging to such corporation or unincorporated association or in its custody or control to any candidate or political committee for the payment of any primary or election expenses or for any political purpose whatsoever

Section 1606 Lawful Primary and Election Expenses No candidate or treasurer of any political committee shall pay give or lend or agree to pay or lend directly or indirectly any money or other valuable thing or incur any liability on account of or in respect to any primary or election expenses whatever except for the following purposes

First For printing and traveling expenses and personal expenses incident thereto stationery advertising postage expressage freight telegraph telephone and public messenger service

Second For the rental of road facilities and amplified systems

Third For political meetings demonstrations and conventions and for the pay and transportation of speakers

Fourth For the rent maintenance and furnishing of offices

Fifth For the payment of clerks typewriters stenographers janitors and messengers actually employed

Sixth For the transportation of electors to and from the polls

Seventh For the employment of watchers at primaries and elections to the number and in the amount permitted by this act

Eighth For expenses legal counsel incurred in good faith in connection with any primary or election

Ninth For contributions to other political committees

Section 1607 Expense Accounts to Be Filed

(a) Every candidate for nomination or election and every treasurer of a political committee or person acting as such treasurer shall within thirty days after every primary and election at which such candidate was voted for or with which such political committee was concerned if the amount received or expended or liabilities incurred shall exceed the sum of [fifty] one hundred dollars file a full true and detailed account subscribed and sworn to by him setting forth each and every sum of money received contributed or disbursed by him for primary or election expenses the date of each receipt contribution and disbursement the name of the person from whom received or to whom paid and the specific object or purpose for which the same was disbursed Such account shall also set forth the unpaid debts and liabilities of any such candidate or committee for primary or election expenses with the nature and amount of each and to whom owing In the case of the treasurer of a political committee the account shall include any unexpended balance of contributions or other receipts appearing from the last previous account filed by him In the case of candidates for election who have previously filed accounts of their primary expenses as candidates for nomination the accounts shall only include receipts contributions and disbursements subsequent to the date of such prior accounts

(b) If the aggregate receipts or disbursements and liabilities of a candidate or a political committee in connection with any primary or election shall not exceed [fifty] one hundred dollars the candidate or treasurer of the committee as the case may be shall within thirty days after the primary or election certify that fact under oath to the officer or board with whom expense accounts are required to be filed as hereinafter provided Provided however That if a candidate or political committee does not receive any contribution make any disbursements or incur any liabilities he or it shall not be required to file any account or to make any affidavit but such candidate or political committee shall be deemed for all purposes of this act to have filed an expense account showing no receipts disbursements or liabilities for primary or election expenses

(c) Every expense account filed under the provisions of this section shall be accompanied by vouchers for all sums expended amounting to more than ten ($10) dollars [or more] It shall be unlawful for any candidate agent or treasurer to disburse any money received from any anonymous source

Section 1608 Place of Filing Expense Accounts Every such account concerning primary or election expenses incurred by or in regard to candidates for offices to be voted for by the electors of the State at large shall be filed with the Secretary of the Commonwealth and every such account concerning expenses incurred by or in regard to candidates for other offices shall be filed with the county board of elections of the county wherein the candidate resides Provided however That if any account concerns expenses in regard to candidates who do not all reside in the same county a duplicate of such account shall be filed in the office of the county board of elections of each county in which any such candidate (not being a candidate for an office to be voted for by the electors of the State at large) resides And provided further That if any account concerns expenses in regard to any candidate or candidates at a primary or election at which both candidates of the state at large and other candidates were to be voted for such account shall be filed with the Secretary of the Commonwealth

Section 2 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Will the Senate agree to the bill on third reading?

Mr. HOLLAND. Mr. President, I ask unanimous consent to offer amendments at this time.

The PRESIDENT. Is there objection?

Mr. FARRELL. I object, Mr. President.

RECONSIDERATION OF SENATE BILL No. 304

Mr. HOLLAND. Mr. President, I move that the Senate do now reconsider the vote by which Senate Bill No. 304, passed second reading.

The PRESIDENT. How did the Senator vote?

Mr. HOLLAND. Mr. President, I voted "aye".

Mr. BARR. Mr. President, I second the motion.

The PRESIDENT. How did the Senator vote?

Mr. BARR. Mr. President, I voted "aye".

On the question,

Will the Senate agree to the motion?

(A voice vote having been taken the question was determined in the negative.)

And the question recurring,

Will the Senate agree to the bill on third reading?

Mr. SHAPIRO. Mr. President, I assume the purpose of this bill is to prevent labor organizations from making contributions for political purposes of course, I am going to vote against the bill. I am not going to make a speech about it because I think it is known why I will vote against this bill, because I have previously spoken against it.

However, Mr. President, I would like to call to the attention of the sponsor of this bill that I do not think he has done any good by this bill I think he has done a great deal of harm.

Page 3, clause (b) is intended to prevent unincorporated associations from making contributions. As the bill is now amended, it will not only permit unincorporated associations to make contributions but it will permit corporations to make contributions, because this proposed bill, with the amendment, now reads: "(b) No corporation or unincorporated association or officer or agent thereof whether incorporated or organized under the laws of

this or any other state or any foreign country except those formed for or having political purposes shall pay, give or lend or authorize to be paid or lent—"

Mr. GELTZ. Mr. President, the gentleman from Philadephia is not reading from the latest printer's number of this bill.

Mr. SHAPIRO. Now, Mr. President, I am handed another printer's number of this bill, which I did not have over the weekend, which reads—"those formed primarily for political purposes or a political committee." I can not see that that has corrected the amendment, at first blush, because it will permit agents thereof, who may form organizations for a political purpose, to make contributions. It is easy for an incorporated association to have an agent organize a corporation for political purposes, and that is what this amendment does now, by placing in there the words "except those formed for or having political purposes," whether it be primarily or not, any corporation may now form through its agent another corporation for a purely political purpose and make contributions.

Mr. KEPHART. Mr. President, I wish to direct the attention of the gentleman from Philadelphia, Senator Shapiro, to the fact that if a corporation should form another corporation for purely political purposes, the first corporation could not contribute to the second.

Mr. DENT. Mr. President, I do not quite understand why any group of men can not get together willingly and voluntarily and vote some of their own funds for political purposes. O course, everybody knows that the Liberty League did not contribute to the Labor Party in the Nation, and everybody knows that labor unions did not contribute to the Liberty League.

It seems difficult for me to comprehend why a labor organization cannot contribute for political purposes, when you have such bills on the Calendar as Senate Bill No. 46. I certainly think that any group of men and women who work for a living ought to be able to defend themselves against that type of legislation, by helping to elect men and women to public office who are not in accord with that kind of legislation.

I can easily see how the letters could come in from various labor organizations, for or against any legislation that is on the calendar, and easily be ignored and thrown into the waste basket, because they have lost their political potency. I mean that you are nullifying the right of free action on the part of an organization and that organization is formed for mutual benefit; whether those benefits take the form of increased pay, better working conditions or more humane legislation, they all come within the scope of the activities of labor organizations or any other organizations.

Needless to say, Mr. President, I do not think that any person within the hearing of my voice feels that this or any other bill can stop large contributions from going into campaign funds of the type of legislators who would propose and pass anti-labor legislation. The only method by which labor can make itself felt in a political campaign is collectively, not individually. In other words, no member of a labor organization has sufficient funds to contribute a thousand dollars, we will say, to every man in a Senate campaign who happens to vote for their legislation, but having been in the political game since I was twenty-one years of age, I know individuals interested in the other end of the picture, on the other side of the fence, who can very easily give a thousand dollars to every member of the Senate who votes for the Woodward bill or bills of that type.

I do not think you are being fair in trying to nullify the vote of labor by saying they can not contribute under any circumstances to a man running for public office or to a political party.

I think you fellows on the other side realize well enough by now that no matter what contributions, if any, are ever made by labor organizations, the fellows behind you men can certainly double and redouble the amount that the entire dollar a month dues can produce, for political contribution.

I do not worry much about it, except the principle of the thing. In all of the years I have supported labor legislation, I have yet to ever receive any backing financially from any labor organization, as such, or any labor leader as such. What they have done, I believe, at times, is to put ads in the paper calling attention to the fact that as far as their own legislation was concerned, perhaps some of the members of the legislature had gone along with them and had voted the way they thought was right. You are stopping that, of course, because that is a campaign contribution, that is a political contribution.

Now, members of the Senate, if you feel that the labor vote is potent, if you feel that the labor vote is something to be disturbed about, the way to curry their favor and to get their support is not by trying to hamstring their political efforts, but by trying to introduce and pass legislation that will at least be fair to them. I do not ask that you give them anything unfair or any advantage over anybody, but I do believe that you are making a serious mistake in analyzing your concept of American government by saying that any particular group, especially an underprivileged group, can not contribute to a political campaign for their own protection and I do not think that any man need go beyond today's Calendar to find where labor would need some protection. They can easily see, by looking on the Calendar, that somewhere along the line labor needs protection, it needs to organize and fight for its very right to exist. Under the terms of the Woodward bill, it would be difficult for them even to stay in existence, and certainly they ought to be allowed to fight for that right they ought to be allowed to fight to stay alive.

No man here can say, with all the wrongs charged against labor organizations, that in the main they have not been beneficial, particularly to the membership, particularly to the men who make up these labor unions.

I can remember a particular case that may interest you. In one of the largest corporations in this state, prior to its employes organizing a labor union, their minimum pay rate was eighteen cents an hour, and within a year and a half after their organization had firmly established itself, the minimum rate of pay was sixty-two cents an hour, and, incidentally, dividends to stockholders were never cut down because of the increase in hourly earnings, but prior to the time the men and women were earning a fairly decent minimum wage, the stockholders of that company were reaping a harvest, unlimited amounts of money were being paid out to the principal owners.

I say to you men in the Senate of Pennsylvania that when you say to a man who works for a living that he can not take an active part in politics, you are adding another nail to the coffin of this democracy. In the first place, you are nullifying the vote of the so-called civil service employes in the federal government, you are trying to nullify the vote of anybody who works for government, state, nation or county, and now you are going to nullify the vote of the person who works for a living because he happens to belong to a labor union. You say no your are not doing that, because he can still go out individually. Certainly he can, but I say to you that it takes collective action on the part of the underprivileged to get any benefits out of legislation. You do not need to take my word for that, just look at the Calendar, just go over and review the four years under Governor James, just study the thing that happened to workmen's compensation, study what happened to the anti-injunction law, study what has happened recently to the merit rating plan, robbing the state unemployment compensation fund; study the acts of this General Assembly in the past four years and part of this session, and you will see that labor has every right, under any concept of the way the American Government was founded, they have every right to collectively contribute to a campaign in order that they may secure the protection that we here should secure for every one of them, and so I say to you, pass this legislation if you so desire, and I will guarantee you that it will do no good.

Mr. HOLLAND. Mr. President, right after the Session opened today I heard a very beautiful expression of thought from the gentleman from Allegheny, Mr. Geltz, who spoke about the brotherhood of men, he spoke of our creating hatreds between labor and capital, yes, creating hatreds between the farmer and the man who lives in the city. I sat back and listened and thought this Session had at last reached a point where some of the things that we are talking about were going to be put into effect. I was firmly of the thought that considerable sincerity was back of this bill, I thought the sponsor of the bill had only one thought in mind, and that was to correct election laws so that we could have better elections and better results from elections.

With that in mind I offered amendments. This Senate did not even stop to have the amendments read. They voted them down without knowing what they were voting down. My amendments, I believe, would have improved this bill.

If we are worrying about donations to political parties, we should also close all loopholes by which political parties get around election laws.

Mr. President, the members of this Senate know that large sums of money are borrowed by political parties and that those political parties do not give an accounting to the people to whom those money are to be paid back. I believe that that creates in the minds of the people of Pennsylvania a distrust of government, I believe it creates in the minds of the people the thought that maybe this money is not paid back in dollars but is paid in some other way.

It was to correct this evil that I offered amendments compelling any party, whether it be Democratic or Republican, or any party not yet formed, to give an accounting three months before the next election of how this money was paid back, and where were the contributors who raised the amount of money that was to be paid back. I think that is only fair, I think it is only just, I think that the Senate of Pennsylvania by turning thumbs down on these amendments, shows a lack of sincerity in this bill. You can not create a brotherhood of men if you are going to permit these men to do what the men who were chased out of the temples during the time of Christ did when Christ chased out and drove out the money changers; I say to you that you must drive them out again.

If everything we do in this Senate is going to be judged by the power of money, then I say this Senate is not following the teachings of Christ.

In this Easter season which has just passed, I believe all of us should sit down with our consciences and try to turn over in our consciences whether we are following the teachings of the Nazarene. We are not following those teachings, because Christ believed and lived with the common men, He lived with the poor, He associated with the people who were hungry, unclothed and sick. He did not associate with the men of wealth of those days, He did not go to them for advice, He went down to the masses and sat with the masses because He believed in the masses.

We are not doing this today. We have proven it in legislation that has been passed. We are going to create a greater hatred, a greater hatred of those who have not against those who have, if we continue that line of thinking.

Yes, I would like to say to the gentleman from Allegheny, I too have a philosophy of what we are fighting for, I believe we are fighting for a better world, a world where want will be driven out and those great depressions will be nor more. I believe we are fighting to prove, when this war is won, that we can produce to live like we are producing now to kill. That is what we are fighting for, those are the things our boys are dying for, and how I wish I could say they are the things that this Senate is fighting for.

Mr. McGINNIS. Mr. President, I feel that this bill is going in the wrong direction. The main purpose of it is to discourage labor unions from entering into politics. I think we have made a great mistake in keeping civil service employes out of politics, and I say the same thing about the Hatch Act. If we continue keeping these hordes of civil service employees out of politics, and all federal employes under the Hatch Act, and now here is a bill that is starting at least to begin to discourage laboring men from entering into politics, why, there will be nobody left to vote except a few bankers and owners of manufacturing plants, because the rest of us will have some restriction on us so that we can not enter into politics.

I feel that every civil service employe, every man that is affected by the Hatch Act and every laboring man ought to be encouraged to get into politics and be interested every day of their lives in what is going on in their state and nation.

Mr. HEYBURN. Mr. President, I am not going to delay the vote on this bill by very many seconds, but I just thought there ought to be a few words said here in answer to some of the statements made by my brethren on the left.

Mr. President, this bill in no way curbs the working man. I do not know how the Senators on my left ever got such an idea. As the election law now stands, Mr. President, a corporation can not make a contribution to a political party, and this merely extends the law by saying that neither can unincorporated associations.

It is true, Mr. President, that labor unions fall into that same category, but there is nothing to hinder labor union officials from making contributions themselves, just the same as an officer of any corporation. Neither is there anything to prevent a labor union from taking up a collection for political purposes among its members.

What this bill will prevent Mr. President, is the loaning of tremendous sums of money from the treasuries of labor unions, or any other unincorporated associations, to political parties.

There has been a great demand among labor union members and members of other unincorporated associations, Mr. President, for this type of legislation. For instance, it is well known in the memories of some folks that a nationally known labor union just a few years ago made a loan of some $500,000 to a political party, and members of that union have told me that they have never yet received that $500,000 back. That is the sole purpose of this amendment, to protect the rank and file of the working people of Pennsylvania. It in no way hamstrings them politically, they can go out and run for committeemen, aspire for any office, collect money for political purposes and donate moneys themselves, just the same as any other officer of a corporation or any individual in the Commonwealth of Pennsylvania.

Mr. DENT. Mr. President, the Majority Floor Leader, the gentleman from Delaware, Mr. Heyburn, touched upon a few questions and I believe in fairness to all concerned I should be permitted to make an answer. First, in connection with the loan of which the gentleman from Delaware spoke, we might as well bring the dog right out in the open where everyone can see the color of its hair. There was a loan made by the United Mine Workers to the Democratic National Committee for the election campaign in 1936. That loan was made, after due consideration and deliberation, at the National Convention of the United Mine Workers held at Atlantic City. The money was loaned to the Democratic National Committee and was repaid in full, every cent of it, to the treasurers of the United Mine Workers of America.

I do not want to go into any loans that might have been made to your party, I know nothing about them, they are none of my business.

The gentleman on the other side also said that this does not curtail labor in its activities. I do not know whether he got the significance of what I tried to put across, but I say to you that you destroy the labor vote when you destroy its collectiveness; in other words, there has always been an old adage in the operation of many of our managements in this state and nation to keep labor divided and therefore you keep it controlled.

That is what you do in this bill. You say these men can make a contribution by taking up a collection. Yes, they can make a contribution by taking up a collection, probably, but I would hate like the devil to be the one in a union who tried it. You see memberships in unions are just like any other group, corporated or unincorporated. They are made up of members of both political parties, and the minute somebody up and says "I move that we take up a contribution to help out a certain candidate," another man gets up and says, "The General Assembly of the State of Pennsylvania passed an act that labor unions were not allowed to contribute." It might just so happen that maybe he would want to contribute to the Republican Party and a Democrat would get up and object, or if a Democrat wanted to take up a collection for the Democratic Party a Republican would get up and make objection, so I say to you, Mr. Majority Floor Leader, and I repeat, if you will read the bill, on page 4 it says "those formed primarily for political purposes or a political committee," and then you go on and read further in that section and you will find it says a political committee can not give money—the gentleman from Philadelphia, Senator Kephart, called that to the attention of the gentleman from Philadelphia, Senator Shapiro, and Senator Shapiro tried to get it into the record that they could.

I want to say to you further, Mr. Majority Floor Leader, and this is not at all personal, except to say this: This bill is definitely aimed at keeping the labor vote divided so that it will lose its potency.

Mr. DiSILVESTRO. Mr. President, I take a different viewpoint on these bills. It was rather kind and I thank Senator Farrell for presenting to the General Assembly the registration bill last week and this bill this week, and I will tell you why. When I got home last week, after putting up a fight against the registration bill, I called a meeting in my district and I said "boys and girls, we got to go to town." I said to them, "you see, if you move from this side of the street to the other side of the street, Senator Farrell's bill says you have got to go to the Registration Commission and register on the fourteenth floor, or wherever the Registration Commission sends its army of registrars." They said, "Is that what they did?" I said, "That is exactly what they did." I said, "We are going to fight hard and we are going to form squads so that we will find out when those war workers come out of work and when they leave for work, so that we can adapt our time according to their convenience.

Now, Mr. President, in connection with this bill, when I get back to Philadelphia again I will call another meeting and I will say "boys, no more labor money" and my newspaper, La Libera Parola, will be on every doorstep in South Philadelphia.

Mr. SHAPIRO. Mr. President, there is another purpose in this bill aside from preventing labor unions from making contributions. Under section 1604, sub-section (b) on page 2 of this bill, if this bill should be adopted, it will now become possible for political organizations to pay out up to ten dollars without vouchers. Up until now, if they paid out ten dollars or more they would have to have a voucher or they would have to pay the ten dollars by check—they would have to account for it, but now the "ten dollars or more" is amended and the words "or more" are stricken out and the wording is amended to read "more than ten dollars" so that the bill as now amended reads: "any primary or election expenses amounting to more than ten dollars shall be vouched for by a bill stating the payment and by a receipt and shall be made by check or money order drawn to the individual association or corporation to whom the payment is due."

Now, Mr. President, anybody who has had practical ex-

perience in politics with committeemen knows what that means. Up until the passage of this bill all moneys paid to committeemen were vouched for by the committeemen, up to ten dollars, and now it has got to exceed ten dollars. Now, the ten dollars that the committeeman gets does not have to be vouched for, but it has got to be $10.01 at least.

Of course, this bill was designed to take care of the labor organizations or, as the gentleman from Delaware, Senator Heyburn, euphoniously calls them, unincorporated organizations, but at the same time, incidentally of course, it takes care of political organizations.

I agree with my colleague from Philadelphia, Senator DiSilvestro, that the more of this kind of legislation you pass the better it will be generally, provided the people know about it, and I think that is one of the reasons why I said I was not going to argue about this bill.

I think the only thing to do about these bills, instead of talking about them here, is to do what the gentleman from Philadelphia, Senator DiSilvestro, does at home, that is, let all of us get together and let the people know how the labor organizations are taken care of in the bill that takes care of the political organizations, and also let the people know that while it will be unlawful if this bill becomes law for organizations to loan $500,000 to a political party, it is not unlawful for bankers to loan to two, three or four powerful politicians $500,000 or $1,000,000, so it can be used for political purposes; it is not unlawful for a business man or a group of business men to loan in Philadelphia, as we have seen it done, $200,000 to a political organization and thereby gain control of that political organization; that is not unlawful but don't you labor organizations, you who have, apparently, from what has been going on here, more interest, a greater interest at stake than anybody else, don't you dare try to do that which four or five or even one individual business man may do by himself in association with three other people or through banks every day, to exercise great influence.

This bill is a direct thrust at labor, it is a direct attempt to prevent labor from making large contributions. If it were a bill directed against all persons, I would be in favor of it, because I agree that the basic principle is that no individual or group of individuals by large contributions should acquire control over any political party, but let us be consistent, do not let us just pick out one group and say you can not but others can control a political organization.

I think the worst thing that happened in this country was the loan of $500,000 made by a particular labor organization to a political group, and I think we see more evidence of it now, but you gentlemen who will not pass a law preventing loans of such large sums of money, give people the idea that Mr. "X" can lend $2,000,000 to the Republican party, but there are no gentleman of equal wealth who will lend that to the Democratic party, and if a labor union would like to put its party in power and it has the money, it takes the cue from you and it lends $500,000, and that is why I say the viciousness of this bill lies in the fact that you are attacking labor organizations.

Mr. HEYBURN. Mr. President, the more I listen to some of the lawyers here, the more I make up my mind, if I ever get into trouble, I am going to defend myself.

The gentleman from Philadelphia, Senator Shapiro, says this bill does away with the necessity of filing vouchers for political expenditures. As the law now exists, expenditures of $10.00 or more must be accompanied by vouchers or made by check, which means receipts are turned in for expenditures under that.

This bill as now amended means that if an expenditure is more than $10.00, in other words $10.01, you would have to file a voucher.

And the question recurring,

Will the Senate agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—29

Becker,	Farrell,	Letzler,	Thomas,
Bowers,	Geltz,	Mallery,	Tyler,
Carr,	Heyburn,	Scarlett,	Wade,
Chapman,	Homsher,	Snowden,	Watkins,
Crider,	James,	Stevenson,	Wilson, H. I.,
Crowe,	Jones,	Tallman,	Wilson, T. B.,
Deitrick,	Kephart,	Taylor,	Woodward,
Ealy,			

NAYS—16

Barr,	DiSilvestro,	Jaspan,	Shapiro,
Coleman,	Gourley,	McGinnis,	Stiefel,
Cox,	Haluska,	McQuiddy,	Walker,
Dent,	Holland,	Ruth,	Woodring,

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

PERMISSION TO ADDRESS SENATE

Mr. BARR asked and obtained unanimous consent to address the Senate.

Mr. BARR. Mr. President and Members of the Senate, two weeks ago last Thursday I stated on this floor that as long as the congressional reapportionment bill was before either House of this Legislature that I would insist that the constitutional provision with reference to the reading of bills be strictly complied with. Subsequently my action was approved and unanimously adopted by the Democratic Caucus.

The purpose of this action was twofold—First, to focus the attention of the public on the intent of the Republican party, and in order to accomplish that, to pass such legislation as they deemed necessary, and in doing this they were in our opinion striking a blow at the Democratic process. It was important in our opinion, particularly in war times, to expose this purpose.

Second, we hoped by making this matter public property that the Republican party might, by the force of public opinion, be compelled to desist. Accordingly we suggested the appointment of a joint committee of Democrats and Republicans in both Houses. As is well known a committee representing Democratic members of both Houses called upon the Governor and requested the setting up of such a joint committee; the Goveror accepted the suggestion. A joint committee was appointed. Beginning last Monday, our Floor Leader made every effort to have this Committee sit down together without success The meeting was finally fixed for 12:00 o'clock today—the Republican Floor Leader came in at 2:55. I am told that this committee got nowhere very fast and that the Republican Floor Leader said he would not have any au-

thority to ask any member of the Senate not to vote for any bills and that he thought all the war measures had been taken care of. If he means by this the post-war planning bill, which is the only bill so far passed by the Senate that deals with war measures, for my part I can only say that this bill accomplishes little more than nothing. However, I feel, and my colleagues in the Democratic Caucus agree with me, that our purposes have been accomplished. We have exposed to the light of day, not only in Pennsylvania, but in the nation, the gerrymandering of congressional districts upon purely political lines and thereby making it almost impossible to reelect Democratic congressmen who have voted 100 per cent with the President on war measures.

We have exposed the attempt to destroy the principle of civil service in Pennsylvania to such an extent that even the Republican controlled House revolted against it.

We have exposed the attempt to destroy the parole system in Pennsylvania.

We have exposed the attempt to deprive war workers of the right to vote by means of the vicious Farrell Bill, very commonly known as Senate Bill No. 305.

Finally, we have focused the attention of every citizen of the state, particularly the workers who believe in our Democratic form of government, on the vicious attack made on the labor unions by Senate Bill No. 46, and I am serving notice now that we propose to further focus attention of the public on the attitude of the Republican party on this bill by moving to re-commit the bill to the committee from whence it came in the hope that it will meet its deserved death, or the responsibility for its life will be fastened where it belongs, on the Republican party.

These are but a few of the bills which follow the pattern of the Republican party. I have mentioned only the highlights. I had hoped that the committee appointed upon the suggestion of the Governor would have accomplished additional results. However, the facts are all now disclosed, the purposes have been accomplished at no additional cost to the Commonwealth for clerk hire, printing or otherwise, and with what I feel was of great benefit to the citizens of this Commonwealth. For these reasons and with the authority of the Democratic Caucus, I withdraw my insistence that bills be read at length.

PERMISSION TO ADDRESS SENATE

Mr. HEYBURN asked and obtained unanimous consent to address the Senate.

Mr. HEYBURN. Mr. President, I intend to move that the Senate take a recess in a short time, but before doing so I should like to tell the members of the Senate that the gentleman from Allegheny, Senator Barr, did not attend this so-called conference so, therefore, someone who was present at the conference must have talked to him and whoever did so did not tell him the truth.

Mr. President, the conference was scheduled to be held this morning but there was not a Democrat on the hill, and as far as the leaders were concerned, we could not find them, so, naturally I was late because they did not keep their appointment.

I also note, Mr. President, that the gentleman from Allegheny, Senator Barr, made a remark about the Taylor-Wade Civil service bill and the truth of the situation is, Mr. President, that the gentleman from Allegheny, Mr. Barr, sponsored a similar bill affecting local communities and forced it out of committee and it is now on the Senate Calendar, and I suggest that the Senator read and follow his own bills.

RECESS

Mr. HEYBURN. Mr. President, I move that the Senate do now recess until 9:30 p. m.

Mr. THOMAS. Mr. President, I second the motion.

The motion was agreed to.

AFTER RECESS

The PRESIDENT. The time of recess having elapsed the Senate will be in order.

BILLS ON THIRD READING

BILL OVER IN ORDER

Mr. HEYBURN. Mr. President, I ask unanimous consent that Senate Bill No. 357, on third reading, entitled:

An Act to amend the act, approved the twenty-third day of June, one thousand nine hundred thirty-one (P. L. 932), entitled "An act relating to cities of the third class; and amending, revising, and consolidating the law relating thereto," providing for exonerations of sewer liens and the discharge of properties covered thereby

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 398, entitled:

An Act regulating the issuance of execution on judgments confessed on written instruments and providing that when such judgments are entered in one county defenses may be made to the same by petitions to open filed in any other county where execution thereon is issued or made

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Whenever a judgment is confessed or entered in any court of common pleas on a note bond or other written instrument hereafter executed in which judgment is confessed or containing a warrant for an attorney-at-law or other person to confess judgment against the person or persons who execute the same and such judgment is transferred to any other court of common pleas by filing there a certified copy of the record in the case before an execution bill of discovery or attachment shall be issued thereon in such other court of common pleas the plaintiff therein shall enter his appearance in the prothonotary's office of such other county giving an address within that county where all papers may be served on him When the defendant has a defense to such judgment he may file his petition to open the same either in the court where the judgment is originally entered or in any other court to which the judgment is transferred and in which an execution bill of discovery or attachment is issued thereon

Section 2 Whenever a judgment is confessed or entered in any court of common pleas on any instrument in writing set forth in section one of this act and a testatum writ of fieri facias is directed to the sheriff of any other county than that of the court in which it is confessed or entered the plaintiff shall enter his appearance in the prothonotary's office of such other county whose sheriff is directed to issue execution thereon giving an address within that county where all papers may be served on him When the

defendant has a defense to such judgment he may file his petition to open the same either in the court where the judgment is originally entered or in the court of the county whose sheriff is directed to issue execution thereon

Section 3 All acts and parts of acts in so far as inconsistent with the provisions of this act are hereby repealed

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

Mr. THOMAS B. WILSON. Mr. President, I want to go on record that I am opposed to the policy of this bill in every possible way. Some of the members of this Senate have convinced me that some very large loan companies, finance companies, are oppressing poor people by entering judgments in a county distant from their homes and then issuing an outside sci. fa. and levying on their property in their homes, and I do not propose to sit here and help pass a bill where parties are indulging in a practice like that. I think the bill is a wrong principle of law, to allow them to move to have the Court of Common Pleas of Chester County, for instance overrule the Court of Common Pleas of Cumberland County to open a judgment of the Court of Common Pleas of Cumberland County. Some Members of the Senate, both Republican and Democratic, have said to me that big finance companies are entering these judgments where they have their headquarters, and the poor people are not able to make a defense because the cost is more than the amount of the judgment, and while I am not in favor of that course of conduct, I am going to vote for this bill even though I do not approve of the legal principle involved.

And the question recurring,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—46

Barr,	Ealy,	Letzler,	Tallman,
Becker,	Farrell,	Mallery,	Taylor,
Bowers,	Geltz,	McCreesh,	Thomas,
Carr,	Gourley,	McGinnis,	Tyler,
Chapman,	Haluska,	McQuiddy,	Wade,
Coleman,	Heyburn,	Ruth,	Walker,
Cox,	Holland,	Scarlett,	Watkins,
Crider,	Homsher,	Shapiro,	Wilson, H. I.,
Crowe,	James,	Snowden,	Wilson, T. B.,
Deitrick,	Jaspan,	Stevenson,	Woodring,
Dent,	Jones,	Stiefel,	Woodward,
DiSilvestro,	Kephart,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILL OVER IN ORDER

Mr. SHAPIRO. Mr. President, I ask unanimous consent that House Bill No. 403 on third reading, entitled:

An Act to amend section seven of the act approved the seventeenth day of May one thousand nine hundred seventeen (P. L. 208) entitled "An act to regulate the practice of pharmacy and sale of poisons and drugs and providing penalties for the violation thereof defining the words 'drug' and 'poison' and providing for the appointment of a board which shall have in charge the enforcement of said law and the power to make rules and regulations for the enforcement of said law and providing for the purchase of samples of drugs for determining their quality strength and purity" by requiring a copy of the latest edition of the Year Book of the Pennsylvania Pharmaceutical Association to be kept in every pharmacy

go over in its order temporarily for the reason that amendments are being prepared which are not yet ready.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS RECOMMITTED

Mr. HEYBURN. Mr. President, I move that Senate Bill No. 441, on third reading, entitled:

An Act to amend article forty-three of the act, approved the twenty-third day of June one thousand nine hundred and thirty-one (P. L. 932), entitled "An act relating to cities of the third class; and amending, revising, and consolidating the law relating thereto," authorizing the organizations, associations or boards having charge of police, firemens and other city employes' pension or retirement funds to enter into contracts with insurance companies whereby such companies undertake to pay any pension, retirement or other allowance which may become due under said article forty-three, to policemen, firemen and other employes; prescribing how the costs of securing and continuing such contracts may be met; providing for certain future adjustments in said contracts in case the Federal Social Security benefits are extended to policemen, firemen and other employes; providing for certain modifications of the rights of policemen, firemen, and other employes relating to pensions or retirement; and authorizing city councils to make certain appropriations

be recommitted to the Committee on Insurance for the purpose of further study.

Mr. LETZLER. Mr. President, I second the motion.

The motion was agreed to.

Mr. HEYBURN. Mr. President, I move that Senate Bill No. 442, on third reading, entitled:

An Act to amend Section 2 of, and to add Section 8.1 to, the act, approved the eighth day of July, one thousand nine hundred forty-one (P. L. 298), entitled "An act authorizing the creation of, and providing for, and regulating the maintenance and operation of a county employes' retirement system in counties of the fourth class, imposing certain charges on counties, and fixing penalties," by reducing "regular interest" to be paid on contributors' accounts from three and one-half per centum to two per centum; authorizing the retirement boards in said counties to enter into contracts with certain insurance companies, whereby such companies will undertake to pay any retirement allowance which may become due under the aforesaid act to original or new members of the county retirement system; prescribing how the payments or premiums due to insurance companies under such contracts shall be met; providing for certain future adjustments in said contracts in case the Federal Social Security System in hereafter extended to include county employes; and providing for certain modifications of the rights of original and new members of county retirement systems in such counties

be recommitted to the Committee on Insurance.

Mr. SCARLETT. Mr. President, I second the motion.

The motion was agreed to.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 465, entitled:

An Act authorizing the Department of Welfare to enter into contracts for foodstuffs to supply State institutions and to purchase the same in open market and to process the same for preservation providing for transfers from appropriations made to such institutions in payment therefor authorizing dehydrating plants and equipment at State institutions and the use of inmate labor thereat conferring power and imposing duties on the Department of Property and Supplies and making an appropriation

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The Department of Welfare is hereby authorized to enter into agreements with farmers fruit and vegetable growers and other food producers whereby such producers will grow for the Department and the Department will buy when grown any items of foodstuffs including food animals dairy products fruit and vegetables Such agreements may be entered into during the duration of the war and six months thereafter and may specify the quantity of such itms to be bought or the acreage to be planted the standards of acceptability and the price to be paid which may be the market price at time of delivery

Section 2 The Department is hereby authorized to buy in the open market any items of food which the Department has the facilities to can dehydrate store or otherwise process for preservation

Section 3 Foodstuffs acquired under the provisions of this act shall be for the use of any State institution whether or not under the supervision of the Department of Welfare but shall not become a part of the stores inventory of any State institution until assigned to such institution by the Department of Welfare When so assigned there shall be a transfer from the appropriation for such State institution to the credit of the appropriation made by this act Requisition effecting such transfer shall be drawn by the Department having supervision over such institution and approved by the Governor

Section 4 The Department of Welfare is hereby authorized from the funds hereby appropriated to purchase install and erect dehydrating equipment at any State institution and to provide engineering and supervision for such installation and construction and with the approval and under the supervision of the Department of Property and Supplies to construct and equip a building and house such dehydrating plant

Section 5 For any of the purposes of this act the Department of Welfare may require the Superintendent of Warden of any State institution to furnish inmate labor at such institution

Section 6 The sum of one hundred and twenty-five thousand dollars ($125,000) or as much thereof as may be necessary is hereby appropriated to the Department of Welfare for the purchase of cans jars canning and dehydrating supplies and equipment the purchase of supplies and equipment for constructing storage facilities the construction and installation of dehydrating and storage facilities the construction and equipment of a building to house such dehydrating plant the payment of labor costs and the purchase of foodstuffs under the provisions of this act and in addition thereto the amounts made available under the provisions of section three by credit to this appropriation are hereby appropriated for the same purposes

Section 7 This act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—46

Barr,	Ealy,	Letzler,	Tallman,
Becker,	Farrell,	Mallery,	Taylor,
Bowers,	Geltz,	McCreesh,	Thomas,
Carr,	Gourley,	McGinnis,	Tyler,
Chapman,	Haluska,	McQuiddy,	Wade,
Coleman,	Heyburn,	Ruth,	Walker,
Cox,	Holland,	Scarlett,	Watkins,
Crider,	Homsher,	Shapiro,	Wilson, H. I.,
Crowe,	James,	Snowden,	Wilson, T. B.,
Deitrick,	Jaspan,	Stevenson,	Woodring,
Dent,	Jones,	Stiefel,	Woodward,
DiSilvestro,	Kephart,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILL OVER IN ORDER

Mr. HEYBURN. Mr. President, I understand that some of the members of the Senate have not read this bill, so I ask unanimous consent that Senate Bill No. 473, on third reading, entitled:

An Act to further amend sections four five and nine of the act approved the twenty-eighth day of June one thousand nine hundred thirty-five (P. L. 463) entitled as amended "An act providing for the incorporation as bodies corporate and politic of 'Authorities' for municipalities counties and townships defining the same prescribing the rights powers and duties of such authorities authorizing such Authorities to acquire construct improve maintain and operate projects and to borrow money and issue bonds therefor providing for the payment of such bonds and prescribing the rights of the holders thereof conferring the right of eminent domain on such Authorities authorizing such Authorities to enter into contracts with and to accept grants from the Federal Government or any agency thereof and for other purposes" by limiting the power of an Authority to acquire the title to projects subject to the jurisdiction of the Pennsylvania Public Utility Commission by requiring approval of said Commission

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 494, entitled:

An Act to amend Article VI of the act approved the twenty-fourth day of June one thousand nine hundred thirty-nine (P. L. 872) entitled "An act to consolidate amend and revise the penal laws of the Commonwealth" by making it unlawful to throw certain articles upon the land of another and providing penalties

The General Assembly of the Commonwealth of Pennsylvana hereby enacts as follows

Section 1 Article VI of the act approved the twenty-fourth day of June one thousand nine hundred thirty-nine (P. L. 872) entitled "An act to consolidate amend and revise the penal laws of the Commonwealth" is hereby amended by adding after Section 694 a new section to be known as Section 694.1 and to read as follows

Section 694.1 Throwing Articles Upon Land of Another Whoever throws or causes to be thrown upon or onto the land of another any garbage glass metal refuse ashes tin cans or any discarded or soiled personal property shall upon conviction in a summary proceeding be sen-

tenced to pay a fine not exceeding fifty dollars ($50 and in default of the payment of the fine and costs shall be sentenced to imprisonment not exceeding thirty (30) days

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—46

Barr,	Ealy,	Letzler,	Tallman,
Becker,	Farrell,	Mallery,	Taylor,
Bowers,	Geltz,	McCreesh,	Thomas,
Carr,	Gourley,	McGinnis,	Tyler,
Chapman	Haluska,	McQuiddy,	Wade,
Coleman,	Heyburn,	Ruth,	Walker,
Cox,	Holland,	Scarlett,	Watkins,
Crider,	Homsher,	Shapiro,	Wilson, H. I.,
Crowe,	James,	Snowden,	Wilson, T. B.,
Deitrick,	Jaspan,	Stevenson,	Woodring,
Dent,	Jones,	Stiefel,	Woodward,
DiSilvestri,	Kephart,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILL OVER IN ORDER

Mr. THOMAS. Mr. President, I ask unanimous consent that Senate Bill No. 517, on third reading, entitled:

An Act to further amend section ten of the act, approved the twenty-ninth day of May, one thousand eight hundred and eighty-five (P. L. 29) entitled "An act to provide for the incorporation and regulation of natural gas companies," providing that natural gas companies shall have the right of eminent domain for the storage of natural gas and manufactured fuel gas beneath the surface of any lands situate within the territory of production, pipe lines, or of supply of such corporation

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Agreeably to order.

The Senate proceeded to the third reading and consideration of Senate Bill No. 524, entitled:

An Act to amend sections four hundred twenty-six and four hundred twenty-seven of the act approved the twenty-first day of June one thousand nine hundred thirty-nine (P. L. 566) entitled "An act defining the liability of an employer to pay damages for occupational disease contracted by an employe arising out of and in the course of employment establishing an elective schedule of compensation providing procedure for the determination of liability and compensation thereunder imposing duties on the Department of Labor and Industry the Workmen's Compensation Board Workmen's Compensation Referees and deans of medical schools creating a medical board to detremine controverted medical issues establishing an Occupational Disease Fund in custody of the State Workmen's Insurance Board imposing upon the Commonwealth a part of the compensation payable for certain occupational diseases making an appropriation and prescribing penalties" conferring exclusive jurisdiction on the county court of Allegheny County in cases of appeals from the Workmen's Compensation Board

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Sections four hundred twenty-six and four hundred twenty-seven of the act approved the twenty-first day of June one thousand nine hundred thirty-nine (P. L. 566) entitled "An act defining the liability of an employer to pay damages for occupational disease contracted by an employe arising out of and in the course of employment establishing an elective schedule of compensation providing procedure for the determination of liability and compensation thereunder imposing duties on the Department of Labor and Industry the Workmen's Compensation Board Workmen's Compensation Referees and deans of medical schools creating a medical board to determine controverted medical issues estbalishing an Occupational Disease Fund in custody of the State Workmen's Insurance Board imposing upon the Commonwealth a part of the compensation payable for certain occupational diseases making an appropriation and prescribing penalties" are hereby amended to read as follows

Section 426 The board upon petition of any party and upon cause shown at any time before the court of common pleas of any county of this Commonwealth other than Allegheny County and in Allegheny County before the county court of Allegheny County to which an appeal has been taken under the provisions of section four hundred and twenty-seven of this article shall have taken final action thereon may grant a rehearing of any petition upon which the board has made an award or disallowance of compensation or other order or ruling or upon which the board has sustained or reversed any action of a referee but such rehearing shall not be granted more than one year after the board has made such award disallowance or order or ruling or has sustained or reversed any action of the referee If the board shall grant a rehearing of any petition from the board's action on which an appeal has been taken to and is pending in the court of common pleas [of any county of this Commonwealth] or in the county court of Allegheny County as the case may be under the provisions of section four hundred and twenty-seven of this article the board shall file in such court a certified copy of its order granting such rehearing and it shall thereupon be the duty of such court to cause the record of the case to be remitted to the board Provided however That nothing contained in this section shall limit or restrict the right of the board or a referee designated by the board to review modify set aside reinstate suspend or terminate an original or supplemental agreement or an award in accordance with the provisions of section four hundred thirteen of this article

Section 427 Any party may appeal from any action of the board on matters of law to the court of common pleas of the county in which the employe was last employed prior to his disability or death or of the county in which the adverse party resides or has a permanent place of business or by agreement of the parties to the court of common pleas of any other county of this Commonwealth Provided That no such appeal shall be taken to the court of common pleas of Allegheny County but in Allegheny County all such appeals shall be taken to the county court of Allegheny County which shall have exclusive jurisdiction of such appeals Such appeal must in all cases be brought within twenty days after notice of the action of the board has been served upon such party unless any court of common pleas or the county court of Allegheny County as the case may be to which an appeal lies shall upon cause shown extend the time herein provided for taking the appeal The party taking the appeal shall at the time of taking the appeal serve upon the adverse party a written notice thereof setting forth the date of the appeal and the court in which the same is filed and shall file either with his notice of appeal or within thirty days thereafter such exceptions to the action of the board as he may desire to take and shall specify the findings of fact if any of the board or of the

referee sustained by the board which he alleges to be unsupported by sufficient competent evidence

Upon filing of the notice of an appeal the prothonotary of the court of common pleas or the clerk of the county court of Allegheny County as the case may be to which the appeal has been taken shall issue a writ of certiorari directed to the board commanding it within ten days after service thereof to certify to such court its entire record in the matter in which the appeal has been taken The writ so issued shall be mailed by the prothonotary or the clerk of the county court of Allegheny County as the case may be to the department at Harrisburg together with a copy of the exceptions The board shall within ten days after such service certify to such court its entire record in the matter in which the appeal has been taken including the notes of testimony

Any court before which an appeal is pending from any action of the board may remit the record to the board for more specific findings of fact if the findings of the board or referee or of the medical board are not in its opinion sufficient to enable it to decide the question of law raised by the appeal

If the court of common pleas [of any county of this Commonwealth] or the county court of Allegheny County as the case may be shall affirm an award or order of the board or of a referee sustained by the board fixing the compensation payable under this act the court shall enter judgment for the total amount stated by the award or order to be payable whether then due and accrued or payable in future instalments If such court shall sustain the appeallant's exceptions to a finding or findings of fact and reverse the action of the board founded thereon the court shall remit the record to the board for further hearing and determination in which the procedure shall be the same as that hereinbefore provided in this article in the case of a petition presented to the board except that the testimony taken in the original procedings shall be considered as though taken in such further hearing

The prothonotary of any court of common pleas or the clerk of the county court of Allegheny County as the case may be to which an appeal has been taken from the board shall send to the board a certificate of the judgment of the court as soon as rendered with a copy of any opinion which may be filed in the case and within five days shall give notice of such judgment and the date thereof by registered mail to each attorney at law appearing in the case at the address given by the attorney in the pleadings and if no attorney at law has appeared by registered mail to the party or parties not represented by counsel At the end of the period hereinafter allowed for an appeal from the judgment of the court the record of the board shall be remitted to it by the prothonotary or the clerk of the county court of Allegheny County as the case may be unless an appeal shall have been taken to the Superior Court as hereinafter provided If such appeal shall be taken the record shall be remitted to the board by the prothonotary or the clerk of the county court of Allegheny County as the case may be on its return from the appellate court

Any party may appeal to the Superior Court from the judgment of the court of common pleas or the county court of Allegheny County as the case may be within thirty days after entry of said judgment irrespective of the amount involved Such appeal shall be taken and prosecuted in the same manner and form and with the same effect as is provided in other cases of appeal to the Superior Court and the record so certified shall contain all that was before the court of common pleas or the county court of Allegheny County as the case may be Any appeal from the action of the board to a court of common pleas or the county court of Allegheny County as the case may be and from it to the Superior Court shall take precedence over all other civil actions The judgment of the Superior Court shall be final unless an appeal therefrom is allowed as in the case of other judgments of that court

Upon the rendition of any judgment in the county court of Allegheny County hereunder the party to whom such judgment is awarded shall be entitled to file in the office of the prothonotary of Allegheny County a transcript from the docket of the county court showing the judgment so rendered which judgment shall be entered upon the judgment index of such county in the same manner and with like effect as in the case of other judgments rendered by the county court of Allegheny County

It is the intention of this act that all appeals from the Workmen's Compensation Board heretofore triable in the court of common pleas of Allegheny County shall hereafter be exclusively triable in the county court of Allegheny County regardless of the amount of money involved in the appeal

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—27

Barr,	Ealy,	McGinnis,	Tallman,
Chapman,	Gourley,	McQuiddy,	Taylor,
Coleman,	Haluska,	Ruth,	Wade,
Cox,	Heyburn,	Scarlett,	Walker,
Crowe,	Holland,	Snowden,	Watkins,
Deitrick,	Homsher,	Stevenson,	Woodring,
DiSilvestro,	Jaspan,	Stiefel,	

NAYS—16

Becker,	Farrell,	Kephart,	Thomas,
Bowers,	Geltz,	Letzler,	Tyler,
Carr,	James,	Mallery,	Wilson, T. B.,
Crider,	Jones,	Shapiro,	Woodward,

A majority of all the Senators having voted "aye" the question was determined in the affirmative..

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceded to the third reading and consideration of House Bill No. 544, entitled:

An Act to reenact and amend the title and the act approved the fourteenth day of June one thousand nine hundred thirty-five (P. L. 341) entitled as amended "An act to provide revenue by imposing a State tax upon sales of cigarettes by dealers as herein defined requiring persons engaged in the sale of cigarettes at wholesale and retail to secure permits prescribing the method and manner of collecting such tax conferring powers and imposing duties on the Department of Revenue and persons as herein defined engaged in the sale of cigarettes at retail or wholesale and providing penalties" as previously reenacted and amended by extending the provisions of the act for a further limited period of time

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The title and all the sections of the act approved the fourteenth day of June one thousand nine hundred thirty-five (P. L. 341) entitled as amended "An act to provide revenue by imposing a State tax upon sales of cigarettes by dealers as herein defined requiring persons engaged in the sale of cigarettes at wholesale and retail to secure permits prescribing the method and manner of collecting such tax conferring powers and imposing duties on the Department of Revenue and persons as herein defined engaged in the sale of cigarettes at retail or wholesale and providing penalties" as last reenacted and amended by the act approved the twenty-ninth day of May one thousand nine hundred forty-one

(P. L. 53) are hereby reenacted and further amended to read as follows

An Act to provide revenue by imposing a State tax upon sales of cigarettes by dealers as herein defined requiring persons engaged in the sale of cigarettes at wholesale and retail to secure permits prescribing the method and manner of collecting such tax conferring powers and imposing duties on the Department of Revenue and persons as herein defined engaged in the sale of cigarettes at retail or wholesale and providing penalties

Section 1 Be it enacted &c That this act shall be known and may be cited as the "Cigarette Tax Act"

Section 2 The following words terms and phrases when used in this act shall have the meanings ascribed to them in this section except where the context clearly indicates a different meaning

"Association" Any partnership limited partnership or other form of unincorporated enterprise owned by two or more persons

"Dealer" Any wholesale dealer and in the cases hereinafter prescribed retail dealers The term "wholesale dealer" shall include any person who or which sells within Pennsylvania cigarettes to retail dealers or for purposes of resale or who or which purchases cigarettes directly from any manufacturer for purposes of resale The term "retail dealer" shall include every person other than a wholesale dealer who or which receives from any source whatsoever cigarettes for the purpose of sale to consumers in Pennsylvania or for any other purpose than that of resale whenever the packages of cigarettes so received do not have affixed to them the stamps evidencing the payment of the tax imposed by this act

"Department" The Department of Revenue of this Commonwealth

"Package" The individual package box or other container in or from which retail sales of cigarettes are normally made or intended to be made

"Person" Every natural person association or corporation Whenever used in any clause prescribing and imposing a fine or imprisonment or both the term "person" as applied to associations shall mean the partners or members thereof and as applied to corporations the officers thereof

"Cigarettes" Any roll for smoking made wholly or in part of tobacco irrespective of size or shape and whether or not such tobacco is flavored adulterated or mixed with any other ingredient the wrapper or cover of which is made of paper or any other substance or material excepting tobacco

"Sale" Any transfer for a consideration exchange barter gift offer for sale and distribution in any manner or by any means whatsoever

The singular shall include the plural and the masculine shall include the feminine and the neuter

Section 3 (a) On and after the effective date of this act it shall be unlawful for any person to continue to engage in or thereafter to begin to engage in the sale of cigarettes at wholesale within this Commonwealth or for any person excepting commissaries ship's stores and voluntary unincorporated organizations of the Army or the Navy personnel operating under regulations promulgated by the Secretary of War or the Secretary of the Navy to continue to engage in or thereafter to begin to engage in the sale of cigarettes at retail within this Commonwealth unless a cigarette permit or permits shall have been issued to him as hereinafter prescribed

(b) Every person desiring to continue to engage in or hereafter to begin to engage in the sale of cigarettes at wholesale or retail within this Commonwealth except those persons exempt under section 3 (a) hereof shall file an application for a cigarette permit or permits with the department Every application for a cigarette permit shall be made upon a form prescribed prepared and furnished by the department and shall set forth the name under which the applicant transacts or intends to transact business the location of his place of business within this Commonwealth whether or not the applicant is the holder of a mercantile license in effect when the application is made and if so the number of such licenses and the county for which such license was issued and such other information as the department may require If the applicant has or intends to have more than one place of business within the Commonwealth the application shall state the location of each place of business If the applicant is an association the application shall set forth the names and addresses of the persons constituting the association and if a corporation the name and addresses of the principal officer thereof and any other information prescribed by the department for purposes of identification The application shall be signed and verified by oath or affirmation by the owner if a natural person and in the case of an association by a member or partner thereof and in the case of a corporation by an executive officer thereof or some person specifically authorized by the corporation to sign the application to which shall be attached the written evidence of his authority

At the time of making such application the applicant shall pay to the department a permit fee of one dollar ($1.00) for each permit

Upon approval of the application and the payment of the permit fee or fees herein required the department shall grant and issue to each applicant a cigarette permit for each place of business within the Commonwealth set forth in his application Cigarette permits shall not be assignable and shall be valid only for the persons in whose names issued and for the transaction of business at the places designated therein and shall at all times be conspicuously displayed at the places for which issued

All permits shall expire on the thirty-first day of December next succeeding the date upon which they are issued unless sooner suspended surrendered or revoked for cause by the department

(c) Permits issued under the provisions of this act may be renewed annually before the first day of January upon application made to the department and the payment of a renewal fee of one dollar ($1.00)

Whenever any permit issued under the provisions of this act is defaced destroyed or lost the department may issue a duplicate permit to the holder of the defaced destroyed or lost permit upon the payment of a fee of fifty cents ($.50)

(d) The department may suspend or after hearing revoke a cigarette permit whenever it finds that the holder thereof has failed to comply with any of the provisions of this act or any rules or regulations of the department prescribed adopted and promulgated under this act Upon suspending or revoking any cigarette permit the department shall request the holder thereof to surrender to it immediately all permits or duplicates thereof issued to him and the holder shall surrender promptly all such permits to the department as requested Whenever the department suspends a cigarette permit it shall notify the holder immediately and afford him a hearing if desired and if a hearing has not already been afforded After such hearing the department shall either rescind its order of suspension or good cause appearing therefor shall continue the suspension or revoke the permit

Section 4 A State excise tax is hereby imposed and assessed upon sales of cigarettes by dealers at the rate of one cent per ten cigarettes or fraction thereof except such sales of cigarettes as are not within the taxing power of this Commonwealth under the commerce clause of the Constitution of the United States and except such sales as are made to authorized purchasers by commissaries ship's stores and voluntary unincorporated organizations of the Army or the Navy personnel operating under regulations promulgated by the Secretary of War or the Secretary of the Navy Provided That only one sale of the same package of cigarettes shall be used in computing the amount of tax due hereunder

Except as hereinafter provided dealers shall be liable to the Commonwealth as taxpayers for the payment of the tax imposed by this act and shall pay the tax into the State Treasury through the department by purchasing from the department adhesive stamps of such design and denominations as may be prescribed by the department

Manufacturers of cigarettes located either within or outside of this Commonwealth and wholesale dealers in cigarettes located outside of this Commonwealth may purchase stamps from the department and affix such stamps in the manner hereinafter prescribed to packages of cigarettes to be sold within this Commonwealth in which case the dealer within this Commonwealth receiving such stamped packages of cigarettes will not be required to purchase and affix stamps on such packages of cigarettes

Section 5 Each dealer shall affix within the time hereinafter prescribed to each package of cigarettes stamps furnished by and purchased from the department evidencing the payment of the tax imposed by this act and shall cancel such stamps before such cigarettes are offered for sale or before they are otherwise disposed of unless stamps have been affixed to such packages of cigarettes before such dealer received them Each wholesale dealer in this Commonwealth shall affix such stamps to each package of cigarettes unless such stamps shall have been previously affixed thereto and shall cancel the same in the manner prescribed by the department prior to the delivery of such packages to any retail dealer in this Commonwealth

Each retail dealer in this Commonwealth except those persons exempt under section 3 (a) hereof shall immediately upon the receipt of any cigarettes at his place of business so affix such stamps to each package of cigarettes unless such stamps shall have been previously affixed thereto and shall cancel the same in the manner prescribed by the department or shall immediately mark in ink on each unopened box carton or other container of such cigarettes the word "received" and the month day and year of such receipt and shall affix his signature thereto The retail dealer shall in any event open such box carton or other container and immediately affix such stamps to each package therein and cancel the same in the manner prescribed by the department within twenty-four hours after such receipt and prior to the sale of such cigarettes

Whenever any cigarettes are found in the place of business of such retail dealer without the stamps affixed and cancelled or not marked as having been received within the preceding twenty-four hours as required by this section the prima facie presumption shall arise that such cigarettes are kept therein in violation of the provisions of this act

Stamps shall be affixed to each package of cigarettes of an aggregate denomination not less than the amount of the tax upon the contents therein and shall be affixed in such manner that they will be visible to the purchaser Upon affixing stamps to a package of cigarettes the person affixing them shall cancel them by such method or in such manner as may be prescribed by the department

Section 6 The department shall prescribe prepare and furnish adhesive stamps of such denominations and quantities as may be necessary for the payment of the tax imposed and assessed by this act The department shall make provisions for the sale of such stamps in such places and at such times as it may deem necessary

The department shall appoint wholesale dealers in cigarettes within this Commonwealth and may appoint any other persons within or without the Commonwealth as agents to affix the stamps to be used in paying the tax herein imposed upon sales of cigarettes but a wholesale dealer shall at all times have the right to appoint the person who is to affix the stamps to any cigarettes under his control and whenever the department shall sell consign or deliver to any such agent any such stamps such agent shall be entitled to receive as compensation for his services and expenses as such agent in affixing such stamps and to retain out of the moneys to be paid by him for such stamps a commission of seven and one-half per centum on the par value thereof if and when such agent has purchased the stamps affixed by him directly from the department The department is hereby authorized and required to allow such commission or compensation in the settlement of the accounts of such agent upon payment by him into the State Treasury through the department of any moneys which may be or become due to the Commonwealth by reason of the sale delivery or consignment to such agent of such stamps

Section 7 Every person engaged in the sale of cigarettes at wholesale within this Commonwealth and every person engaged in the sale of cigarettes at retail within this Commonwealth except commissaries ship's stores and voluntary unincorporated organizations of the Army or of the Navy personnel operating under regulations promulgated by the Secretary of War or the Secretary of the Navy shall maintain and keep for a period of two years such record or records of cigarettes received sold and delivered within this Commonwealth by him together with invoices bills of lading and other pertinent papers as may be required by the department

The department or any agent appointed in writing by it is hereby authorized to examine the books papers invoices and other records the stock of cigarettes in and upon any premises where the same are placed stored and sold and equipment of any such wholesale or retail dealer pertaining to the sale and delivery of cigarettes taxable under this act to verify the accuracy of the payment of the tax imposed and assessed by this act Every such person is hereby directed and required to give to the Secretary of Revenue or his duly authorized representative the means facilities and opportunity for such examinations as are hereby provided and required

Section 8 The department is hereby charged with the enforcement of the provisions of this act and is hereby authorized and empowered to prescribe adopt promulgate and enforce rules and regulations relating to

(a) The method and the means to be used in the cancellation of stamps

(b) The denominations and sale of stamps

(c) Any other matter or thing pertaining to the administration and enforcement of the provisions of this act

Section 9 The tax imposed by this act shall be in lieu of the mercantile license tax heretofore imposed upon the business of selling cigarettes

Section 10 Whenever any cigarettes upon which stamps have been placed by a dealer have been sold and shipped by him into another state for sale or use therein or have been sold to commissaries ship's stores and voluntary unincorporated organizations of the Army or of the Navy personnel operating under regulations promulgated by the Secretary of War or the Secretary of the Navy for resale to authorized purchasers or have become unfit for use and consumption or unsaleable or have been destroyed such dealer shall be entitled to a refund of the actual amount of tax paid by him with respect to such cigarettes If the department is satisfied that any dealer is entitled to a refund it shall certify the proposed amount of such refund to the Board of Finance and Revenue for approval and thereafter shall issue to such dealer stamps of sufficient value to cover the refund as approved by the board The department is hereby authorized to adopt prescribe and promulgate such rules and regulations with regard to the presentation and proof of claim for refunds as it may deem advisable

The department may promulgate rules and regulations to relieve manufacturers and dealers from affixing the stamps on such cigarettes as are sold and shipped to points outside the Commonwealth for use outside the Commonwealth or on such cigarettes as are sold to commissaries ship's stores and voluntary unincorporated organizations of the Army or of the Navy personnel operating under regulations promulgated by the Secretary of War or the Secretary of the Navy for resale to authorized purchasers

Section 11 Every person other than a common carrier or the employes thereof who shall possess or transport any cigarettes upon the public highways roads or streets of this Commonwealth for the purpose of delivery sale or disposition shall be required to have in his actual possession invoices or delivery tickets for such cigarettes The absence of such invoices or delivery tickets shall be prima facie evidence that such person is a dealer in cigarettes in this Commonwealth and subject to the provisions of this act

Section 12 (a) Any person who shall sell cigarettes

without being the holder of a cigarette permit or permits as required by this act shall upon conviction in a summary proceeding be sentenced to pay a fine of twenty-five dollars ($25.00) and costs of prosecution and in default of payment thereof to undergo imprisonment for not more than ten (10) days

(b) Any person who shall sell cigarettes without purchasing and affixing stamps to each package thereof as required by this act shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced for the first offense to pay a fine of not less than one hundred dollars ($100.00) or more than one thousand dollars ($1,000.00) or to suffer imprisonment for a term not exceeding six (6) months or both in the discretion of the court and in the case of a conviction of a second or subsequent offense hereunder shall be sentenced to pay a fine of not less than five hundred dollars ($500.00) or more than one thousand dollars ($1,000.00) and to suffer imprisonment for a term not less than six (6) months or more than three (3) years.

(c) Any person who shall fail neglect or refuse to comply with or shall violate the rules and regulations prescribed adopted and promulgated by the department under the provisions of this act or who shall refuse to permit the department or any agent appointed by it in writing to examine his books, papers invoices and other records his stock of cigarettes in and upon any premises where the same are prepared stored and sold and his equipment pertaining to the sale of cigarettes taxable under this act shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine of not less than one hundred dollars ($100.00) or more than five hundred dollars ($500.00) or to suffer imprisonment of not more than six (6) months or both in the discretion of the court.

(d) Any person who falsely or fraudulently makes forges alters or counterfeits any stamp prescribed by the department under the provisions of this act or causes or procures to be falsely or fraudulently made forged altered or counterfeited any such stamp or knowingly and willfully utters publishes passes or tenders as true any such false altered forged or counterfeited stamp or uses more than once any stamp provided for and required by this act for the purpose of evading the tax hereby imposed and assessed shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to suffer imprisonment for a term of not less than two (2) years or more than five (5) years.

Section 13 The provisions of this act are severable and if any of its provisions shall be held to be unconstitutional the decision of the court shall not affect or impair any of the remaining provisions of this act It is hereby declared to be the legislative intent that this act would have been adopted had such unconstitutional provisions not been included herein

Section 14 This act shall become effective thirty days after its final enactment and shall continue in effect until and including the thirty-first day of May one thousand nine hundred [forty-three] forty-five

Section 2 This reenacting and amending act shall become effective immediately upon its final enactment.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

Mr. COX. Sometime ago, Mr. President, I made a statement to this Senate on the question of compensation of school teachers. At that time I said the matter was of such a serious nature that it was impossible for a budget to be formed or any tax measures to be passed until we had determined what assistance we were going to give to the school teachers of this state.

I said at that time I personally would not vote for any bill which would reduce taxes or decrease in any way the revenues of this state, until the members of this Senate and this Legislature had kept the pledge which they had made to the school teachers of this state.

This bill falls into that category and for that reason I intend to vote for the bill. These remarks also are applicable to any other tax measure which comes before this body.

And the question recurring,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—31

Becker,	Ealy,	Letzler,	Thomas,
Bowers,	Farrell,	Mallery,	Tyler,
Carr,	Geltz,	Ruth,	Wade,
Chapman,	Heyburn,	Scarlett,	Walker,
Cox.	Homsher,	Snowden,	Watkins,
Crider,	James,	Stevenson,	Wilson, H. I.,
Crowe,	Jones,	Tallman,	Wilson, T. B.,
Deitrick,	Kephart,	Taylor,	

NAYS—12

Barr,	Gourley,	Jaspan,	Shapiro,
Coleman,	Haluska,	McGinnis,	Stiefel,
DiSilvestro,	Holland,	McQuiddy,	Woodring,

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 547, entitled:

An Act to further amend the act approved the first day of June one thousand eight hundred eighty-nine (P. L. 420) entitled "A further supplement to an act entitled 'An act to provide revenue by taxation' approved the seventh day of June Anno Domini one thousand eight hundred and seventy-nine" by increasing for a further limited period of time the rate of tax imposed by the act upon the gross receipts of certain companies limited partnerships associations joint-stock associations copartnerships and persons

And said bill having been read at length the third time,

On the question,

Will the Senate agree to the bill on third reading?

Mr. JASPAN. Mr. President, I desire to interrogate the gentleman from Allegheny, Senator Geltz.

The PRESIDENT. Will the gentleman from Allegheny permit himself to be interrogated?

Mr. GELTZ. I will, Mr. President.

Mr. JASPAN. Will the Senator from Pittsburgh please tell me the purpose of this bill?

Mr. GELTZ. Mr. President, I do not quite understand the interrogation of the gentleman from Philadelphia.

Mr. JASPAN. What does it actually do?

Mr. GELTZ. It reduces the emergency gross receipts tax from twenty mills to fourteen mills.

Mr. JASPAN. I desire to further interrogate the gentleman from Allegheny.

The PRESIDENT. Will the gentleman from Allegheny permit himself to be further interrogated?

Mr. GELTZ. Yes, Mr. President.

Mr. JASPAN. How much money is involved, Mr. President?

Mr. GELTZ. I would have to get the record, Mr. President; I can not tell that offhand.

Mr. JASPAN. I would like to know. You could hold the bill over temporarily until the gentleman gets the record.

Mr. GELTZ. Mr. President, I do not have the amount of the reduction but the estimate in the 1943-1945 budget is $12,500,000; that is on the basis of twenty mills, and this bill reduces that to fourteen mills, which is a reduction of six mills or six-twentieths, so if my colleague from Philadelphia wants to figure six-twentieths of $12,500,000, that will give him the answer.

Mr. JASPAN. Is that for the one year or for the biennium?

Mr. GELTZ. For the biennium, Mr. President.

Mr. JASPAN. Mr. President, may I further interrogate the gentleman from Allegheny.

Mr. PRESIDENT. Will the gentleman from Allegheny permit himself to be further interrogated?

Mr. GELTZ. I will, Mr. President.

Mr. JASPAN. Is it not true, Mr. President, that this reduction is for the benefit of the power companies?

Mr. GELTZ. Mr. President, this reduction is one of the fulfillments of the Republican pledge to reduce taxes.

Mr. JASPAN. Mr. President, does the gentleman from Allegheny think that the utilities need relief today, particularly the power companies?

Mr. GELTZ. Mr. President, I think everyone needs relief from taxation today, including myself.

Mr. JASPAN. I desire to further interrogate the gentleman from Allegheny.

The PRESIDENT. Will the gentleman from Allegheny permit himself to be further interrogated?

Mr. GELTZ. Yes, Mr. President.

Mr. JASPAN. Does not the gentleman from Allegheny realize that today the power companies are doing a bigger business than ever?

Mr. GELTZ. Mr. President, this is a reduction of fifty per cent of the emergency millage which was assessed some few years ago.

Mr. JASPAN. Is it not a fact that it is for the benefit of the utilities? Are they being relieved to the extent of $6,000,000.

Mr. GELTZ. I believe, Mr. President, some utilities will be benefited under this reduction.

Mr. JASPAN. I thank the gentleman from Allegheny.

Mr. President and members of the Senate, if the architects of this bill had in contemplation a reduction in rates by its passage, I unhesitatingly would vote for it. However, before so voting I shall insist that it be earmarked solely for the purpose of reducing rates. Knowing utilities as I do, I am safe in saying that the money thus saved will be applied to the payment of higher salaries, increased dividends and probably to pay Federal taxes. Gentlemen, are we ready to make a gift to the utilities to help them pay either dividends, salaries and Federal taxes. Holding companies are today growing fast by reason of dividends received from the operating company—stockholders are getting theirs.

Payment of Federal taxes by the utilities has been charged against operating expense. Why has it not been taken out of gross profit? The answer is simple notwithstanding the fact that it was, and still is, the intent of Congress that the extra cost of war effort is to be distributed uniformly, and the tax should be borne as assessed—and not passed along.

I repeat again—and I challenge anyone in and out of the Senate to refute the statement that every utility in this state has charged payment of Federal taxes to operating expenses.

What does such conduct on the part of the utilities inevitably lead to—increase in rates or to say the least, forestalls rate reduction. It certainly is not patriotic. We pay our fiscal taxes. They should pay theirs out of gross profit. They have escaped their duty and responsibility by passing it on the consumer. Further, they are now using the legislature for their own selfish interests and escaping their just share of responsibilities in financing the war effort.

I stated quite often on this floor that the utilities are having very much their own way during this session, of course, at the expense of the rate-payer. You recall the Taylor Act limiting the term of office for a P. U. C. Commissioner. Now in the House there are two bills designed to emasculate the R. E. A. Acts. Further, the present Commission has been doing the bidding of the utilities. The overwhelming number—3-2 decisions in favor of the utilities convince me of that fact. When Beamish is definitely out, the situation will be further aggravated. He at least has been the watchdog of the rate-payers.

Moreover, do the utilities need relief to-day? The power companies, gas companies, telephone companies, railroad companies, are doing a land office business. I, therefore, see no earthly reason why the need for this bill, unless some provision is made to earmark the proposed savings for the benefit of the rate-payers. If we are to eliminate taxes, let's do it with a view to help the greatest number. In this case, it is the rate-payer, and not the stockholder or director.

And the question recurring,

Will the Senate agree to the bill on third reading?

Mr. GELTZ. Mr. President, I ask unanimous consent to offer an amendment.

I might say, Mr. President, that last Thursday we offered amendments to this bill, one of which was to strike out line 18, page 2, but through some mistake the line was not stricken out and that is what this amendment is, a strike out amendment.

The PRESIDENT. Is there objection? The Chair hears none.

The Clerk read the amendment as follows:

Amend Section 23, page 2, line 18, by striking out all of said line.

On the question,

Will the Senate agree to the amendment?

It was agreed to.

On the question,

Will the Senate agree to the bill on third reading, as amended?

Ordered, That the bill as amended lie over for printing on final passage.

BILLS OVER IN ORDER

Mr. HEYBURN. Mr. President, I ask unanimous consent that Senate Bill No. 556, on third reading, entitled:

An Act concerning the ascertainment of principal and income and the apportionment of receipts and expenses

among tenants and remaindermen, and to make uniform the law with reference thereto

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. HEYBURN. Mr. President, I ask unanimous consent that Senate Bill No. 557, on third reading, entitled:

An Act to further amend section one of the act, approved the seventeenth day of June, one thousand nine hundred thirteen (P. L. 507), entitled "An act to provide revenue for State and county purposes, and, in cities coextensive with counties, for city and county purposes; imposing taxes upon certain classes of personal property; providing for the assessment and collection of the same; providing for the duties and compensation of prothonotaries and recorders in connection therewith and modifying existing legislation which provided for raising revenue for State purposes," by excluding from the provisions thereof personal property held in trust under the terms of a stock bonus, pension, annuity, or profit-sharing or deferred compensation plan, as herein defined, maintained by an employer for the exclusive benefit of his employes or their beneficiaries

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

RECONSIDERATION OF SENATE BILL No. 570

Mr. MALLERY. Mr. President, I move that the Senate do now reconsider the vote by which Senate Bill No. 570, entitled:

An Act relating to assessment for taxation in counties of the fourth, fifth, sixth, seventh and eighth classes; designating the subjects, property and persons subject to and exempt from taxation for county, borough, town, township, school, except in cities, and county institution district, purposes; and providing for and regulating the assessment and valuation thereof for such purposes; creating in each such county a board for the assessment and revision of taxes; defining the powers and duties of such boards; providing for the acceptance of this act by cities; regulating the office of ward, borough, town and township assessors; abolishing the offices of assistant assessor and assistant triennial assessor in townships of the first class; providing for the appointment of a chief assessor, assistant assessors and other employes; providing for their compensation payable by such counties; prescribing certain duties of and certain fees to be collected by the recorder of deeds; and eliminating the triennial assessment

passed second reading.

The PRESIDENT. How did the Senator vote?

Mr. MALLERY. Mr. President, I voted "aye".

Mr. FARRELL. Mr. President, I second the motion.

The PRESIDENT. How did the Senator vote?

Mr. FARRELL. Mr. President, I voted "aye."

The motion was agreed to.

On the question,

Will the Senate agree to the bill on second reading?

The first, second, and third articles were separately read and agreed to.

The fourth article was read.

On the question,

Will the Senate agree to the article?

Mr. MALLERY offered the following amendments:

Amend Sec. 403, page 12, lines 21 and 22, by striking out the words "Value all persons and property made taxable by law and to prepare" and inserting in lieu thereof: "Prepare"; amend Sec. 405, page 13, lines 12 and 13, by striking out the words "assess all persons and property subject to taxation in accordance with law and"; amend Sec. 406, page 13, lines 15 to 25, both inclusive, by striking out all of said lines.

They were agreed to.

The article was agreed to as amended.

The fifth article was read.

On the question,

Will the Senate agree to the article?

Mr. MALLERY offered the following amendment:

Amend Sec. 501, page 13, line 29, by striking out the words "in the year one thousand nine hundred"; amend Sec. 501, page 14, line 1, by striking out the words "forty-three' and inserting in lieu thereof: "preceding the expiration of the term of any assessor now in office"; amend Sec. 501, page 14, lines 17 to 26, both inclusive, by striking out all of said lines.

They were agreed to.

The article was agreed to as amended.

The sixth article was read.

On the question,

Will the Senate agree to the article?

Mr. MALLERY offered the following amendments:

Amend Sec. 602, page 17, line 23, by striking out the word "chief".

It was agreed to.

The article was agreed to as amended.

The seventh and eighth articles and title were separately read and agreed to.

And said bill having been read at length the second time, and agreed to as amended,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 573, entitled:

An Act to amend sections two and three of the act approved the twenty-fourth day of July one thousand nine hundred and forty-one (P. L. 490) entitled "An act relating to acknowledgments of written instruments and to make uniform the law with relation thereto" by authorizing deputy recorders of deeds to take acknowledgments and validating acknowledgments taken by them

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Sections two and three of the act approved the twenty-fourth day of July one thousand nine hundred and forty-one (P. L. 490) entitled "An act relating to acknowledgments of written instruments and to make uniform the law with relation thereto" are hereby amended to read as follows

Section 2 Acknowledgment within the State The acknowledgment of any instrument may be made in this State before

(1) A judge of a court of record

(2) A clerk prothonotary or deputy prothonotary or deputy clerk of a court having a seal

(3) A recorder of deeds or deputy recorder of deeds

(4) A notary public

(5) A justice of the peace magistrate or alderman

Section 3 Acknowledgement within the United States The acknowledgement of any instrument may be made without the State but within the United States or a territory or insular possession of the United States or the District of Columbia or the Philippine Islands and within the jurisdiction of the officer before

(1) A clerk or deputy clerk of any federal court
(2) A clerk prothonotary or deputy prothonotary or deputy clerk of any court of record of any state or other jurisdiction
(3) A notary public
(4) A recorder of deeds or deputy recorder of deeds

Section 2 All acknowledgements which were made before any deputy recorder of deeds after July twenty-fourth one thousand nine hundred and forty-one are hereby made valid

Section 3 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—45

Barr,	Ealy,	Kephart,	Tallman,
Becker,	Farrell,	Letzler,	Taylor,
Bowers,	Geltz,	Mallery,	Thomas,
Carr,	Gourley,	McGinnis,	Tyler,
Chapman,	Haluska,	McQuiddy,	Wade,
Coleman,	Heyburn,	Ruth,	Walker,
Cox,	Holland,	Scarlett,	Watkins,
Crider,	Homsher,	Shapiro,	Wilson, H. I.,
Crowe,	James,	Snowden,	Wilson, T. B.,
Deitrick,	Jaspan,	Stevenson,	Woodring,
Dent,	Jones,	Stiefel,	Woodward,
DiSilvestro.			

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 595, entitled:

An Act to amend section twelve of the act approved the twenty-first day of June, one thousand nine hundred thirty-nine (P. L. 626) entitled "An act providing for and regulating the assessment and valuation of all subjects of taxation in counties of the second class, creating and prescribing the powers and duties of a Board of Property Assessments, Appeals and Review; imposing duties on certain county and city officers; abolishing the board for the assessment and revision of taxes in such counties; and prescribing penalties," conferring jurisdiction on the county court of Allegheny county in cases of appeals from the board of property assessment, appeals and review.

On the question,

Will the Senate agree to the bill?

Mr. BARR. Mr. President, I desire to interrogate the sponsor of this bill.

The PRESIDENT. Will the gentleman from Allegheny, Senator Walker, permit himself to be interrogated?

Mr. WALKER. Gladly, Mr. President.

Mr. BARR. Mr. President, what is the effective date when these appeals will be heard by the County Court, if this bill should be enacted.

Mr. WALKER. Mr. President, as I understand legislative procedure, the effective date of this bill would be September 1, 1943.

Mr. BARR. What effect would that have on all appeals before the Court of Common Pleas at the present time?

Mr. WALKER. Mr. President, as I understand the bill, on page 2, line 26, it reads: "it is the intention of this act that all appeals from the board of property assessment, appeals and review heretofore triable in the Court of Common Pleas of Allegheny County, shall henceforth be exclusively triable in the County Court of Allegheny County regardless of the amount of money involved in the appeal."

Now, Mr. President, in order to answer directly the question of my colleague from Allegheny County, there are, as I understand it, several hundred appeals—and I say "several" because there is always room for argument—if I say sixteen hundred, the gentleman from Allegheny would say eighteen hundred, so then we would get into a discussion of irrelevant matters, and so I say several hundred—giving you my assumption, there are several hundred appeals before the Court of Common Pleas at the present time and there are a number of items that are collaterally involved in this discussion of property tax appeals.

There is pending at the present time contemplated legislation directly affecting the Board. There is also contemplated the appointment of a new board of property assessors, or new members, of this seven man board which was created by the Act of 1939. Appeals now pending before His Honor, Judge Ralph Smith, as has been related to me, have been temporarily postponed, awaiting determination of action by our Board of County Commissioners who are going to, as I understand it, appoint a new seven man board to take care of it.

The recommendation was made to me that if a new board was appointed by the County Commissioners, the appeals now before the Courts of Common Pleas would be tentatively returned to this new board to see whether or not any adjustments could be made. If any appeals are tried by the Court of Common Pleas, of course, they could not be re-tried by the County Court.

If this bill transfers jurisdiction of any appeals that are pending, according to the understanding I have of the law, they would be certified by the Court of Common Pleas to the County Court of Allegheny County, there to be disposed of under regular legal process. Have I sufficiently confused the gentleman from Allegheny?

Mr. BARR. The Senator has. Mr. President, the language of the bill is confusing and the discussion of my colleague, Senator Walker, is also confusing and I am afraid that if this bill passes, property owners of Allegheny County who make appeals would be more confused than any of us, so I am going to ask my colleagues to vote "no" on this bill.

Mr. WALKER. Mr. President, I would like to make a couple of observations about a monopoly that is going on in our county courts.

In 1941 there was quite some discussion before this Senate relative to reducing the number of judges in the Allegheny County Court. In 1943 this became even more an issue, because of the fact that our Court of Common Pleas had caught up with all of their work and so had our County Court.

It is well known to the Bar Association of Allegheny that our County Court does not have sufficient work to do and a lot of judges over there are not kept reasonably busy because of lack of actual work to handle.

In this present Session of the legislature I introduced

a bill to reduce the number of judges of the Allegheny County Court by two. There was a lot of strenuous objection to that bill, not only from the Bench but from the Bar of Allegheny County, because, after all, that is the only county affected by any of this legislation now before us.

I conferred with the Courts of Common Pleas of Allegheny County, and with our County Court and with officials of the Bar Association in order to try to determine some method that would best handle this situation, and I want to say, Mr. President, I never saw a more selfish attitude on the part of public officials than I have through handling this particular type of legislation. The judges of the Courts of Common Pleas of Allegheny County did not want to give up any jurisdiction over anything, because that would deprive their clerks of fees for handing down stenographic reports and that is where the crux of this situation arose.

Finally, after a lot of conferences, we decided that the County Court of Allegheny County should be given some additional jurisdiction. First, that they should be given appeals from these property tax assessments, second, they should be given appeals on workmen's compensation cases, and, third, they should be given appeals from the decisions of the Liquor Control Board.

All three of those items are now handled at the present time by the Courts of Common Pleas. For years we were pestered in Allegheny County by visiting judges—we have more visiting judges in Allegheny County than in any other county in the state.

In 1941 my colleague from Allegheny, Senator Geltz, and I sponsored a bill to increase the number of judges of the Courts of Common Pleas so that we would be able to eliminate outside judges, and at long last, due to the fact of that increase, and, further, due to the fact that through a pre trial court which was sponsored and fathered by Judge Ralph Smith, the Courts of Common Pleas at long last have caught up with their trial lists and they have their business practically up to date.

They did not want to give anything up until the County Court of Allegheny County said, "you have to give us something to do, if you do not give us something to do you will have to eliminate us," and it was determined we would try to give them some of what was called minor jurisdiction in order to give them something to do, and those three items were the three items determined upon.

No sooner was this bill introduced than every lawyer in Allegheny County, handling appeals from decisions of the Liquor Control Board, came to us and said, "you can not give the County Court those appeals they are not competent to handle them" and every lawyer in Allegheny County that handles workmen's compensation appeals came to us and said "you can not give appeals on workmen's compensation to the County Court, they are too intricate, the County Court Judges can not understand them," and every lawyer who handles appeals from these property assessments came in and said, "you can not give that work to the County Court, a complicated matter like that, because they will not understand it."

Here is something that the Bar Association of Allegheny County says they can handle, here is something that some Judges of the Courts of Common Pleas have told me that the County Court can handle. The thing that amazes me is that you can sit and talk to those judges of the Courts of Common Pleas, and off the record they will tell you it is all right, give it to them, but if you give it to them, do not mention their names, and then turn around and tell my associates in the Senate that they are not in favor of that, even though they told me that they were. That comes from all over our Common Pleas Bench, and I submit to my colleagues in the Senate that there is only one thing that can happen if we do not give those judges of the County Court something to do, you will have to take them off the backs of the taxpayers of Allegheny County, because we should not approve of paying judges ten thousand dollars a year to sit around and wait for one member of that five man board to try a case so that they will have an opportunity to continue their game of bridge, and that is what is happening in our County Court there. There is not enough work there to keep them busy. They do not have a trial list, they do not have anything to do, we are paying them ten thousand dollars a year, we are paying their clerks, we are paying their stenographers, and tipstaffs, with their room, light and heat, and we need those court rooms for something else.

I submit, if we do not give them something to do, we should bring that bill out of the Committee of the Judiciary General and knock them off the pay roll.

Mr. BARR. Mr. President, I subscribe to nearly everything my colleague from Allegheny, Senator Walker, has said. We all have the same pressure brought upon us about giving the County Court Judges the Liquor Control Board appeals and the Workmen's Compensation Board appeals, but I do think this is just a little different problem, it is a local problem, and I ask my colleague from Allegheny to allow this bill to go over in order and perhaps some of us can get together from Allegheny County and iron out the situation.

Mr. WALKER. I have no objection to the bill going over in order, Mr. President.

Mr. GELTZ. I did not intend to say anything in connection with this bill, Mr. President, since my colleague, Senator Walker, has made such an able argument, but I would like to point out to my colleagues that his able argument was made in behalf of a bill for the elimination of some of our County Court Judges and not for the extension of jurisdiction, as is being done in the bill just passed, Senate Bill No. 524, and in this bill which it is now suggested go over in order, Senate Bill No. 595.

The difficulty with these bills, Mr. President, in my opinion is this; the County Court has general jurisdiction up to $2,500. In the bill which we passed, Senate Bill No. 524, in connection with workmen's compensation cases, jurisdiction is increased in that bill up to possibly nine, ten or eleven thousand dollars, depending upon the amounts involved in the respective workmen's compensation cases.

In connection with this present bill, Senate Bill No. 595, these tax appeals are in connection in some instances with assessments running over a million dollars.

It seems to me, Mr. President, rather an incongruous position to limit this court generally to jurisdiction up to $2,500 and then give them jurisdiction in such important matters. Particularly, one county court at this time has no jurisdiction in real estate cases and Senate Bill No.

595 applies specifically to assessments on real estate as well as other property.

I think the suggestion of my colleague from Allegheny, Senator Walker, about bringing out the bill for the elimination of some of the judgeships is a very good one. That is his bill and I understand it is in his committee, and I would like to suggest to him that he have the Committee on Judiciary General meet and take action and report that bill out on the floor. I think that is the answer to this difficulty.

Mr. President, in connection with these property assessment cases, Judge Ellenbogen has been handed that assignment by the Board of Judges of the Common Pleas Courts. A single judge handles, I believe, some sixteen hundred, possibly eighteen hundred appeals, and the reason only one judge has been assigned instead of a greater numbr, so that they could have been cleared up faster, is because the Board of Judges thought it would be better to have one person sit on those cases so that they would all be settled or decided in an equitable manner. If that is true in so far as one or more judges in a particular Common Pleas Court is concerned, certainly it would make for greater confusion if we were now to have some of these appeals decided by the Common Pleas Courts and those which are to be filed hereafter decided in the County Court, because then we would not only have different judges but we would have an entirely different Court.

For those reasons, Mr. President, when this bill comes up for final passage I intend to vote against it, as I did on the other bill, and I ask my colleagues who agree with those principles to vote against it too.

Mr. McGINNIS. Mr. President, we have had some experience in this body eliminating judges. It is a very difficult thing to take a judge off the Bench. You can not take him off during the term for which he is elected, and if you abolish two judges in Allegheny County, you have to pay them for the full term to which they were elected. If you have to pay them, I think we ought to make them work, and these are matters that they can handle just as good as the Judges of the Courts of Common Pleas.

Mr. GELTZ. Mr. President, I just want to say in connection with the argument of the gentleman from Allegheny, Senator McGinnis, that two of the judges of the County Court are up for reelection this year, so that if ever that Court is to be reduced, this is an excellent time to do it.

Mr. SHAPIRO. Mr. President, I desire to interrogate the gentleman from Allegheny, Mr. Walker.

The PRESIDENT. Will the gentleman from Allegheny permit himself to be interrogated?

Mr. WALKER. Gladly, Mr. President.

Mr. SHAPIRO. Mr. President, I voted against the first bill because I felt that by passing a bill giving jurisdiction to a Court in cases involving anywhere from $5,000 to $15,000, when their jurisdiction is now limited to $2,500, would not accomplish anything. The same objection applies to the second bill. How can you, without amending the jurisdictional clause of the Act creating the Court, give jurisdiction of cases beyond the jurisdictional amount fixed by the statute?

Mr. WALKER. Mr. President, in answer to the gentleman from Philadelphia, Senator Shapiro, may I respectfully suggest that that particular question was presented to the Legislative Reference Bureau, and they explained very carefully that this present bill, which is about to go over in order, would take care of that jurisdictional feature and that they could have it, and that the question of the limitation of jurisdiction was not involved.

We specifically attempted to take care of that with regard to workmen's compensation cases, which bill the gentleman from Philadelphia voted against, and if he voted against that bill, then the question he has raised with regard to this bill is immaterial, because he would vote against it anyway.

BILLS OVER IN ORDER

Mr. BARR. Mr. President, I ask unanimous consent that Senate Bill No. 595, on third reading go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. HEYBURN. Mr. President, I ask unanimous consent that House Bill No. 684, on third reading, entitled:

An Act to amend the act, approved the fifth day of May, one thousand nine hundred thirty-three (P. L. 364), entitled "An act relating to business corporations; defining and providing for the organization, merger, consolidation, reorganization, winding up and dissolution of such corporations; conferring certain rights, powers, duties, and immunities upon them and their officers and shareholders; prescribing the conditions on which such corporations may exercise their powers; providing for the inclusion of certain existing corporations of the second class within the provisions of this act; prescribing the terms and conditions upon which foreign business corporations may be admitted, or may continue, to do business within the Commonwealth; conferring powers and imposing duties on the courts of common pleas, and certain State departments, commissions, and officers; authorizing certain State departments, boards, commissions, or officers to collect fees for services required to be rendered by this act; imposing penalties; and repealing certain acts and parts of acts relating to corporations," by authorizing the certain officers of dissolved business corporations to execute and deliver deeds, conveyances, agreements, assignments or other instruments necessary to perfect or complete transfers of real property or rights therein intended to have been completed or perfected by such corporations prior to dissolution

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 1056, entitled:

An Act abolishing the entire Mercantile License Tax System repealing the various license taxes under said system except as to taxes already due abolishing certain offices and employments providing for the collection of delinquent taxes providing for the final settlement of accounts between the Commonwealth and county treasurers and making certain repeals

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Subject to the provisions of this act the Mercantile License Tax System is hereby abolished in its entirety as of the first day of January one thousand nine hundred forty-four The current license year beginning on the first day of May one thousand nine hundred forty-three shall terminate on the thirty-first day of December

one thousand nine hundred forty-three but no taxpayer shall be entitled to any refund as a result of such curtailment of the license year

Section 2 In the case of any license tax under the Mercantile License Tax System which may be apportioned where persons begin business after the beginning of the license year such tax in so far as the year one thousand nine hundred forty-three is concerned shall be apportioned on the basis of the license year beginning on the first day of May one thousand nine hundred forty-three and ending on the thirty-first day of December one thousand nine hundred forty-three

Section 3 (a) The terms of all Mercantile Appraisers shall terminate absolutely on the thirty-first day of December one thousand nine hundred forty-three and such offices are hereby abolished as of that date On or before said date all records pertaining to the work of Mercantile Appraisers under the Mercantile License Tax System shall be turned over by them to the county treasurers of their respective counties who are hereby authorized to use the same for the purpose of collecting outstanding delinquent taxes in such counties All equipment unused postage stationery and other supplies previously furnished to such appraisers or their clerks assistants or other employes at State expense for the performance of their work under the Mercantile License Tax System shall be turned over by them to the Department of Revenue on or before said date

(b) The employment of all clerks assistants and other employes appointed to assist Mercantile Appraisers in the performance of their work shall terminate on the thirty-first day of July one thousand nine hundred forty-three and such employments are hereby abolished as of that date On or before said date all records equipment unused postage stationery and other supplies previously furnished such clerks assistants and other employes at State expense shall be turned over by them to their respective Mercantile Appraisers

(c) The Department of Revenue is hereby empowered to prescribe rules and regulations for the transfer of such records equipment unused postage stationery and other supplies

(d) On or after the first day of August one thousand nine hundred forty-three the Department of Revenue is hereby authorized to furnish the Mercantile Appraisers with such clerical assistance if any as the department may deem necessary to enable such appraisers to perform their work during the remainder of the year one thousand nine hundred forty-three

Section 4 On and after the first day of January one thousand nine hundred forty-four the county treasurers of the various counties shall continue to collect delinquent taxes owing the Commonwealth under the Mercantile License Tax System until such taxes are either collected or the county treasurers are exonerated with respect to any such taxes On the first Monday of January one thousand nine hundred forty-four and the first Monday of each month thereafter it shall be the duty of each county treasurer to continue to make monthly returns of any tax moneys received or collected by them under the Mercantile License System until all outstanding delinquent accounts have either been collected or exonerations have been granted with respect thereto If at any time after the first day of January one thousand nine hundred forty-four the Department of Revenue shall believe the best interests of the Commonwealth would be subserved by so doing the department with the approval of the Governor is hereby empowered to discontinue the collection of delinquent taxes under the Mercantile License Tax system by the various county treasurers and thereafter to collect such delinquent taxes directly with the assistance of the Department of Justice

Section 5 (a) Subject to the provisions of paragraph (c) of this section the following acts imposing license taxes under the Mercantile License Tax System are hereby repealed

The act approved the twenty-sixth day of June one thousand eight hundred seventy-three (P. L. 1874 332) entitled "An act to regulate the commission or license fee to be paid by auctioneers" and its amendments

The act approved the second day of May one thousand eight hundred ninety-nine (P. L. 184) entitled "An act to provide revenue by imposing a mercantile license tax on venders of or dealers in goods wares and merchandise and providing for the collection of said tax" and its amendments

The act approved the twenty-fifth day of April one thousand nine hundred seven (P. L. 117) entitled "An act to equalize taxation of restaurants eating-houses and cafes"

The act approved the seventh day of May one thousand nine hundred seven (P. L. 175) entitled "An act to provide revenue by imposing a license-tax on all stock brokers bill brokers note brokers exchange brokers merchandise brokers factors or commission merchants real estate brokers and agents and pawnbrokers whether persons firms, limited partnerships or corporations providing for the collection of said tax and imposing certain duties on county treasurers and mercantile appraisers" and its amendments

The act approved the twenty-fifth day of May one thousand nine hundred seven (P. L. 244) entitled "An act to provide revenue by imposing a license-tax on the keepers of all shooting-galleries shuffle-board-rooms billiard or pool-rooms for purpose of profit or any other place in which any game is played on a table with the use of balls and cues and bowling-alleys ninepin-alleys tenpin-alleys or other alleys or places in which any game is played with the use of balls or pins or other objects providing for the collection of said tax and imposing certain duties upon mercantile appraisers and county treasurers" and its amendments

An act approved the twentieth day of May one thousand nine hundred thirteen (P. L. 229) entitled "An act defining and regulating public amusements and places used therefor and regulating the licensing thereof restricting the scope of certain acts of Assembly relating thereto and providing penalties for violation of this act" and its amendments

(b) The following acts or parts of acts relating to the Mercantile License Tax System are hereby repealed

Sections 8 and 9 of the act approved the fifteenth day of April one thousand eight hundred fifty (Pamphlet Laws 471) entitled "An act supplementary to an act entitled 'An Act to incorporate the borough of Girard in the county of Erie' and to authorize the borough of Erie to borrow money and to encourage agriculture and the mechanic arts in Erie county and relative to the election of assistant wardens of the port of Philadelphia to county treasurers and delinquent inn-keepers"

The act approved the eleventh day of April one thousand eight hundred sixty-two (P. L. 492) entitled "An act amendatory of the License Laws of this State" and its amendments

The act approved the twenty-seventh day of February one thousand eight hundred sixty-five (P. L. 4) entitled "An act to increase the fees of mercantile appraisers in certain counties of this commonwealth"

The act approved the thirteenth day of April one thousand eight hundred sixty-six (P. L. 104) entitled "An act for the further classification and more efficient collection of licenses from venders of merchandise"

The act approved the sixteenth day of March one thousand eight hundred sixty-seven (P. L. 482) entitled "An act allowing to the mercantile appraisers of Allegheny county the same fees allowed in other counties of the State"

The act approved the twentieth day of April one thousand eight hundred eighty-seven (P. L. 60) entitled "An act providing for the appointment of the appraiser of mercantile and other licenses and authorizing and requiring the publication of the same" and its amendments

The act approved the eighth day of May one thousand nine hundred nineteen (P. L. 159) entitled "A supplement to an act approved the second day of May one thousand eight hundred and ninety-nine (P. L. 184) entitled

'An act to provide revenue by imposing a mercantile license tax on venders of or dealers in goods wares and merchandise and providing for the collection of said tax' providing for the appointment of and the fixing of salaries of mercantile appraisers and clerks in certain counties and providing for the disposition of moneys collected as fees for mercantile appraisers and authorizing the mercantile appraisers of such counties instead of the county commissioners to have supervision of the publication of the mercantile appraisers' lists"

The act approved the seventeenth day of July one thousand nine hundred nineteen (P. L. 1025) entitled "A supplement to an act approved the second day of May one thousand eight hundred and ninety-nine (P. L. 184) entitled 'An act to provide revenue by imposing a mercantile license tax on vendors of or dealers in goods wares and merchandise and providing for the collection of said tax' " and its amendments

Sections four hundred six six hundred nine six hundred ten and one thousand two hundred four of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 343) entitled "An act relating to the finances of the State government providing for the settlement assessment collection and lien of taxes bonus and all other accounts due the Commonwealth the collection and recovery of fees and other money or property due or belonging to the Commonwealth or any agency thereof including escheated property and the proceeds of its sale the custody and disbursement or other disposition of funds and securities belonging to or in the possession of the Commonwealth and the settlement of claims against the Commonwealth the resettlement of accounts and appeals to the courts refunds of moneys erroneously paid to the Commonwealth auditing the accounts of the Commonwealth and all agencies thereof of all public officers collecting moneys payable to the Commonwealth or any agency thereof and all receipts of appropriations from the Commonwealth and imposing penalties affecting every department board commission and officer of the State government every political subdivision of the State and certain officers of such subdivisions every person association and corporation required to pay assess or collect taxes or to make returns or reports under the laws imposing taxes for State purposes or to pay license fees or other moneys to the Commonwealth or any agency thereof every State depository and every debtor or creditor of the Commonwealth" and its amendments

(c) The acts enumerated in paragraph (a) of this section shall continue to be in full force and effect for the purpose of enabling the Commonwealth to collect any taxes which became due and payable thereunder prior to the first day of January one thousand nine hundred forty-four and the repeal of any of such acts by this act shall not be deemed to affect any pending proceedings or to prevent the institution of any proceedings for the collection of any such taxes

Section 6 Sections one two three and four of this act shall become effective immediately upon the final enactment of this act and section five shall become effective on the first day of January one thousand nine hundred forty-four Provided however That on and after the first day of August one thousand nine hundred forty-three neither the Auditor General nor the appraisers with the approval of the Auditor General shall have power to appoint any clerks or assistants to assist mercantile appraisers in their work.

And said bill having been read at length the third time,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Will the Senate agree to the bill on third reading?

Mr. SHAPIRO. Mr. President, everybody knows what this bill is about. I would just like to make a record of the fact that I suggest, within a few months after this bill is passed and becomes a law, that all over the state in the various counties there will be mercantile taxes collected by virtue of ordinance of council. This bill is not going to save anybody any money. There is no clamor for this bill. Obviously this is only another method, in polite language, in legal form, to eliminate four or five hundred jobs now under the control of the Democrats, which the Republicans would like to control—they do not use the word "ripper"—they abolish the tax and tell these taxpayers they are going to save a great deal of money. I have not heard a word from anybody against the tax, and within the next six months the tax will be paid by assessments by the local authorities, and the jobs will be back again in the hands of the Republicans.

There are a lot of local councils, like in Philadelphia, where there will be a very early return of the mercantile taxes.

Mr. STIEFEL. Mr. President, there is a Greek phrase "ovcon thanaton," which means in Greek, "beautiful death," meaning death with a kiss.

I want to pay tribute to the Republican leadership for being so skillful in ripping. We were ripping in 1937, but we were mere school boys compared to this piece of work. I want to compliment the Republican leadership upon the finesse of the work.

Mr. THOMAS B. WILSON. Mr. President, I was going to vote for this bill anyway, but I am under obligation to the Senator from Philadelphia for his beautiful thought that possibly this tax will be taken off, and that some of the municipalities will put some mercantile tax on and take some off real estate, which is what I am interested in. Real estate pays a great deal more taxes than its share. This legislature is going to take off taxes on personal property. They can not keep their tears back when they think of people with stocks and securities paying eight mills, when the home owner and the farmer and the man bringing up children is paying forty to sixty mills on his home, and if the municipalities will put some of this tax on that will not come to the state of Pennsylvania, and the municipalities will then take something off real estate I will be very much pleased.

Mr. President, I only want to say one more thing, and that is that the country districts, the townships have nothing more that they can put taxes on, so that at least part of this tax will go off permanently. It is quite interesting to hear the Democratic Party cry for tax reduction and then get up and talk against it and vote against it. It is very interesting to me and every man on this side of the Senate.

Mr. JASPAN. Mr. President and Members of the Senate, this bill is designed to eliminate the mercantile tax. Mercantile taxes have been paid by the rich in this state for approximately 90 years. At first blush it appears that the little storekeeper is the chief beneficiary under this bill. You will note that every revenue bill thus far acted upon benefits solely industry, and the utilities—and as a sop for the little business man, this bill is thrown in.

Are we so naive and gullible as to be preyed upon by the subtle. Are we to be deluded into the belief that this bill helps the little fellow in a large measure? It is merely a subtle subterfuge. The little business is given very little aid. His mercantile taxes amount to next to nothing. He has little to complain as to the payment of it.

However, this bill does in a large measure help the

big man, the department stores, the chain stores, and the like. Today they are doing more business than ever. They are in short reaping a harvest. Why eliminate the tax especially now when they are best able to pay.

Do you recall that in 1941 an amendment was introduced under the guise of charifying the law, when in fact it sought to exempt oil companies, manufacturers, coal companies, department stores, mail order houses and the like from payment of any mercantile tax, if and when they sold at retail at storehouses and warehouses apart from the plant. When the scheme was exposed, the jokers in the bill were eliminated. The manufacturers, the department stores, the chain stores realizing the make-up of both Houses, are now eager to press their advantage and obtain exemptions for stores, coal yards, filling stations and so forth.

This bill undoubtedly serves a dual purpose. In addition to the help it gives the rich, it eliminates jobs now held by the Democratic Party. I say it helps the Republican leaders and the powers behind the throne. When I speak of the powers behind the throne, I mean these invisible powers who hold the purse strings and guide the destinies of the Republican Party.

This tax has been treated as a permanent tax. Why eliminate it now? It is not an emergency tax. Let it remain on the books and give its proceeds to the underpaid school teachers and state workers.

Mr. WOODWARD. I merely want to say, Mr. President, that my objection to the mercantile tax as administered in Philadelphia is that whenever a man has been a faithful party producer and they do not know what to do with him, they make him a mercantile appraiser and the result of that political infiltration is shown by the amount of money required to administer this tax. I have figures on my desk which show that other taxes in Philadelphia cost about one percent to collect, but in order to collect this mercantile appraiser's tax, it costs anywhere from ten to twenty-five per cent. It is a snug harbor for worn-out politicians and I am against it.

Mr. CARR. Mr. President, I was just about to remark, when I see somebody very earnestly looking down on a piece of paper and reading what he is about to say, I am reminded of the story of the fellow who went to his parson and said, "Parson, if you can not remember it long enough to tell us about it, how do you expect us to remember it long enough for it to do us any good?"

Mr. JASPAN. Mr. President, in answer to my friend, Doctor Carr, the Legislative Journal speaks for itself. I believe you all remember the words of Al Smith, "The record speaks for itself." Look at it.

And the question recurring,

Will the Senate agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—30

Becker,	Farrell,	Mallery,	Tyler,
Bowers,	Geltz,	Scarlett,	Wade,
Carr,	Heyburn,	Snowden,	Walker,
Chapman,	Homsher,	Stevenson,	Watkins,
Crider,	James,	Tallman,	Wilson, H. I.,
Crowe,	Jones,	Taylor,	Wilson, T. B.,
Deitrick,	Kephart,	Thomas,	Woodward,
Ealy,	Letzler,		

NAYS—15

Barr,	DiSilvestro,	Jaspan,	Shapiro,
Coleman,	Gourley,	McGinnis,	Stiefel,
Cox,	Haluska,	McQuiddy,	Woodring,
Dent,	Holland,	Ruth,	

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which the concurrence of the House is requested.

BILLS ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 30, entitled:

An Act making an appropriation to The Franklin Institute of the State of Pennsylvania at Philadelphia.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL OVER IN ORDER

Mr. HEYBURN. Mr. President, I ask unanimous consent that Senate Bill No. 46, on second reading, entitled:

An Act relating to labor organizations protecting the rights of members thereof imposing certain responsibilities and duties upon the officers of labor organizations requiring the registration of foreign labor organizations, and prohibiting gifts by labor organizations to political organizations or candidates for election or nominations, and regulating the making of loans; conferring certain powers and duties upon the Secretary of the Department of Labor and Industry of this Commonwealth and of said department and prescribing penalties

go over in its order.

The PRESIDENT. Is there objection?

Mr. BARR. Mr. President, I object.

The PRESIDENT. There is objection.

MOTION TO RECOMMIT BILL

Mr. BARR. Mr. President, I move that Senate Bill No. 46 on second reading, be recommitted to the Committee on Labor and Industry.

Mr. COX. Mr. President, I second the motion.

Mr. HOLLAND. Roll call, Mr. President.

The yeas and nays were required by Mr. HOLLAND and were as follows, viz:

YEAS—17

Barr,	Gourley,	Letzler,	Shapiro,
Coleman,	Haluska,	McGinnis,	Stiefel,
Cox,	Holland,	McQuiddy,	Walker,
Dent,	Jaspan,	Ruth,	Woodring,
DiSilvestro,			

NAYS—28

Becker,	Ealy,	Kephart,	Taylor,
Bowers,	Farrell,	Mallery,	Thomas,

Carr,	Geltz,	McCreesh,	Tyler,
Chapman,	Heyburn,	Scarlett,	Wade,
Crider,	Homsher,	Snowden,	Wilson, H. I.,
Crowe,	James,	Stevenson,	Wilson, T. B.,
Deitrick,	Jones,	Tallman,	Woodward,

So the question was determined in the negative.

BILL OVER IN ORDER

Mr. HEYBURN. Mr. President, I move that Senate Bill No. 46, on second reading, go over in its order.

Mr. WADE. I second the motion, Mr. President.

The motion was agreed to.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 94, entitled:

An Act making an appropriation to the Pennsylvania Museum and School of Industrial Art Philadelphia.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 115, entitled:

An Act to further amend the act approved the first day of May one thousand nine hundred and twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage kepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" by permitting the use of red signal lights and sound devices on certain additional vehicles changing the provisions concerning rights of way and providing penalties.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 121, entitled:

An Act to further amend the title and sections one and three of, and to add section four to, the act, approved the tenth day of April, one thousand nine hundred thirty one (P. L. 23), entitled as amended "An act providing for the acceptance by the Commonwealth of a gift of lands from the American Petroleum Institute, located on the left bank of Oil Creek, in Oil Creek Township or Cherry Tree Township, or both, Venango County, to establish the Drake Well Memorial Park, under the control and supervision of the Department of Forests and Waters; empowering the Department of Property and Supplies to acquire additional lands for such Memorial Park without cost to the Commonwealth; and making an appropriation, changing the name of said memorial and placing it under the supervision and control of the Pennsylvania Historical Commission, defining the powers and duties of the commission relative thereto, authorizing the employment of certain employes and the payment of their salaries; and making an appropriation.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 123, entitled:

An Act making an appropriation to the Moore Institute of Art, Science and Industry, formerly Philadelphia School of Design for Women, at Philadelphia, Pennsylvania.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 171, entitled:

An Act making an appropriation to the Department of Forests and Waters, to be used for the purchase of lands in the vicinity of the tract now owned by the Commonwealth containing the birthplace of James Buchanan in Franklin County.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 336, entitled:

An Act making an appropriation for The Dixmont Hospital, Dixmont, Allegheny County to provide for the repayment of a loan heretofore made by said hospital to provide funds necessary in the maintenance of said hospital.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 338, entitled:

An Act making a certain deficiency appropriation to the Department of Welfare for The Dixmont Hospital, Dixmont, Allegheny County.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 339, entitled:

An Act making an appropriation to the Department of Welfare for the payment of the cost of an additional steam boiler a fire alarm a fire sprinkler system and certain repairs and improvements at The Dixmont Hospital Dixmont Allegheny County.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 349, entitled:

An Act making an appropriation to the Department of Forests and Waters to be used by the Navigation Commission for the Delaware River and its Navigable Tributaries for the removal of sunken wrecks from the tideway of the Delaware River and its navigable tributaries.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 371, entitled:

An Act to further amend section three of an act approved the thirteenth day of May one thousand nine hundred and twenty-seven (P. L. 988) entitled "An act providing for and regulating the State registration of nurses and licensed attendants the annual recording of registration certificates and regulating the profession of nursing and repealing certain existing laws" providing for emergency registration of Nurses to meet the present war emergency and a period thereafter.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 372, entitled:

An Act to amend section two hundred and twelve of the act, approved the fifth day of August, one thousand nine hundred forty-one (P. L. 752), entitled "An act regulating and improving the civil service of certain departments and agencies of the Commonwealth; vesting in the State Civil Service Commission and a Personnel Director certain powers and duties; providing for classification of positions, adoption of compensation schedules and certification of payrolls; imposing duties upon certain officers and employes of the Commonwealth; authorizing service to other State departments or agencies and political subdivisions of the Commonwealth in matters relating to civil service; defining certain crimes and misdemeanors; imposing penalties; making certain appropriations, and repealing certain acts and parts thereof," by providing for the support of the commission on a revolving fund basis and appropriating moneys for this purpose.

The first section was read.

On the question,

Will the Senate agree to the section?

Mr. CRIDER offered the following amendment:

Amend section 1 (Section 212) (b), page 3, line 10, by striking out the word "proposition" and inserting in lieu thereof the word: "proportion."

It was agreed to.

The section was agreed to as amended.

The second section and title were separately read and agreed to.

And said bill having been read at length the second time and agreed to as amended,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 374, entitled:

An Act to amend section nine of the act, approved the thirteenth day of April, one thousand nine hundred and forty-two (P. L. 37), entitled "An act relating to air raid precautions, including blackouts; conferring certain powers and duties upon the State Council of Defense, local and district Councils of Defense, political sub-divisions, members of certain municipal and volunteer agencies and civilians necessary for the safety, defense and protection of civilians and property in the Commonwealth; providing for the mobilization, coordination and use of certain municipal agencies and volunteer agencies including their personnel and equipment; providing for immunity from liability for injury or death to persons or damage to property under certain circumstances, and providing penalties," by providing for the payment of fines recovered under said section to municipalities and townships.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 378, entitled:

An Act making an appropriation to the Department of Forests and Waters for use by the Water and Power Resources Board in making necessary repairs to the Pymatuning Swamp project, and for the purpose of making further survey in connection therewith.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 412, entitled:

An Act authorizing the Department of Property and Supplies, with the approval of the Governor and the Board of Trustees of the Farview State Hospital, to acquire a certain tract of land for the use of said hospital, and making an appropriation therefor.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL OVER IN ORDER

Mr. HEYBURN. Mr. President, I ask unanimous consent that Senate Bill No. 471, on second reading, entitled:

An Act limiting the time within which suits or actions, hereafter begun, shall be brought for damages to surface land and property resulting from the mining of coal and operations in connection therewith

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 499, entitled:

An Act making an appropriation to the Department of Health for use in demonstration work dealing with the improvement of nutritional status of industrial workers and other civilians.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 554, entitled:

An Act to amend sections two five seven ten eleven twelve fifteen seventeen nineteen twenty-one twenty-two twenty-six and thirty-one and to repeal sections nine twenty-four and thirty-six of the act approved the sixth day of August one thousand nine hundred forty-one (P. L. 861) entitled "An act to create a uniform and exclusive system for the administration of parole in this Commonwealth establishing the 'Pennsylvania Board of Parole' conferring and defining its jurisdiction duties powers and functions including the supervision of persons placed upon probation in certain designated cases providing for the method of appointment of its members regulating the appointment removal and discharge of its officers clerks and employes dividing the Commonwealth into administrative districts for purposes of parole fixing the salaries of members of the board and of certain other officers and employes thereof making violations of certain provisions of this act misdemeanors providing penalties therefor and for other cognate purposes and making an appropriation" by reducing the membership of said board further conferring revising and defining its jurisdiction duties powers and functions changing the appointment removal and discharge of certain officers decreasing the salaries of members of the board and fixing the salaries of certain officers and employes.

The first, second, third, fourth, fifth, sixth, seventh, eighth, ninth, tenth, eleventh and twelfth sections were separately read and agreed to.

The thirteenth section was read.

On the question,

Will the Senate agree to the section?

Mr. JONES. I offer amendments, Mr. President, and ask their immediate adoption.

Mr. COX. If it is not out of order, Mr. President—what I am about to do may be an informal way of doing it—I would like to request that the amendment be read so that we have a full understanding of the amendment before we vote on any section of the bill. Amendments to one section might so change the context of the bill that a section that we might presently be in accord with, we would not agree with after the amendments are offered.

The PRESIDENT. This amendment does not have that effect.

Mr. COX. I have no way of knowing that, Mr. President.

Mr. JONES. Mr. President, I merely ask adoption of the amendment, and then intend to ask that the bill go over in order after the adoption of the amendment.

Mr. COX. Mr. President, this same thing has happened every time amendments have been introduced to an important bill in this Senate.

Here we have a bill, the bill stands on its context, every member of the Senate has had opportunity to read this bill because it is printed and is on his desk, and now amendments are offered on the floor of the Senate to change the context of the bill, they are read orally, we have nothing before us in writing, we have no way of determining the value of these amendments, and yet we are supposed to vote on amendments which may change the context of the bill.

I repeatedly have requested that when amendments are offered that we have some knowledge of the context of those amendments before we vote on them. In this particular instance the gentleman has offered amendments, he has asked their immediate adoption, and then says he intends to ask that the bill go over in order, but in the event that the amendments are adopted and the bill goes over in order, then the bill has the amendments in it, the amendments have been accepted, and so tomorrow when the bill comes back the amendments are already in it and a part of the bill.

I want to be fair about this thing. Friends of the parole system of Pennsylvania are not all Democrats, there are a great many of them who are Republicans, and when this bill is passed, if it is passed, it will be because there were friends on both sides of this Senate.

The request I am making perhaps is informal but under our rules we can do almost anything, if we are in complete harmony on what we are trying to do. I have asked that the amendments be read. We have the bill here, and if the amendments are not too lengthy, we will have some idea of what will happen when the amendments are read again for the purpose of adoption. I do not see why anyone should object to that request. I think it is a very fair request.

Mr. JONES. Mr. President, the amendment merely is to correct a clerical error, to change the word "three" to the word "two".

Mr. GELTZ. Mr. President, is it not true, even in short form, that amendments are always read?

The PRESIDENT. That is right.

Mr. GELTZ. Mr. President, I do not know of any time when proposed amendments have not been read.

Mr. COX. Mr. President, I do not suggest that the amendments were not read. I say they are read, but the difficulty is that while the amendments are read it is impossible to consider them, we have not any time to consider whether we want the amendments or not.

The PRESIDENT. As the Chair understands the situation, the gentleman from Luzerne, Senator Jones, has stated he is not going to ask that this bill pass second reading tonight.

Mr. JONES. That is right, Mr. President.

The CHAIR. Therefore the gentleman from Allegheny will have ample opportunity to study the bill, with the amendment, particularly as it involves a change of only one word.

Mr. COX. Mr. President, it might be that in this particular case the acceptance of a one word amendment does not amount to anything, but the same principal is involved every time amendments are offered on the floor of this Senate. We sit here and can not follow the amendments as they are read, we accept amendments completely changing bills, and there are not two people in this Senate who know what the amendments are, or what the effect of them may be. You change the bill, and when the bill comes up the next day, containing the amendments, we are put in the position where perhaps we have to vote against a bill which without the amendments, we might vote in favor of.

As I understand, Mr. President, this amendment does not change the context of this bill; is that correct?

The PRESIDENT. That is the understanding of the Chair.

Mr. COX. The Chair has already advised me as to what the amendment does, and that is what I wanted. Thank you.

Mr. EALY. The purpose of the procedure in adopting amendments is to have the amendments incorporated in the bill, to be printed, after which the bill may go over in order for second reading tomorrow; the amendments must be adopted first as otherwise we have no authority to have the amendments included in the bill.

Mr. COX. That is absolutely true, Mr. President, that is our procedure, but it seems to me that there should be some way so that if anyone has amendments they want to present at the time a bill is on second or any other reading, they can have the amendments typed or mimeographed or in any other way prepared so that they may be put on the desks of all the members of the Senate. I realize it is not in accordance with legislative procedure but certainly it would make for much better legislation.

And the question recurring,

Will the Senate agree to the section as read?

Mr. JONES offered the following amendment:

Amend page 14, Section 13, line 13, by striking out with bold face brackets, after the word "exceeds" and before the word "years" the word: "(three)," and inserting in lieu thereof, the word: "two".

It was agreed to.

The section was agreed to as amended.

The fourteenth and fifteenth section and title were separately read and agreed to.

And said bill having been read at length the second time, as amended,

On the question,

Will the Senate agree to the bill on second reading, as amended?

BILL OVER IN ORDER

Mr. JONES. Mr. President, I ask unanimous consent that Senate Bill No. 554, on second reading, go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

POINT OF INFORMATION

Mr. CARR. Mr. President, I rise on a point of information.

The PRESIDENT. The gentleman from Butler will proceed.

Mr. CARR. Mr. President, does the action of the Senate as just taken mean that Senate Bill No. 554 has gone over in order without having passed second reading?

The PRESIDENT. That is correct.

BILL RECOMMITTED

Mr. HEYBURN. Mr. President, I move that Senate Bill No. 567 on second reading, entitled:

An Act to add subsection E to section two hundred two of the act, approved the fifth day of May, one thousand nine hundred thirty-three (P. L. 364), entitled "An act relating to business corporations; defining and providing for the organization, merger, consolidation, reorganization, winding up and dissolution of such corporations; conferring certain rights, powers, duties and immunities upon them and their officers and shareholders; prescribing the conditions on which such corporations may exercise their powers; providing for the inclusion of certain existing corporations of the second class within the provisions of this act; prescribing the terms and conditions upon which foreign business corporations may be admitted, or may continue, to do business within the Commonwealth; conferring powers and imposing duties on the courts of common pleas, and certain State departments, commissions, and officers; authorizing certain State departments, boards, commission, or officers to collect fees for services required to be rendered by this act; imposing penalties; and repealing certain acts and parts of acts relating to corporations," prohibiting domestic and foreign business corporations from doing business, entering into contracts or advertising under any but its corporate name; and prescribing penalties

be recommitted to the Committee on Corporations.

Mr. WOODRING. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

Mr. WOODRING. Mr. President, I am glad to second this motion because in the words of my learned colleague, the gentleman from Philadelphia, Doctor Woodward, I think this a very poor bill and I am sorry that I introduced it. This bill is not my brain child. I attempted earlier in the session to correct a situation which existed in the state of Pennsylvania, which I think is a very serious one and to which I would invite the attention of

the members of the Senate. A great many businesses operate in the state of Pennsylvania under assumed names, businesses the ownership of which the people in the community do not know, the personnel of which they have no knowledge of and in many instances those corporations doing business in our communities incur liabilities, they incur contractual or negligent liabilities and the people in our communities, the people of the state of Pennsylvania, are in many instances without recourse or without proper remedy because of their inability to know who is conducting these businesses.

It was for that reason that I originally introduced Senate Bill No. 234, Printer's Number 113. Senate Bill No. 234 has a very interesting history. It managed to pass third reading and then was recommitted, and it was recommitted, I think, in fairness to the members of this Senate, because of a lack of understanding of the purpose of this bill.

Senate Bill No. 234 would amend the Fictitious Names Act of the state of Pennsylvania, the Act of 1917, the act which to this time permits individuals who deal under other than their own names to register with the prothonotary and with the Secretary of Sate, and thereby to operate under fictitious names, and it seems to me that if that opportunity is available to individuals it should likewise be available to corporations, so that if corporations do want to deal under fictitious names—and I understand and comprehend and appreciate that there are many instances in which corporations are justifiably entitled to deal under fictitious names—then it seems to me, in fairness to the people in the state of Pennsylvania, that those corporations ought to be obligated to register with the prothonotary and with the Secretary of State, so that the people of our state know who those people are, who is doing business, where the principal address is, so that when they have rights against those particular corporations they can exercise their rights.

Senate Bill No. 234 merely provides that the benefits of the Fictitious Names Act shall be extended to corporations. It provides that those corporations which want to deal under fictitious names shall file with the prothonotary and with the Secretary of State, the name of the corporation, the principal address of the corporation, and while I join in this motion to recommit Senate Bill No. 567, I do invite the attention of the Committee on Judiciary General, the Chairman of that Committee and the membership of the Committee, and the membership of the Senate, to give some real study and consideration to Senate Bill No. 234, because I think the people of the state of Pennsylvania are entitled to the enactment of the type of law or type of remedy that is afforded under Senate Bill No. 234.

And the question recurring.

Will the Senate agree to the motion?

The motion was agreed to.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 571, entitled:

An Act to further amend sections twenty-six and thirty-five of the act, approved the eleventh day of May, one thousand nine hundred twenty-one (P. L. 522), entitled as amended "An act relating to dogs, and the protection of live stock, poultry, and game birds raised in captivity from damage by dogs; providing for the licensing of dogs by the Secretary of Agriculture; providing for the enumeration of dogs by assessors; regulating the keeping of dogs, and authorizing their destruction in certain cases; providing for the protection of licensed dogs, and for dogs temporarily imported for trial, show, and breeding purposes; prescribing certain privileges for hunting dogs and dogs owned or used by the Board of Game Commissioners; providing for the assessment of damages done to live stock, poultry, and game birds by dogs, and for live stock killed by, or dying from, rabies and for the illegal killing of licensed dogs, payment of such damages by the Commonwealth; imposing powers and duties on certain State, county, city, borough, town, and township officers and employes, directing the payment of all moneys collected into the State Treasury; and providing penalties," providing for payment by the Commonwealth for the Pasteur treatment against rabies; and fixing the Commonwealth's liability for enforcement of said act.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL RECOMMITTED

Mr. HEYBURN. Mr. President, I move that Senate Bill No. 574, on second reading, entitled:

An Act abating unpaid tax penalties and interest on certain city and school taxes heretofore levied by cities of the first class and school districts of the first class against real estate owned by certain institutions of purely public charity and giving such taxing authorities the right to reject the provisions of the act

be recommitted to the Committee on Judiciary General.

Mr. GELTZ. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

Mr. COX. Mr. President, before this bill is voted upon, I would like to make a few remarks.

The PRESIDENT. If there is no objection the gentleman from Allegheny may proceed.

Mr. COX. Mr. President, my vote on the motion to recommit will be "no" for two reasons. The first reason is that this will make money, which has been contributed for charitable purposes, available to be used for that purpose. Secondly, there now rests in committee another bill involving the same principles of abatement of penalties, interest and costs, which passed the House, came over to the Senate, came out of committee, appeared on the Calendar and then was recommitted.

I have been very hopeful, since that bill was recommitted, that the Majority Party would change its attitude with regard to tax abatement.

Mr. President, the members of the Senate represent different types of districts. There are members of this Senate who reflect directly the attitude of their districts when they vote against tax abatement, because in those districts tax abatement is not needed, but there are districts, such as my own, which is the greatest industrial section of Pennsylvania, a district so impoverished during the depression that there were very few people who had any opportunity of paying their taxes, and as a result the only people who could take advantage of the previous

Tax Abatement Act were banks, building and loan associations and people who had money invested in real estate and had sufficient reserve funds to pay their taxes under the Tax Abatement Act.

I have made a careful survey through my entire Senatorial District, which is the second largest in the state, if not the largest, I have talked to members of boards of township commissioners, I have talked with members of councils of boroughs, to members of councils of third class cities in my Senatorial District, I have talked to tax collecting officials, as well as members of the board of county commissioners of Allegheny County, the city of Pittsburgh, and there is almost a unamity of opinion in Allegheny County that a Tax Abatement Act would do some good, first because it would assist people who have not been assisted before, because they did not have the funds with which to take advantage of a Tax Abatement Act and, secondly, because it would result in a tremendous increase in revenues.

I feel, under all the circumstances, that the members of this Senate are so fair having presented the matter to them in this light, that tomorrow they will hasten and call a meeting of the Committee on Judiciary Special, to which a previous tax abatement bill has been committed, and report that bill out.

The bill is not a mandatory bill, as there is not any community in Pennsylvania that has to give tax abatements. That is a matter for the local municipal authorities to decide whether or not that particular district needs it.

Mr. STIEFEL. Mr. President, I desire to interrogate the gentleman from Delaware, Senator Heyburn.

Mr. PRESIDENT. Will the gentleman from Delaware permit himself to be interrogated?

Mr. HEYBURN. Yes, Mr. President.

Mr. STIEFEL. Mr. President, will the gentleman from Delaware tell me whether the recommital of this bill is for the reason that all bills dealing with abatement are going to be left without any action.

Mr. HEYBURN. I do not so understand it, Mr. President. There was serious objection lodged against this bill in the Caucus as I understand it.

I was at the time in a harmony meeting, or whatever you call it, together with the gentleman from Philadelphia, Senator Shapiro, and also the gentleman from Allegheny, Senator McGinnis.

Mr. STIEFEL. I thank the gentleman from Delaware. At this time, when a bill is recommitted, that is tantamount to strangulation, as we can not hope that the bill will come out again in good shape, and I just want to state that the reason which impelled me to introduce this bill was because of a very peculiar situation in Philadelphia. Many charitable institutions have parcels of real estate which do not come within the purview of activities which exempt those parcels from taxation and yet these parcels of real estate do not yield any income but are being taxed. For many years taxes, penalties and interest have accumulated to such an extent that sometimes the penalties and interest exceed the principal of the tax

The city authorities are reluctant to proceed with execution of their liens, so this taxing procedure goes on indefinitely without any action on the part of the city authorities. These parcels of real estate remain inactive and they are not marketable.

The reason I introduced this bill was to solve this situation so as to make these pieces of property marketable and open new sources of revenue to the city of Philadelphia. Eventually you will have to do something.

I introduced another bill, which I told was ab initio. I said that something would have to be done in Philadelphia to solve this situation. That bill was sent to the Committee on Municipal Government where it has remained without any action. The time will come when the Legislature will have to adopt some measure whereby this anomolous situation in Philadelphia will be solved once and for all.

Mr. FARRELL. Mr. President, I am sorry to have to disagree with my colleague from Philadelphia, Senator Stiefel, but I regard this as a very bad bill. It is all right for Senator Cox, who lives in Allegheny county, to tell you what is a good bill for Philadelphia, because this bill only applies to the city of Philadelphia, cities of the first class, and this bill does not have any place on the Calendar. This bill would be very disastrous to the city of Philadelphia and I think the right place for it is back in committee.

Mr. McGINNIS. Mr. President, I agree with what my colleague from Allegheny, Senator Cox, has said with regard to a tax abatement bill for Allegheny county. I feel that it is very unfair for Senators from other parts of this state to deny second class counties legislation that they feel they need. I feel quite certain that the members on both sides of the Senate, and in the House also, desire an abatement bill for Allegheny county. As my colleague from Allegheny county, Senator Cox, has stated, previous abatement bills were taken advantage of by banks, building and loan associations, trust companies and large and wealthy real estate owners.

People who could not take advantage of those abatement acts in the past—and I am sure there are a lot of them in Philadelphia as well as in Allegheny county—are now making good money; workmen that have been out of work for years are now making good money and could take advantage of a tax abatement act and save their homes. Why the rest of the state should object to Allegheny county having an abatement bill when we want it, when all of our representatives want it, and it does not interfere with any other part of the state, why you will not let Allegheny county have an abatement act—or Philadelphia if they want it, when it does not affect any other county—and we in that county who represent the people of our county want it, I can not see why you deny that to us.

Mr. THOMAS B. WILSON. Mr. President, I desire to interrogate the gentleman from Philadelphia, Senator Stiefel.

The PRESIDENT. Will the gentleman from Philadelphia permit himself to be interrogated.

Mr. STIEFEL. I will, Mr. President.

Mr. THOMAS B. WILSON. Mr. President, I desire to ask the gentleman from Philadelphia, Senator Stiefel, if he has any reason for thinking there is any constitutional authority for abating taxes on charitable institutions and levying taxes on other people.

Mr. STIEFEL. Mr. President, I will be glad to answer

the inquiry of the gentleman from McKean. This is not an abatement of the tax, it is only an abatement of penalties and interest.

Mr. THOMAS B. WILSON. Then, Mr. President, I will confine my question to abatement of principal and interest for charitable institutions.

Mr. STIEFEL. I did not understand the question, Mr. President.

Mr. THOMAS B. WILSON. Mr. President, I desire to ask the gentleman from Philadelphia, Senator Stiefel, whether in his opinion abatement of principal and interest can be made to charitable institutions and not to others, or whether there must be a general abatement.

Mr. STIEFEL. Mr. President, abatements were made in the past, but charitable institutions did not avail themselves of those abatements merely because of indecision on the part of the taxing authorities of the city of Philadelphia. Due to this indecision, due to this lack of exact laws which are now on the statute books, an anomalous condition was created whereby the city does not do anything and the charitable institutions are lulled into a sense of false security, but now the time has arrived when something has to be done about it.

Embracing this opportunity, Mr. President, I would like to answer the statement of my colleague from Philadelphia, Senator Farrell. If you were to ask the taxing authorities of the city of Philadelphia to proceed with execution of liens against charitable institutions, they would not do it, so why have the law on the books? Of course, Mr. President, something tells me that there might be the suspicion that once you help these institutions you will help the Bellevue-Stratford and the Walton and other hotels in Philadelphia which are termed white elephants, but my suggestion is to limit it only to charitable institutions.

Mr. THOMAS B. WILSON. I would like to get this thing fixed in my mind, Mr. President—of course, the gentleman from Philadelphia does not have to answer—but I am asking whether the gentleman from Philadelphia thinks under the authority of the Constitution of Pennsylvania there is any provision which requires that taxes not be uniform, to abate principal and interest to charitable institutions and not abate them to others?

Mr. STIEFEL. Mr. President, I repeat again that the bill does not provide for abatement of principal; it provides only for interest and penalties.

Mr. THOMAS B. WILSON. Well, Mr. President, as to interest and penalties, is there any constitutional authority for abating interest and penalties to charitable institutions and not to others.

Mr. STIEFEL. Mr. President, ever since I have been a member of the Senate of Pennsylvania there has been an annual or biennial appearance of an abatement bill. Such a bill has been passed time and time again. Now, by virtue of the same authority the Senate used in passing those bills, I availed myself of that in introducing this bill.

Mr. THOMAS B. WILSON. Mr. President, apparently I can not get an answer to my question. I am asking the gentleman from Philadelphia, Senator Stiefel, whether he thinks there is any authority under the constitution or any legislation to abate interest and penalties to charitable institutions and not a general abatement act..

Mr. STIEFEL. Yes, Mr. President.

Mr. THOMAS B. WILSON. I am sorry, Mr. President, but I differ with the gentleman from Philadelphia.

And the question recurring,

Will the Senate agree to the motion to recommit Senate Bill No. 574?

Mr. SHAPIRO. Mr. President, I ask for a roll call.

The yeas and nays were required by Mr. SHAPIRO and were as follows, viz:

YEAS—30

Becker,	Farrell,	Mallery,	Tyler,
Bowers,	Geltz,	Scarlett,	Wade,
Carr,	Heyburn,	Snowden,	Walker,
Chapman,	Homsher,	Stevenson,	Watkins,
Crider,	James,	Tallman,	Wilson, H. I.,
Crowe,	Jones,	Taylor,	Wilson, T. B.,
Deitrick,	Kephart,	Thomas,	Woodward
Ealy,	Letzler,		

NAYS—15

Barr,	DiSilvestro,	Jaspan,	Shapiro,
Coleman,	Gourley,	McGinnis,	Stiefel,
Cox,	Haluska,	McQuiddy,	Woodring,
Dent,	Holland,	Ruth,	

So the question was determined in the affirmative.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 582, entitled:

An Act making an appropriation to the Department of Forests and Waters for the permanent improvement and maintenance of the Delaware division of the Pennsylvania Canal.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 583, entitled:

An Act to further amend section fourteen of article four and section one of article five of the act, approved the ninth day of June, one thousand nine hundred eleven (P. L. 756), entitled "An act to provide for the health and safety of persons employed in and about the bituminous coal mines of Pennsylvania, and for the protection and preservation of property connected therewith," further regulating lamps to be carried by shot-firers and fire bosses.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 609, entitled:

An Act relating to the release, reduction or limitation of powers of appointment.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 625, entitled:

An Act to amend section one of the act approved the sixth day of May one thousand nine hundred twenty-seven (P. L. 843) entitled "An act authorizing the Department of Highways with the approval of the Governor to build rebuild construct and maintain roads wholly upon the lands of State institutions and State parks and providing for the payment of the cost thereof" by authorizing the Department of Highways with the approval of the Governor to build rebuild construct and maintain roads bridges and viaducts wholly on State Armory properties and State Military Reservations and on the grounds of the Soldier's and Sailors' Home of Erie Pennsylvania and the Pennsylvania State College.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL OVER IN ORDER

Mr. HENRY I. WILSON. Mr. President, I ask unanimous consent that House Bill No. 675, on second reading entitled.

An Act to further amend section seventeen of the act approved the twenty-ninth day of May one thousand nine hundred thirty-one (P. L. 280) entitled "An act relating to delinquent taxes on seated lands and prescribing interest charges on non-payment thereof requiring the receivers and collectors of county city borough town township school district and poor district taxes to make a return to the county commissioners of such unpaid taxes and providing for the lien thereof authorizing the county treasurers to collect such taxes and to sell seated lands at public sale for taxes heretofore or hereafter returned as unpaid and authorizing the county commissioners to purchase such lands and resell the same under certain circumstances" making the sale of land purchased at treasurer's sale discretionary and authorizing the sale of such property and the redemption thereof after such sale on court order free and clear of all mortgage, municipal claims and ground rents and validating previous sales

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. HENRY I. WILSON. In requesting that House Bill No. 675 go over in order, I just want to make this statement, that I think we are getting together and that by tomorrow we will have some satisfactory arrangement.

Agreeably to order,

The rule requiring bills to be considerel in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 678, entitled:

An Act to further amend the act, approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 343), entitled "An act relating to the finances of the State government; providing for the settlement, assessment, collection and lien of taxes, bonus, and all other accounts due the Commonwealth, the collection and recovery of fees and other money or property due or belonging to the Commonwealth, or any agency thereof, including escheated property and the proceeds of its sale, the custody and disbursement or other disposition of funds and securities belonging to or in the possession of the Commonwealth, and the settlement of claims against the Commonwealth, the resettlement of accounts and appeals to the courts, refunds of moneys erroneously paid to the Commonwealth, auditing the accounts of the Commonwealth and all agencies thereof, of all public officers collecting moneys payable to the Commonwealth, or any agency thereof, and all receipts of appropriations from the Commonwealth and imposing penalties; affecting every department, board, commission, and officer of the State government, every political subdivision of the State, and certain officers of such subdivisions, every person, association, and corporation required to pay, assess, or collect taxes, or to make returns or reports under the laws imposing taxes for State purposes, or to pay license fees or other moneys to the Commonwealth, or any agency thereof, every State depository and every debtor or creditor of the Commonwealth," by further regulating the procedure and the jurisdiction of the Board of Finance and Revenue relative to certain claims for refund; clarifying certain provisions relating to extensions of time for filing tax reports or returns; eliminating the provisions imposing interest on tax and bonus at any greater rate than six per centum per annum; changing and restricting the right of the Commonwealth to impose interest on certain unpaid taxes and bonus when such taxes and bonus are not settled within a prescribed period of time; providing for the automatic adjustment of interest liability so as to correspond to certain changes in tax or bonus liability; and further regulating the procedure for filing petitions for resettlement, petitions for review, appeals to court and the security accompanying such appeals.

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 767, entitled:

An Act to amend section five hundred and one of the act, approved the first day of May, one thousand nine hundred and twenty-nine (P. L. 905), entitled "An act for the protection of the public safety: regulating the use of highways, and the operation of vehicles, tractors, street cars, trackless trolley omnibuses, bicycles, pedestrians, and the riding of animals upon the highways of this Commonwealth; providing for the titling, including liens, encumbrances, and legal claims; registration of certain vehicles and licensing the operators thereof, upon payment of prescribed fees; prescribing and limiting the powers of local authorities to deal with the subject matter of this act; conferring powers and imposing duties upon the Department of Revenue, the Department of Highways, peace officers, mayors, burgesses, magistrates, aldermen, justices of the peace, the courts and the clerks thereof, owners of vehicles, and garage keepers; providing that records are admissible as evidence; imposing upon owners, counties, cities, boroughs, incorporated towns, townships, within the Commonwealth, liability for damages caused by the negligent operation of their motor vehicles; imposing penalties; imposing certain costs upon counties; providing for the disposition of fines, forfeitures, fees, and miscellaneous receipts; making an appropriation; and providing for refunds," changing the provisions of said act relating to registration plates and the issuance thereof by the department.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 771, entitled:

An Act to amend section three hundred and one of the act, approved the first day of May one thousand nine hundred and twenty-nine (P. L. 1005), entitled "An act relating to and regulating tractors and trailers and their operation; providing for their registration, and the licensing of certain operators by the Department of Revenue upon payment of prescribed fees; prescribing and limiting the powers of local authorities to deal with the subject matter of this act; conferring powers and imposing duties upon the Department of Revenue, the Department of Highways, peace officers, mayors, burgesses, magistrates, aldermen, justices of the peace, the courts and the clerks thereof, owners of tractors and trailers; providing that records are admissible as evidence; imposing upon owners, counties cities, boroughs, incorporated towns, and townships, within the Commonwealth, liability for damages caused by the negligent operation of tractors and trailers; imposing penalties; imposing certain costs upon counties; providing for the disposition of fines, forfeitures, fees and miscellaneous receipts; making an appropriation; and providing for refunds," changing the provisions of said act relating to registration plates and the issuance thereof.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 780, entitled:

An Act to amend the definition of "Trailer" in section one hundred two of the act, approved the first day of May, one thousand nine hundred twenty-nine (P. L. 1005), entitled "An act relating to and regulating tractors and trailers and their operation; providing for their registration, and the licensing of certain operators by the Department of Revenue upon payment of prescribed fees; prescribing and limiting the powers of local authorities to deal with the subject matter of this act; conferring powers and imposing duties upon the Department of Revenue, the Department of Highways, peace officers, mayors, burgesses, magistrates, aldermen, justices of the peace, the courts and the clerks thereof, owners of tractors and trailers; providing that records are admissible as evidence; imposing upon owners, counties, cities, boroughs, incorporated towns, and townships, within the Commonwealth, liability for damages caused by the negligent operation of tractors and trailers; imposing penalties, imposing certain costs upon counties; providing for the disposition of fines, forfeitures, fees and miscellaneous receipts; making an appropriation; and providing for refunds," providing that a wagon or truck drawn by a tractor for the transportation of agricultural products of the owner, shall be exempt from registration fees.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 789, entitled:

An Act to amend the definition of "Trailer" in section one hundred two, as amended, of the act, approved the first day of May, one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety; regulating the use of highways, and the operation of vehicles, tractors, street cars, trackless trolley omnibuses, bicycles, pedestrians, and the riding of animals upon the highways of this Commonwealth; providing for the titling, including liens, encumbrances, and legal claims, registration of certain vehicles and licensing the operators thereof, upon payment of prescribed fees; prescribing and limiting the powers of local authorities to deal with the subject matter of this act; conferring powers and imposing duties upon the Department of Revenue, the Department of Highways, peace officers, mayors, burgesses, magistrates, aldermen, justices of the peace, the courts and the clerks thereof, owners of vehicles, and garage keepers; providing that records are admissible as evidence; imposing upon owners, counties, cities, boroughs, incorporated towns, townships, within the Commonwealth, liability for damages caused by the negligent operation of their motor vehicles; imposing penalties; imposing certain costs upon counties; providing for the disposition of fines, forfeitures, fees, and miscellaneous receipts, making an appropriation; and providing for refunds," providing that in certain cases where wagons and agricultural machinery are used for hauling the products of the owner, no registration fees shall be required therefor.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 797, entitled:

An Act to amend section two of article five of the act, approved the second day of June, one thousand eight hundred ninety-one (P. L. 176), entitled "An act to provide for the health and safety of persons employed in and about the anthracite coal mines of Pennsylvania and for the protection and preservation of property connected therewith," by providing that certain low pressure boilers used for heating purposes only, shall be exempt from the requirements of said section which prohibits the installation of boilers within one hundred feet of structures in which persons are employed in the preparation of anthracite coal.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL OVER IN ORDER

Mr. HEYBURN. Mr. President, I ask unanimous consent that House Bill No. 836, on second reading, entitled:

An Act to amend the title and sections four, six, seven and eight of the act approved the nineteenth day of March, one thousand nine hundred forty-one (P. L. 6) entitled "An act relating to national and State defense, providing for the establishment of a State Council of Defense and of local and district councils of defense, prescribing the powers and duties thereof, and making an appropriation therefor," by conferring certain powers and duties upon the State Council of Defense, local and district councils of defense; eliminating certain provisions no longer in effect; and providing penalties

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 844, entitled:

An Act to further amend the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant-Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" by providing that under war time conditions the Department of Property and Supplies may make certain purchases and may authorize any department board or commission to make certain purchases without advertising or competitive bidding further providing as to the supervision of the Department of Property and Supplies over the construction and alteration of buildings and over the plans and specifications therefor relieving the Department of Property and Supplies from the duty of supervising the operation of mechanical and electrical equipment used in connection with the operation of State institutions or other State buildings and authorizing departments boards and commissions to make certain purchases of repair parts to contract for public utility services to rent machinery and equipment to employ labor on a temporary basis under certain conditions to subscribe to certain publications and to take memberships in certain organizations and societies.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 849, entitled:

An Act relating to child care centers; conferring certain powers and duties upon the State Council of Defense, local and district councils of defense and political subdivisions; providing for the adoption of rules and regulations for the maintenance, operation and conduct thereof; authorizing appropriations by political subdivisions and providing penalties.

The first section was read and agreed to.

The second section was read.

On the question,

Will the Senate agree to the section?

Mr. STIEFEL offered the following amendment:

Amend Sec. 2, page 2, line 14, by inserting after the word "established" the following: "maintained, operated and conducted."

On the question,

Will the Senate agree to the section?

(A voice vote having been taken the question was determined in the negative.)

And the question recurring,

Will the Senate agree to the section?

It was agreed to.

The third section was read.

On the question,

Will the Senate agree to the section?

Mr. KEPHART offered the following amendment:

Amend Bill, Section 3, page 2, line 24 by inserting after the word "industries" and before the word "for" the following: "or in the armed forces of the United States or directly connected therewith."

On the question,

Will the Senate agree to the amendment?

Mr. SHAPIRO. Mr. President, I desire to interrogate the gentleman from Philadelphia, Senator Kephart.

The PRESIDENT. Will the gentleman from Philadelphia permit himself to be interrogated?

Mr. KEPHART. Yes, Mr. President.

Mr. SHAPIRO. Mr. President, will the gentleman from Philadelphia explain the effect of this amendment?

Mr. KEPHART. Mr. President, the effect of this amendment is to let children of parents who are in the armed forces be taken care of in these child care centers, as well as children of parents who are doing war work. I do not know whether that makes it clear to the gentleman from Philadelphia or not.

Mr. SHAPIRO. I would like to know, Mr. President, whether the gentleman from Philadelphia has figured out the cost involved by this amendment?

Mr. KEPHART. I have not, Mr. President. There is no appropriation in this bill and I do not know how much is being appropriated for these child care centers.

Mr. SHAPIRO. That is the trouble with this bill. There is not only no appropriation in the bill but also there is no provision as to how the work shall be done.

And the question recurring,

Will the Senate agree to the amendment?

Mr. DiSILVESTRO. I ask for a roll call, Mr. President.

The yeas and naye were required by Mr. DiSILVESTRO and were as follows, viz:

YEAS—8

DiSilvestro,	Haluska,	Kephart,	McQuiddy,
Gourley,	Jaspan,	McGinnis,	Woodring,

NAYS—29

Barr,	Ealy,	Jones,	Stevenson,
Becker,	Farrell,	Letzler,	Stiefel,
Bowers,	Geltz,	Mallery,	Tallman,
Carr,	Heyburn,	Ruth,	Thomas,
Chapman,	Holland,	Scarlett,	Wade,
Crider,	Homsher,	Shapiro,	Wilson, H. I.,
Crowe,	James,	Snowden,	Wilson, T. B.,
Deitrick,			

So the question was determined in the negative.

And the question recurring,

Will the Senate agree to the section?

Mr. STIEFEL offered the following amendments:

Amend Sec. 3, page 2, line 20, by inserting after the word "establish" the following: "maintain, operate and conduct;" Amend Sec. 3, page 2, line 24, by striking out

the words "engaged in war industries" and inserting in lieu thereof: "gainfully employed or engaged in volunteer war time activities;" Amend Sec. 3, page 2, line 24, 25 and 26, by striking out the following: "for periods of more" in line 24, all of line 25, and the word "day" in line 26; Amend Sec. 3, page 3, line 8, by inserting after the word "established" the following: "maintained, operated and conducted;" Amend Sec. 3, page 3, line 9, by inserting after the word "established" the following: "maintained, operated and conducted."

On the question,

Will the Senate agree to the amendments?

Mr. THOMAS B. WILSON. Mr. President, I would like to have some one explain what these amendments do. Will some one tell me, in a word, what they do?

Mr. STIEFEL. Mr. President, the amendment simply elucidates the wording. The word "establish" is not sufficient—if you establish something you have to state whether you are going to maintain and provide for it. The purpose of the amendment is to clarify further the word "establish" and also to insert the words "maintained, operated and conducted."

Mr. President, I want to explain the reason for the amendment. It is not an amendment which has been prompted by partisanship, but simply an amendment to remove ambiguous language. If you will first examine the bill as it came from the House you will notice many amendments.

I abhor amendments because sometimes amendments vitiate the contents of the bill. It is like some one has said, he sends out in the morning a thing which is as white as a dove and at night it comes back black as a raven.

Now, Mr. President, all these amendments, which you will notice were adopted in the House, created so many ambiguities that unless we remove them the bill will be completely innocuous.

You state "to establish centers." Who is going to conduct and maintain the centers? That is not clear. Next comes the definition of the word "parents". Parents under this bill are regarded as father and mother. What would be the situation if only a mother is occupied in a war industry and the father is not, or vice versa? That has to be clarified.

Finally, Mr. President, I think the worst ambiguity is contained in the wording "for periods of more than four and less than twenty-four hours." It is not clear whether that applies to the period of operation of the center or the period of time during which an individual child may receive care?

These things all have to be clarified and that is the reason why I have introduced the amendments.

And the question recurring,

Will the Senate agree to the amendments?

(A voice vote having been taken the question was determined in the negative.)

And the question recurring,

Will the Senate agree to the section?

It was agreed to.

The fourth section was read.

On the question,

Will the Senate agree to the Section?

Mr. STIEFEL. Mr. President, I desire to offer amendments.

Mr. SHAPIRO. Mr. President, inasmuch as the amendments so far offered by the gentleman from Philadelphia, Senator Stiefel, have been defeated, there seems no point in having read further amendments because if they should be adopted they would be ineffectual anyhow and would disturb rather than help the situation.

I therefore suggest to Senator Stiefel that he withdraw further amendments.

AMENDMENTS WITHDRAWN

Mr. STIEFEL. Mr. President, I think the advice of the Senator from Philadelphia, Mr. Shapiro, is proper. I am very regretful that the amendments went down to defeat as in my opinion they were constructive. In order to have time I will withdraw the balance of the amendments. I believe the record is now clear that we have tried to do everything in our power and paraphrasing the words of Shakespeare I will say, "The Moor has done his duty; the Moor may go."

On the question recurring,

Will the Senate agree to the section?

It was agreed to.

The fifth, sixth, seventh, eighth, ninth and tenth sections and title were separately read and agreed to.

And said bill having been read at length the second time,

On the question,

Will the Senate agree to the bill on second reading?

Mr. HOLLAND. Mr. President, in the goodness of our hearts we are trying to pass a child care bill. I believe the Senate does not really realize that this bill as it now stands will not do the job that we would like to have it do.

I heard the gentleman from McKean, Senator Wilson, a moment ago speak about helping out the little real estate owners. This bill, which is now on second reading, has in it a provision for appropriation by political subdivisions. Appropriation by political subdivisions means only one thing, Mr. President, that the real estate owner back home will have to have his taxes raised if the right type of child center is to be maintained. I do not think this Senate means to put through a fake bill. I do not think the Senators in this Senate intend to go before the public and say, "we passed a child care bill but it is not a child care bill."

Mr. HOLLAND. Mr. President, in view of these facts, I am about to move that House Bill No. 849, Printer's Number 332, be recommitted to the Committee on Appropriations so that proper moneys will be appropriated to carry out the purposes of this bill, and not place the cost of child care on the mothers and fathers of the boys who are now fighting.

MOTION TO RECOMMIT BILL

Mr. HOLLAND, Mr. President, I move that House Bill No. 849, on second reading, be recommitted to the Committee on Appropriations.

Mr. COX. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

Mr. HOLLAND. Mr. President, I ask for a roll call.

The yeas and nays were required by Mr. HOLLAND and were as follows, viz:

YEAS—14

Barr,	Gourley,	McGinnis,	Shapiro,
Chapman,	Haluska,	McQuiddy,	Stiefel,
Cox,	Holland,	Ruth,	Woodring,
DiSilvestro,	Jaspan,		

NAYS—23

Becker,	Farrell,	Kephart,	Thomas,
Bowers,	Geltz,	Letzler,	Wade,
Carr,	Heyburn,	Mallery,	Walker,
Crider,	Homsher,	Scarlett,	Wilson, H. I.,
Deitrick,	James,	Snowden,	Wilson, T. B.,
Ealy,	Jones,	Tallman,	

So the question was determined in the negative.

And the question recurring,

Will the Senate agree to the bill on second reading?

It was agreed to.

Ordered, To be transcribed for a third reading.

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 895, entitled:

An Act to further reenact and amend the title and the act approved the twenty-eighth day of March one thousand nine hundred and twenty-nine (P. L. 86) entitled as amended "An act relating to the grading and sale of grapes and potatoes in this Commonwealth providing penalties for violations and imposing certain duties upon the Department of Agriculture" by extending the provisions to apples and peaches and permitting the grading classifying and packing of grapes potatoes apples and peaches other than those packed or repacked within this State.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILLS OVER IN ORDER

Mr. HEYBURN. Mr. President, I ask unanmious consent that House Bill No. 917, on second reading, entitled:

An Act to promote interestate cooperation for the use, conservation; protection and equitable diversion of the water resources of the Delaware River Basin between and among the States of Pennsylvania, New York and New Jersey, for the purpose of meeting prospective needs for domestic and municipal water supply; regulating and limiting the use of the waters of the Delaware River and its tributaries and prescribing rules and standards; requiring permits from and providing for hearings by, the Water and Power Resources Board and for appeals from its decisions; vesting power in the Water and Power Resources Board to vary or modify the rules and standards under certain conditions and to adopt rules and regulations, and further defining its powers and duties; requiring notice to the States of New York and New Jersey of all applications for water diversion; providing for the filing of stipulations by the Attorney General with the United States Supreme Court and obtaining its approval of water diversions

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. HEYBURN. Mr. President, I ask unanimous consent that House Bill No. 993, on second reading, entitled:

An Act to amend clause (g) of section two hundred four of the act, approved the twenty-second day of May, one thousand nine hundred and thirty-three (P. L. 853), "An act relating to taxation; designating the subjects, property and persons subject to and exempt from taxation for all local purposes; providing for and regulating the assessment and valuation of persons, property and subjects of taxation for county purposes, and for the use of those municipal and quasi-municipal corporation which levy their taxes on county assessments and valuations; amending, revising and consolidating the law relating thereto; and repealing existing laws," by providing that the exemption from local taxation afforded to certain public property shall not extend to property, otherwise taxable, which is owned or held by an agency of the Government of the United States

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

HOUSE BILL No. 403, PRINTER'S No. 531, CALLED UP

Mr. SHAPIRO. Mr. President, I call up at this time House Bill No. 403, Printer's No. 531, on page 5 of the Third Reading Calendar.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 403, entitled:

An Act to amend section seven of the act approved the seventeenth day of May one thousand nine hundred seventeen (P. L. 208) entitled "An act to regulate the practice of pharmacy and sale of poisons and drugs and providing penalties for the violation thereof defining the words 'drug' and 'poison' and providing for the appointment of a board which shall have in charge the enforcement of said law and the power to make rules and regulations for the enforcement of said law and providing for the purchase of samples of drugs for determining their quality strength and purity" by requiring a copy of the latest edition of the Year Book of the Pennsylvania Pharmaceutical Association to be kept in every pharmacy

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section seven of the act approved the seventeenth day of May one thousand nine hundred seventeen (P. L. 208) entitled "An act to regulate the practice of pharmacy and sale of poisons and drugs and providing penalties for the violation thereof defining the words 'drug' and 'poison' and providing for the appointment of a board which shall have in charge the enforcement of said law and the power to make rules and regulations for the enforcement of said law and providing for the purchase of samples of drugs for determining their quality strength and purity" is hereby amended to read as follows

Section 7 That there shall be kept in every pharmacy a copy of the latest revision of the United States Pharmacopoeia [and] the latest edition of the National Formulary and the latest edition of the Year Book of the Pennsylvania Pharmaceutical Association in which Year Book shall be kept a record of all exempt narcotic sales and sales of poisons and if homeopathic remedies are compounded and dispensed a copy of the latest revision of the American Homeopathic Pharmacopoeia or the Homeopathic Pharmacopoeia of the United States which books must be open to the inspection of the Pennsylvania Board of Pharmacy or the agents thereof Any person violating this section of this act of Assembly shall upon conviction be sentenced to pay a fine of ten dollars ($10.00) and the costs of prosecution

And said bill having been read at length the third time,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Will the Senate agree to the bill on third reading?

Mr. SHAPIRO. Mr. President, I ask unanimous consent to offer amendments, which have been discussed with gentleman who are interested in this bill.

The PRESIDENT. Is there objection?

Mr. WADE. I object, Mr. President.

Mr. SHAPIRO. Mr. President, I do not want to move to reconsider the vote by which this bill passed second reading. The purpose of the amendments I offer is merely to confine the bill to the stated purposes of the bill.

In other words, Mr. President, we were told that the purpose of this bill was merely to compel druggists to keep records separately of all narcotic drugs mentioned in the bill. I have conferred with people interested in the bill and have proposed amendments so that there shall be kept a separate record in the form to be prescribed by the Director of the Bureau of Narcotics in the Department of Public Health, in which shall be recorded the sales of those narcotics.

If the gentleman from Cumberland insists on his objection to granting unanimous consent, I shall be obliged to move that the vote by which this bill passed second reading be reconsidered at this time.

Possibly the gentleman from Cumberland did not understand the purpose of the amendments.

AMENDMENTS WITHDRAWN

Mr. President, in order to give the gentleman from Cumberland an opportunity to study these amendments, I now withdraw them.

REQUEST THAT BILL GO OVER IN ORDER

Mr. SHAPIRO. Mr. President, I ask unanimous consent that House Bill No. 403, on third reading go over in its order.

The PRESIDENT. Is there objection?

Mr. HOMSHER. I object, Mr. President.

Mr. DiSILVESTRO. Mr. President, what has happened here? One day last week one of the lawyers in this Senate —and it is not the gentleman from Philadelphia, Senator Shapiro—passed the word around that this bill would create graft. Is the legal profession the only profession that is honest? I think that pharmacists conduct their pharmacies in the highest degree. Is that the only defense when someone is not in accord with a bill, to say that it will create graft, or that it is dishonest? If it is dishonest, let us prove that, but under the circumstances, I think there was a little bit of confusion last week, some of the fellows did not see eye to eye on this bill.

Now, Mr. President, if we adjourn next week I am afraid on account of adjournment this bill might be killed, just a slow treatment, you know. I am not behind this bill, I am not the author. This bill was introduced in the House but from the first moment I read the bill I thought it was a good bill.

We have heard the word "graft" and that there is somebody behind this and somebody behind that but I have always believed that our colleagues in this Senate are honest; I always start out with the idea that a man presents a bill because he honestly and conscientiously feels that the bill is being presented to do some good for some people in the state or for all the people in the state.

Mr. President, I do not see why my friend from Philadelphia, Senator Shapiro, wants to delay passage of this bill. I understand that amendments were offered but the Senate will not grant unanimous consent, so what is the bill going to do, die? If you want it to die I will give it an injection of some kind of medicine and I will kill it myself. I do think it is bad to keep this bill on the Calend: in such a fashion.

The PRESIDENT. Does the gentleman from Philadelphia object?

Mr. DiSILVESTRO. No, Mr. President, I do not object. If someone else objects, that is O.K.

The PRESIDENT. Is there objection to House Bill No. 403 going over in order?

Mr. DEITRICK. I object, Mr. President.

And the question recurring,

Will the Senate agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. SHAPIRO. Mr. President, I have no interest in this bill. I have examined it merely from the point of view of legislation, but as this bill is now prepared, those druggists who are anxious to get a bill in which shall be recorded the sale of narcotics may be compelled to buy advertisements in this book. The book may be used for that very purpose. The expressed intention of the sponsor of the bill was to provide a register in which the sale of narcotics shall be separately recorded.

One of the gentlemen who is sponsoring this bill suggested the reason they did not put that in it was that they wanted to compile a number of laws dealing with narcotics and put them in that book and sell this book on that basis.

I suggested to him that the thing we were basically interested in was narcotic supervision and the amendment I prepared would cover it.

As far as I am concerned, you con vote "aye" or "no" on this bill—I am not asking any one to vote one way or the other on the bill, but in the interest of good legislation if this bill is intended for a specific purpose, I think it ought to be confined to that purpose, so that it can not be used for business purposes rather than medical, and if this bill is voted on now in its present shape, compelling druggists to buy these year books—no one knows what the year book means, nobody knows what the year book shall contain, or that it will contain a list of narcotics which are sold, and I think that is silly.

Now you can suit yourselves on it.

On the question recurring,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—35

Barr,	Farrell,	Jones,	Stevenson,
Becker,	Geltz,	Kephart,	Stiefel,
Bowers,	Gourley,	Letzler,	Tallman,
Carr,	Haluska,	Mallery,	Thomas,
Chapman,	Heyburn,	McGinnis,	Wade,
Cox,	Holland,	McQuiddy,	Walker,
Crider,	Homsher,	Ruth,	Wilson, H. I.,
Deitrick,	James,	Scarlett,	Wilson, T. B.,
DiSilvestro,	Jaspan,	Snowden,	

NAYS—3

Ealy, Shapiro, Woodring,

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which the concurrence of the House is requested.

BILLS ON FIRST READING

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 151, entitled:

An Act to amend Sections 203 and 204 and to further amend Section 205 of and to add Sections 205.1 205.2 205.3 205.4 205.5 205.6 205.7 205.8 205.9 205.10 and 205.11 to the act approved the eighteenth day of May one thousand nine hundred and eleven (P. L. 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" providing for the election of school directors in school districts of the second third and fourth classes by nonpartisan ballots at special elections.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 156, entitled:

An Act to amend section three hundred two of the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1225) entitled "An act concerning game and other wild birds and wild animals and amending revising consolidating and changing the law relating thereto" exempting for the duration of the present war any persons in the armed forces from the payment of a fee to the Commonwealth for resident hunting licenses.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 417, entitled:

An Act authorizing the Department of Property and Supplies, with the approval of the Governor and the Board of Trustees of Pennhurst State School, to acquire a certain tract of land for the use of the State Institution for the Feeble-Minded and Epileptic of Eastern Pennsylvania at Pennhurst, and making an appropriation therefor.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 433, entitled:

An Act relating to appointments reclassifications and promotions under the civil service systems of all political subdivisions of this Commonwealth that shall hereafter be made until a period after the cessation of hostilities making such appointments reclassifications and promotions of war duration providing for the establishment of new employment and promotion lists and suspending inconsistent laws

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 580, entitled:

An Act to add Section 806.1 to the act, approved the third day of June, one thousand nine hundred thirty-seven (P. L. 1225), entitled "An act concerning game and other wild birds and wild animals; and amending, revising, consolidating, and changing the law relating thereto," making it unlawful for any person, while hunting or trapping, to carry any firearm with the safety off, except during the momentary interval of time necessary to permit the discharge of such firearm; and providing penalties.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 602, entitled:

An Act making it lawful, during the continuance of the present war, and for six months thereafter, for drug stores and pharmacies to operate, subject to certain conditions and for limited periods, without the necessity for a registered pharmacist or assistant pharmacist in attendance.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 613, entitled:

An Act to further amend section four of the act, approved the twenty-eighth day of June, one thousand nine hundred thirty-five (P. L. 452), entitled as amended "An act to promote the welfare of the people of the Commonwealth; creating a General State Authority as a body corporate and politic with power to construct, improve, equip, furnish, and operate projects, and to lease the same, and to fix and collect fees, rentals, and charges for the use thereof; authorizing and regulating the issuance of bonds by said Authority, and providing for the payment of such bonds, and the rights of the holders thereof; and to enter into agreements with the Government of the United States or any Federal agency; and authorizing the Department of Property and Supplies to grant, assign, convey, or lease to the Authority lands of the Commonwealth and interests therein, and to acquire lands therefor; granting the right of eminent domain; and providing that no debt of the Commonwealth shall be incurred in the exercise of any of the powers granted by this act," empowering the General State Authority to lease any project constructed by it to any person, copartnership, association or corporation, for certain uses.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 659, entitled:

An Act to amend clause (g) of section eighteen of the act approved the twenty-ninth day of April one thousand nine hundred thirty-seven (P. L. 487) entitled "An act to provide for the permanent personal registration of electors in boroughs towns and townships as a condition of their right to vote at elections and primaries and their enrollment as members of political parties as a further condition of their right to vote at primaries prescribing certain procedure for the conduct of elections and primaries and the challenge and proof of qualifications of electors requiring the county commissioners of the various counties to act as a registration commission therefor and prescribing the powers and duties of citizens parties political bodies registration commissions commissioners registrars inspectors of registration and other appointees of registration commissions county election boards election officers municipal officers departments and bureau police officers courts judges prothonotaries sheriffs county commissioners peace officers county treasurers county controllers registrars of vital statistics certain public utility corporations real estate brokers rental agents and boards of school directors and imposing penalties" by chainging the procedure relating to the registration of State and Federal employes.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 660, entitled:

An Act to amend clause (g) of section nineteen of the act approved the twenty-fifth day of May one thousand nine hundred thirty-seven (P. L. 814) entitled "An act to provide for the permanent personal registration of electors in cities of the second class as a condition of their right to vote at elections and primaries and their enrollment as members of political parties as a further condition of their right to vote at primaries prescribing certain procedure for the conduct of elections and primaries and the challenge and proof of qualifications of electors and prescribing the powers and duties of citizens parties political bodies registration commissions commissioners registrars inspectors of registration and other appointees of registration commissions county election boards election officers municipal officers departments and bureaus police officers courts judges prothonotaries sheriffs county commissioners peace officers county treasurers county controllers registrars of vital statistics certain public utility corporations real estate brokers rental agents and boards of school directors and imposing penalties" by changing the procedure relating to the registration of State and Federal employes.

An said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration House Bill No. 661, entitled:

An Act to amend clause (g) of section nineteen of the act approved the first day of June one thousand nine hundred thirty-seven (P. L. 1132) entitled "An act to provide for the permanent personal registration of electors in cities of the second class A as a condition of their right to vote at elections and primaries and their enrollment as members of political parties as a further condition of their right to vote at primaries prescribing certain procedure for the conduct of elections and primaries and the challenge and proof of qualifications of electors and prescribing the powers and duties of citzens parties political bodies registration commissions commissioners registrars inspectors of registration and other appointees of registration commissions county election boards election officers municipal officers departments and bureaus police officers courts judges prothonotaries sheriffs county commissioners peace officers county treasurers county controllers registrars of vital statistics certain public utility corporations real estate brokers rental agents and boards of school directors and imposing penalties" by changing the procedure relating to the registration of State and Federal employes.

An said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration House Bill No. 662, entitled:

An Act to amend clause (k) of Section three hundred two and sections nine hundred fourteen and nine hundred seventy-seven of the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1333) entitled "An act concerning elections including general municipal special and primary elections and nomination of candidates primary and election expenses and election contests creating and defining membership of county boards of elections imposing duties upon the Secretary of the Commonwealth courts county boards of elections county commissioners imposing penalties for violation of the act and codifying revising and consolidating the laws relating thereto and repealing certain acts and parts of acts relating to elections" by changing the time for the certification of returns to the Secretary of the Commonwealth the time for the withdrawal of candidates for nomination or election at any primary and the time for filing objections to nomination petitions.

An said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 655, entitled:

An Act to amend clause (g) of section nineteen of the act approved the twenty-fifth day of May one thousand nine hundred thirty-seven (P. L. 849) entitled "An act to provide for tre permanent personal registration of electors in cities of the third class as a condition of their right to vote at elections and primaries and their enrollment as members of political parties as a further condition of their right to vote at primaries prescribing certain procedure for the conduct of elections and primaries and the challenge and proof of qualifications of electors and prescribing the powers and duties of citizens parties political bodies registration commissions commissioners registrars inspectors of registration and other appointees of registration commissions county election boards election officers municipal officers departments and bureaus police officers courts judges prothonotaries sheriffs county commissioners peace officers county treasurers county controllers registrars of vital statistics certain public utility corporations real estate brokers rental agents and boards of school directors imposing penalties and repealing existing iegislation" by changing the procedure relating to the registration of State and Federal employes.

An said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 731, entitled:

An Act to further amend subsection (c) of section four hundred twelve of the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1333) entitled "An act concerning elections including general

municipal special and primary elections the nomination of candidates primary and election expenses and election contests creating and defining membership of county boards of election imposing duties upon the Secretary of the Commonwealth courts county boards of elections county commissioners imposing penalties for violation of the act and codifying revising and consolidating the laws relating thereto and repealing certain acts and parts of acts relating to elections" fixing the mileage of judges of election for transmitting returns of primaries and elections and ballot boxes.

An said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 747, entitled:

An Act to further amend clause (f) and to amend clause (g) of section twenty of the act approved the thirteenth day of March one thousand nine hundred thirty-seven (P. L. 115) entitled "An act to provide for the permanent personal registration of electors in cities of the first class as a condition of their right to vote at elections and primaries and their enrollment as members of political parties as a further condition of their right to vote at primaries prescribing certain procedure for the conduct of elections and primaries and the challenge and proof of qualifications of electors and prescribing the powers and duties of citizens parties bodies of electors registration commissions commissioners registrars inspectors of registration and other appointees of registration commission election officers municipal officers departments and bureaus police officers courts judges prothonotaries sheriffs county commissioners peace officers county treasurers county controllers registrars of vital statistics real estate brokers rental agents certain public service companies persons firms and corporations operating vehicles for moving furniture and household goods and boards of school directors and imposing penalties" by changing procedure relating to registration of State and Federal employes.

An said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 758, entitled:

An Act to further amend section fifty of the act approved the second day of May one thousand nine hundred twenty-five (P. L. 448) entitled "An act relating to fish and amending revising consolidating and changing the law relating to fish in the inland waters and the boundary lakes and boundary rivers of the Commonwealth" authorizing the board of Fish Commissioners to adopt certain rules and regulations governing the taking of fish by trolling from moving boats electrically propelled or propelled by internal combustion motors and making it unlawful to engage in such trolling in violation of the rules and regulations thus adopted.

An said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 1092, entitled:

An Act to amend section twelve of the act approved the fourteenth day of June one thousand nine hundred twenty-three (P. L. 710) entitled "An act allowing and regulating boxing sparring and wrestling matches and exhibitions establishing a State Athletic Commission making an appropriation therefor and appropriating moneys received for monument and memorial purposes and prescribing penalties" changing the minimum age for participants in amateur boxing sparring and wrestling matches and exhibitions and providing a penalty.

An said bill having been read at length the first time, Ordered, To be laid aside for second reading.

BILLS ON FIRST READING

Mr. HEYBURN. Mr. President, I move that the Senate do now proceed to the first reading of all bills reported from committees for the first time at today's session.

Mr. HENRY I. WILSON. Mr. President, I second the motion.

The motion was agreed to.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 572, entitled:

An Act to add section 617.2 to the act approved the eighteenth day of May, one thousand nine hundred eleven (P. L. 309), entitled "An act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws, general, special or local, or any parts thereof, that are or may be inconsistent therewith," authorizing school districts of the third and fourth class to continue work on school buildings abandoned as projects by the Works Projects Administration or other Federal agency, on contracts entered into pursuant to solicited bids, in order to protect such buildings from loss or damage by the elements.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 575, entitled:

An Act to amend clause (d) of section six hundred two and one-tenth of the act, approved the eighteenth day of May, one thousand nine hundred and eleven (P. L. 309), entitled "An act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws, general, special or local, or any parts thereof, that are or may be inconsistent therewith," further regulating the power of directors of school districts in the sale of unused and unnecessary lands and buildings.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 615, entitled:

An Act to amend section sixty of the act, approved the seventh day of June, one thousand nine hundred and seventeen (P. L. 447), entitled, as amended "An act relating to the administration and distribution of the estates of decedents and of minors, and of trust estates; including the appointment, bonds, rights, powers, duties, liabilities accounts discharge and removal of executors, ad-

ministrators, guardians, and trustees, herein designated as fiduciaries; the administration and distribution of the estates of presumed decedents; widow's and children's exemptions; debts of decedents, rents of real estate as assets for payment thereof; the lien thereof, sales and mortgages of real estate for the payment thereof judgments and executions therefor, and the discharge of real estate from the lien thereof; contracts of decedents for the sale or purchase of real estate; legacies, including legacies charged on land; the discharge of residuary estate and of real estate from the lien of legacies and other charges; the appraisement of real estate devised at a valuation; the ascertainment of the curtilage of dwelling houses or other buildings devised; the abatement and survival of actions, and the substitution of executors and administrators therein; the survival of causes of action and suits thereupon by or against fiduciaries; investments by fiduciaries; the organization of corporations to carry on the business of decedents; the audit and review of accounts of fiduciaries; refunding bonds; transcripts to the court of common pleas of balances due by fiduciaries; the rights, powers, and liabilities of nonresident and foreign fiduciaries; the appointment, bonds, rights, powers, duties, and liabilities of trustees durante absentia; the recording and registration of decrees, reports and other proceedings, and the fees therefor; appeals in certain cases; and, also, generally dealing with the jurisdiction, powers, and procedure of the orphans' court in all matters relating to fiduciaries concerned with the estates of decedents." further regulating the administration and distribution of the estates of missing persons; prescribing the jurisdiction, powers and duties of the orphans' court relative thereto, and of the trustees appointed by said court for the management, control and distribution of such estates; and repealing existing laws.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 625, entitled:

An Act providing referendums to ascertain the will of electors on the question of baseball and football on Sundays and for the enactment of licensing ordinances and resolutions in accordance therewith.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

ADJOURNMENT

Mr. HEYBURN. Mr. President, I move that the Senate do now adjourn until Tuesday, April 27, 1943, at 2:00 o'clock p. m. Eastern War Time.

Mr. SCARLETT. Mr. President, I second the motion.

The motion was agreed to.

The Senate adjourned at 11:59 p. m. Eastern War Time until Tuesday, April 27, 1943, at 2:00 o'clock p. m. Eastern War Time.

HOUSE OF REPRESENTATIVES

MONDAY, April 26, 1943

The House met at 9 p. m.

The SPEAKER (Ira T. Fiss) in the Chair.

PRAYER

The Chaplain, Rev. Lester C. Updegrove, offered the following prayer:

Thou who art the giver of every good and perfect gift, accept our thanks for the many undeserved blessings lavished upon us. Deliver us from all sin, we pray in contrite sprit, for the nation and all her people. Give unto those in the armed forces of our country an ever increasing awareness of their great need of Thee. May they experience the sufficiency of Thy grace for every trial and task. Grant that every Legislator may sense the seriousness of our times and do their utmost by precept and example to hasten the coming of Thy kingdom in the lives of men and nations. When the world is at its worst, grant that each one of us may be at our best, for Thy name's sake, we pray. Amen.

JOURNAL APPROVED

The SPEAKER. The Clerk will read the Journal of Thursday, April 22, 1943.

The Clerk proceeded to read the Journal of Thursday, April 22, 1943, when, on motion of Mr. COOPER, unanimously agreed to, the further reading was dispensed with and the Journal approved.

SENATE MESSAGE

SENATE BILLS FOR CONCURRENCE

The Clerk of the Senate being introduced, presented for concurrence, bills numbered and entitled as follows:

SENATE BILL No. 145.

An Act making an appropriation to the Trustees of the Pennsylvania State College for the use of the School of Mineral Industries for research and investigation of problems affecting mineral industries.

Referred to the Committee on Appropriations.

SENATE BILL No. 400.

An Act to ratify confirm and validate as debts of the municipality bonds and obligations issued by municipal corporations for the payment of the cost of a public improvement which were to rest alone for their security and payment upon assessments for benefits.

Referred to the Committee on Municipal Corporations.

SENATE BILL No. 440.

An Act creating a Commission for the Port of Chester providing for the appointment of the members of said commission defining its powers and duties and making an appropriation to defray its expenses.

Referred to the Committee on State Government.

SENATE BILL No. 470.

An Act authorizing and creating an Anthracite Mine Subsidence Commission within the Department of Mines of the Commonwealth of Pennsylvania defining its jurisdiction and powers its duties to undertake studies and prepare such plan or plans as shall be deemed necessary to conserve anthracite to prevent the loss of life both on the surface and underground to prevent the destruction of property both underground and on the surface as a result of subsidences due to the removal of coal providing for the common good of the people in the Anthracite Region and the Anthracite Industry authorizing the commission to enter anthracite mines and the surface above such mines and to designate locations for bore holes for

flushing mines providing for employes of said commission and their salaries imposing duties upon the commission and making an appropriation.

Referred to the Committee on Mines and Mining.

SENATE BILL No. 497.

An Act authorizing the Department of Property and Supplies with the approval of the Governor and the Navigation Commission of the Delaware River to secure accommodations ashore for use by said commission in the conduct of the nautical school now located at the Port of Philadelphia and making an appropriation.

Referred to the Committee on Appropriations.

SENATE BILL No. 501.

An Act authorizing and directing the Board of Finance and Revenue of the Commonwealth of Pennsylvania to hear and determine petitions for refund of certain moneys paid into the State Treasury for documentary stamps under the "Documentary Stamp Tax Act" approved the sixteenth day of May one thousand nine hundred thirty-five (P. L. 203) and prescribing a limitation period within which such petitions must have been filed.

Referred to the Committee on State Government.

SENATE BILL No. 516.

An Act authorizing during the continuance of the present war and for a period thereafter the employment except during school hours or after the hour of eleven o'clock post meridian of certain male minors as pin boys in bowling alleys and suspending existing laws which prohibit such employment.

Referred to the Committee on Labor.

SENATE BILL No. 547.

An Act making an appropriation for the expenses of the Committee of the Senate created by Senate Resolution Number three (Serial No. 66) adopted the twelfth day of July one thousand nine hundred forty-one to investigate rioting in Donaldson, Schuylkill County.

Referred to the Committee on Appropriations.

SENATE BILL No. 576.

An Act to add clause fifty-three and one tenth to section two thousand four hundred three of the act approved the twenty-third day of June one thousand nine hundred thirty-one (P. L. 932) entitled "An act relating to cities of the third class and amending revising and consolidating the law relating thereto" authorizing the sale of unused and unnecessary land and buildings.

Referred to the Committee on Cities—Third Class.

SENATE BILL No. 587.

An Act authorizing the treasurer of any city or county of the first class during the continuance of the hostilities incident to the present war and for six months thereafter to invest money in the treasury of such city or county not required for immediate use in certain obligations of the United States Government and to sell or have the same redeemed.

Referred to the Committee on Cities—First Class.

LEAVES OF ABSENCE

By unanimous consent leave of absence was granted as follows:

Mr. Hewitt for Mr. McMILLEN for tonight's session because of illness in his famliy.

Mr. Paul Brunner for Mr. SWOPE for the week because of illness.

REPORTS FROM COMMITTEES

Mr. LLOYD H. WOOD, from the Committee on Appropriations, reported as committed, House Bill No. 1063, entitled:

An Act making an appropriation to the Board of Finance and Revenue for the payment of certain moral claims against the Commonwealth.

Mr. HALL, from the Committee on Highways, reported as committed, Senate Bill No. 11, entitled:

An Act to amend section eighteen of the act approved the thirteenth day of June one thousand eight hundred thirty-six (P. L. 551) entitled "An act relating to roads highways and bridges" authorizing vacation of parts of public roads where termini of remaining parts of road are not in public highway or place of public resort.

Mr. HALL, from the Committee on Highways, reported as committed, Senate Bill No. 63, entitled:

An Act to amend the act approved the twenty-second day of April one thousand nine hundred and thirty-seven (P. L. 394) entitled "An act to authorize the Secretary of Highways to disregard terminal points in relocating State highway routes under certain conditions" by adding certain other conditions under which the Secretary of Highways may disregard terminal points.

Mr. HALL, from the Committee on Highways, reported as committed, Senate Bill No. 64, entitled:

An Act authorizing the Secretary of Highways to establish construct and maintain parallel or approximately parallel State highways in townships boroughs incorporated towns and cities in certain cases providing for the payment of property damages resulting therefrom and authorizing the Secretary of Highways to control the direction of the flow of traffic thereover.

Mr. HALL, from the Committee on Highways, reported as committed, Senate Bill No. 65, entitled:

An Act to further amend section one of the act approved the twenty-seventh day of April one thousand nine hundred and twenty-seven (P. L. 392) entitled "An act providing that highways or sections thereof abandoned as State highway routes shall revert for maintenance to the party or parties responsible for the maintenance of s id highways prior to their coming under the jurisdiction of the Department of Highways" by providing that sections of highways abandoned by relocation shall be maintained by and at the expense of the township borough incorporated town or city within which they are located after being improved and repaired by the Department of Highways and by adding a new section to provide that portions or sections of the old highway which are not included within the changed altered or established widths shall be considered vacated if such portions or sections are not of the full width of the highway as previously established.

Mr. HALL, from the Committee on Highways, reported as committed, Senate Bill No. 86, entitled:

An Act to amend paragraph (f) of section two thousand three and paragraph (e) of section two thousand five of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitle "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined by extending the authority of the Department of Highways to rent and sell certain equipment and material.

Mr. HALL, from the Committee on Highways, reported as committed, Senate Bill No. 105, entitled:

An Act to amend section two thousand three of the act approved the ninth day of April one thousand nine hundred and twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" authorizing the Department of Highways to condemn rights-of-way as agent for the Federal Government.

Mr. MAHANY, from the Committee on Judiciary General, reported as committed, Senate Bill No. 220, entitled:

An Act to further amend section six of the act approved the eighteenth day of June one thousand nine hundred and twenty-three (P. L. 840) entitled "An act concerning declaratory judgments and decrees and to make uniform the law relating thereto" further defining the circumstances under which the remedy provided is available.

Mr. McKINNEY, from the Committee on Judiciary General, reported as committed, Senate Bill No. 359, entitled:

An Act to amend section sixteen of the act approved the twelfth day of July one thousand nine hundred thirteen (P. L. 711) entitled "An act establishing a court for the county of Philadelphia prescribing its jurisdiction and powers providing for the service of its writs process or warrants by the proper officers of the county or city of Philadelphia regulating the procedure therein and appeals therefrom and providing for the expenses thereof" by extending its powers to include the issuance of writs of habeas corpus.

BILL ON FIRST READING

By unanimous consent the following bill was read the first time.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1063, entitled:

An Act making an appropriation to the Board of Finance and Revenue for the payment of certain moral claims against the Commonwealth.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

COMMUNICATION FROM THE GOVERNOR

The Secretary to the Governor being introduced, presented a communication in writing from His Excellency the Governor, which was read as follows:

APPROVAL OF HOUSE BILLS Nos. 373 and 561

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, April 26, 1943.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 373, Printer's No. 401, entitled "An act to further amend the act approved the first day of May one thousand nine hundred and twenty-nine (P. L. 905) entitled 'An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds' changing the definition of 'dealer' providing for the issuance and use of temporary registration cards and temporary registration plates or markers and prescribing penalties."

I have the honor to inform you that I have this day approved and signed House Bill No. 561, Printer's No. 157, entitled "An Act to amend section two of the act approved the twenty-fourth day of June one thousand nine hundred thirty-nine (P. L. 685) entitled 'An act designating certain life insurance companies as limited life insurance companies and further describing the powers thereof' by increasing the amount for which under certain conditions such companies may issue policies in the event of death from natural or accidental causes."

EDWARD MARTIN

PERMISSION TO ADDRESS HOUSE

Mr. COHEN asked and obtained unanimous consent to address the House.

Mr. Speaker, two weeks ago tonight, as the result of

what this side of the House considered a real grievance against the non-accomplishment of real legislation by this House, I requested that all bills on the calendar be read at length, and each succeeding night and each day thereafter the same request was made.

The purpose of this action, Mr. Speaker, was two-fold. First, to focus the attention of the people on the intent of the Republican party, and in order to accomplish that to pass such legislation as they deem necessary, and in doing this we considered they were striking a blow at the democratic processes. It was important in our opinion therefore to expose this effort.

Second, we hoped that by making this matter public property the Republican party by the force of public opinion might be compelled to desist. Accordingly we suggested the appointment of a joint committee of Democrats and Republicans from both sides of the House. As is well known a committee representing the Democratic members on both Houses called upon the Governor and requested the formation of a joint committee, and as has been stated on the floor before, after a long discussion with the Governor he accepted our suggestion and directed that a committee be appointed to confer on matters of legislation. Since that time, Mr. Speaker, I know that I have used every effort possible, and my colleagues on this side have done likewise, to have a meeting with our colleagues on the other side. We were unable to have this meeting until finally today, and after waiting at the office of the Majority Leader of the Senate for well over an hour, we finally met at five minutes past three this afternoon. That meeting was attended by most of the members of the committee on both sides of the House.

The result of that meeting, I believe, was that we were pretty well told that the eleven point program we suggested could not be adopted. It was put this way by Senator Heyburn, that of those eleven proposals most of them were either in the law already, or already passed by this House or were to be acted upon by this House, and the others on which no action was taken, were matters for Federal regulation.

I take it, Mr. Speaker, that he meant to infer to us that there was no point for real discussion on any of these items. However, I feel and my Democratic colleagues agree with me, that our purpose has been accomplished. We have exposed to the light of day, not only in Pennsylvania but in the nation at large, that a gerrymandering of congressional districts is attempted on purely political lines, thereby making it almost impossible to reelect Democratic congressmen in some districts who had voted one hundred per cent with the President on all war measures. We have exposed the attempt to destroy the principle of civil service in Pennsylvania to such an extent that even the Republicans rebelled against the plan. We have exposed to light the attempt to destroy the parole system in Pennsylvania; we have exposed the attempt in the Senate to deprive the war workers of the right to register and vote, and finally we have focused the attention of the citizens of the state, particularly with reference to those who believe in our democratic form of government, to the vicious attack made on labor unions, as is set forth in Senate Bill 46. I am serving notice now that we further propose to focus public attention on this bill. I understand that action will be taken in the Senate tonight to recommit that bill. If the bill is not to be recommitted, and if it passes and comes over here then on the Republican party will be placed all the responsibility of legislation so vicious in nature. These are but a few of the bills that follow a general pattern which we contend has the approval of the Republican party. I have mentioned only the highlights. I had hoped that the committee which met with the Governor might have a accomplished some real results. However, I feel the real intent has been exposed. Our purposes have been accomplished with no additional cost to the Commonwealth for printing or otherwise. That, gentlemen, I feel is a great benefit to the people of Pennsylvania.

For this reason, Mr. Speaker, with the authority of the Democratic members, I shall no longer request that bills, in accordance with the constitution, be read at length.

PERMISSION TO ADDRESS HOUSE

Mr. LICHTENWALTER asked and obtained unanimous consent to address the House.

Mr. Speaker, I am very happy to learn of another purpose for the filibuster which we have endured during the past two weeks, but I am rather inclined to believe the gentleman from Allegheny who spoke two weeks ago on the floor of this House when he said that the purpose for instigating the tactics used upon the floor of this House was for the purpose of delay. We have also been told Mr. Speaker that the reason for the actions of the minority was to focus attention upon the actions of the present session of the legislature, to focus attention upon the type and kind of legislation that we of the majority party were passing.

If that was the purpose I want to agree with the gentleman from Somerset, Mr. Hare, who upon the floor of this House a week ago brought to the attention of every Member of this House the public reaction to the methods that were being used for the purposes of delay, in the various editorials that were taken from many newspapers in Pennsylvania, as to their belief in the purpose of using those particular tactics.

Then, I was very happy, Mr. Speaker, to learn the reactions upon the minority as far as the meeting held this afternoon was concerned. I want to inform the entire membership of this House that I went to Senator Heyburn's office at about 3:00 o'clock. The only member on the minority side that was present was the Minority Floor Leader of the House. That meeting started with three members of the majority party and one member of the minority party. I will say that the statement he made that he felt after a brief discussion we were not going to get very far because of the stand of the majority is correct, and I want to state here and now, after all we are engaged in a war today, fighting to maintain our democratic form of government. I believe all of us must agree that a democratic form of government is a government by a majority. We believe in the rights of a minority, we believe in good, strong opposition, we believe opposition from the minority is essential and important in a democratic form of government, but as stated on the floor of this House last week we do not feel on this side of the House that we must necessarily meet the demands of the minority upon the majority in setting up

a legislative program. We on the majority side of this House have advocated a program which has been severely criticized by the minority, but we have repeatedly stated that we are willing to carry the responsibility as the majority party of Pennsylvania for that particular program—that we are willing to go before the people of Pennsylvania and let them be the judge of the legislative program put forth in this particular session. Yes, I say, Mr. Speaker, we believe in minority rights. We welcome their debate and their opposition, but we do not believe that they should at any time now or in the future try to dictate the legislative program of the majority party.

Therefore, Mr. Speaker, I feel that what the gentleman from Philadelphia has stated was true regarding the actions of this committee, that it definitely was useless to try and foist upon the majority the wishes and the will of the minority in their eleven point program, because as far as we are concerned on this side of the House, most of those points have been covered by legislation or are now in process of being covered either in the House or in the Senate.

I might also add that the thing that rather disgusted me, representing the majority party at that particular meeting was when the Senator, representative of the minority party and the Senator representing the majority party, started to debate the merits of a bill on the Senate calendar. I believe the Minority Floor Leader will agree with me that that was not our purpose in getting together. I am glad, Mr. Speaker, that the minority party has seen the light, and that they realize now that the delay caused in this session of the legislature to the extent of the days which will be added to this particular session will be their responsibility.

BILLS ON FIRST READING

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 68, entitled:

An Act to further amend subsection one of section four of the act approved the eighteenth day of July, one thousand nine hundred seventeen (P. L. 1043), entitled "An act establishing a public school employes' retirement system, and creating a retirement board for the administration thereof; establishing certain funds from contributions by the Commonwealth and contributing employes, defining the uses and purposes thereof and the manner of payments therefrom, and providing for the guaranty by the Commonwealth of certain of said funds; imposing powers and duties upon boards having the employment of public school employes; exempting annuities, allowances, returns, benefits, and rights from taxation and judicial process; and providing penalties," increasing the membership of the Public School Employes' Retirement Board.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 137, entitled:

An Act to validate and quiet the title to real estate in this Commonwealth held by a foreign corporation unauthorized to transact business in Pennsylvania and heretofore conveyed to a citizen of the United States or a corporation authorized to hold such real estate.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 5, entitled:

An Act making an appropriation to The Glenn Mills Schools situate in Delaware County, Pennsylvania.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 445, entitled:

An Act making an appropriation to the Pennsylvania Historical Commission for the preservation, restoration and rebuilding of certain structures at the Ephrata Cloisters.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 446, entitled:

An Act making an appropriation to the Department of Property and Supplies to be used with the advice and cooperation of the Pennsylvania Historical Commission for securing plans and specifications for the complete restoration, rebuilding, construction, improvement and development of the Ephrata Cloisters; and for the expenses of necessary archeological investigations relative thereto.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 526, entitled:

An Act making an appropriation to the Pennsylvania Department of Highways.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 560, entitled:

An Act to further amend section four hundred two of the act approved the fifth day of December, one thousand nine hundred thirty-six (P. L. 2897-1937), entitled "An act establishing a system of unemployment compensation to be administered by the Department of Labor and Industry and its existing and newly created agencies with personnel (with certain exceptions) selected on a civil service basis; requiring employers to keep records and make reports, and certain employers to pay contributions based on payrolls to provide moneys for the payment of compensation to certain unemployed persons; providing procedure and administrative details for the determination, payment and collection of such contributions and the payment of such compensation; providing for cooperation with the Federal Government and its agencies; creating certain special funds in the custody of the State Treasurer; and prescribing penalties," to correct an error in previous amendment in connection with provisions covering ineligibility for compensation.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 714, entitled:

An Act to further amend section five hundred nine of the act, approved the eleventh day of July, one thousand nine hundred twenty-three (P. L. 998), entitled "An act for the prevention and treatment of mental diseases, mental defect, epilepsy, and inebriety; regulating the admission and commitment of mental patients to hospitals for mental diseases and institutions for mental defectives and epileptics; governing the transfer, discharge, interstate rendition, and deportation of mental patients; providing for the payment by individuals, counties, or the Commonwealth of the cost of the admission, care, and discharge of mental patients; and imposing penalties," by providing for the payment, in certain cases, of a portion of the sums collected by the Commonwealth from private sources to the political subdivisions which have contributed to the cost of care and maintenance of such patients.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 721, entitled:

An Act to amend Section 6 of the Act approved the third day of June one thousand nine hundred and fifteen (P. L. 954) entitled "An act to protect the public health and safety: By regulating the erection, alteration, repair, use, occupancy, maintenance, sanitation, and condemnation of dwellings, two-family dwellings, rooming-houses, and tenants; by regulating the use, maintenance, and sanitation of the ground surrounding the same, the adjoining buildings, and all vacant land, in cities of the first class; providing for their inspection, the abatement of nuisances, the vacating of uninhabitable houses, and the filing of liens; creating a division of Housing and Sanitation; and providing penalties for violations of the provisions thereof, and repealing all laws inconsistent therewith" by providing for certain exceptions to the applicability of the provisions of that section.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 745, entitled:

An Act to further amend clauses six and nine of section one of the act approved the twenty-seventh day of June, one thousand nine hundred twenty-three (P. L. 858), entitled "An act establishing a State employes' retirement system, and creating a retirement board for the administration thereof; establishing certain funds from contributions by the Commonwealth and contributing State employes, defining the uses and purposes thereof and the manner of payments therefrom, and providing for the guaranty by the Commonwealth of certain of said funds; imposing powers and duties upon the heads of departments in which State employes serve; excepting annuities, allowances, returns, benefits, and rights from taxation and judicial process; and providing penalties," further defining State employes and original members.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 763, entitled:

An Act to amend section one of the act approved the tenth day of July, one thousand nine hundred forty-one (P. L. 405), entitled "An act providing a method for supplying, perfecting and recording birth records of certain persons whose births have not heretofore been made a public record or whose record of birth is incomplete or incorrect; making such records competent legal evidence; prescribing fees, and imposing duties upon the orphans' court and the Bureau of Vital Statistics of the Department of Health; authorizing the orphans' court to appoint masters for the determination of certain questions, and requiring counties to pay the compensation of such masters," further regulating the proofs required.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 814, entitled:

An Act to further amend section two of the act, approved the seventh day of June, one thousand nine hundred seventeen (P. L. 600), entitled "An act providing that appointive officers and employes, employed by the Commonwealth of Pennsylvania in its civil service, or by any department, bureau, commission, or office thereof, or by any county, municipality, township, or school district, shall not be deemed or held to have resigned or abandoned their offices or employments by reason of enlistment, enrollment, or draft in the military or naval service of the United States or any branch or unit thereof, in time of war or contemplated war; prohibiting the removal from their offices or employments of such officers and employes during the period of their service in the Army or Navy; directing that one-half of the salaries or wages of such officers or employes as have dependent wives, children, or parents, and not exceeding two thousand dollars per annum, be paid during the term of their service in the Army or Navy to such dependents; authorizing the employment during said term of substitutes to perform the duties theretofore performed by such officers or employes, respectively, and providing for the compensation of such substitutes," by changing the name Pennsylvania Motor Police Retirement System to Pennsylvania State Police Retirement System.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 913, entitled:

An Act relating to vital statistics and to make uniform the law with reference thereto.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 923, entitled:

An Act making an appropriation to the Cresson Volunteer Fire Company for the protection of State property.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 936, entitled:

An Act to further amend the first paragraph of section five hundred three of the act, approved the ninth day of April, one thousand nine hundred twenty-nine (P. L.

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343), entitled "An act relating to the finances of the State government; providing for the settlement, assessment, collection, and lien of taxes, bonus, and all other accounts due the Commonwealth, the collection and recovery of fees and other money or property due or belonging to the Commonwealth, or any agency thereof, including escheated property and the proceeds of its sale, the custody and disbursement or other disposition of funds and securities belonging to or in the possession of the Commonwealth, and the settlement of claims against the Commonwealth, the resettlement of accounts and appeals to the courts, refunds of moneys erroneously paid to the Commonwealth, auditing the accounts of the Commonwealth and all agencies thereof, of all public officers collecting moneys payable to the Commonwealth, or any agency thereof, and all receipts of appropriations from the Commonwealth and imposing penalties; affecting every department, board, commission, and officer of the State government, every political subdivision of the State, and certain officers of such subdivisions, every person, association, and corporation required to pay, assess, or collect taxes, or to make returns or reports under the laws imposing taxes for State purposes, or to pay license fees or other moneys to the Commonwealth, or any agency thereof, every State depository and every debtor or creditor of the Commonwealth," by requiring cash payment of certain refunds due from the Commonwealth, and making an appropriation to the Board of Finance and Revenue for such purposes.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 946, entitled:

An Act making an appropriation to the Women's Medical College of Pennsylvania located at East Falls, Philadelphia, Pennsylvania.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 947, entitled:

An Act making an appropriation to the Pennsylvania Museum and School of Industrial Art, Philadelphia.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 949, entitled:

An Act making an appropriation to the Department of Public Assistance and providing for certain allocations therefrom for the purpose of carrying out the Public Assistance Law for the two fiscal years beginning June first, one thousand nine hundred forty-three, and for the payment of assistance and expenses accrued or incurred prior to and remaining unpaid on May thirty-first, one thousand nine hundred forty-three.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 951, entitled:

An Act making an appropriation to the Board of Trustees of the Philadelphia Museum, Philadelphia.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 954, entitled:

An Act making an appropriation to the Downingtown Industrial and Agricultural School, Downingtown, Pennsylvania.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 956, entitled:

An Act making an appropriation to the Department of Commerce out of the Motor License Fund for the proper conduct of a specified portion of its work.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 957, entitled:

An Act making an appropriation to the Trustees of Temple University at Philadelphia, Pennsylvania.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 960, entitled:

An Act making an appropriation to the Trustees of the University of Pennsylvania.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 964, entitled:

An Act making an appropriation to Sleighton Farm School for Girls situated in Delaware County, Pennsylvania.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 973, entitled:

An Act making an appropriation to the Trustees of the University of Pittsburgh for the general maintenance of and the purchase of apparatus and equipment for the University of Pittsburgh and for the maintenance of teaching facilities in hospitals for students in the School of Medicine.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 976, entitled:

An Act making an appropriation to the Moore Institute of Art, Science and Industry, formerly Philadelphia School of Design for Women at Philadelphia, Pennsylvania.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 983, entitled:

An Act creating the Farm Labor Commission; defining its objects, powers and duties; providing for the appointment of a secretary and other officers and employes and the fixing of their salaries; imposing duties on the Governor; and making an appropriation.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1029, entitled:

An Act making an appropriation to the Trustees of the Pennsylvania State College for the use of the School of Agriculture for the purpose of conducting research and investigation of problems affecting livestock and agricultural products.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1055, entitled:

An Act to further amend the act, approved the fifth day of December, one thousand nine hundred and thirty-six (P. L. 2897, 1937), entitled "An act establishing a system of unemployment compensation to be administered by the Department of Labor and Industry and its existing and newly created agencies with personnel (with certain exceptions) selected on a civil service basis; requiring employers to keep records and make reports, and certain employers to pay contributions based on payrolls to provide moneys for the payment of compensation to certain unemployed persons; providing procedure and administrative details for the determination, payment and collection of such contributions and the payment of such compensation; providing for cooperation with the Federal Government and its agencies; creating certain special funds in the custody of the State Treasurer; and prescribing penalties," changing the provisions thereof and the rights, obligations and procedure thereunder.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1064, entitled:

An Act to amend the act, approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 343), entitled "An act relating to the finances of the State government; providing for the settlement, assessment, collection, and lien of taxes, bonus, and all other accounts due the Commonwealth, the collection and recovery of fees and other money or property due or belonging to the Commonwealth, or any agency thereof, including escheated property and the proceeds of its sale, the custody and disbursement or other disposition of funds and securities belonging to or in the possession of the Commonwealth, and the settlement of claims against the Commonwealth, the resettlement of accounts and appeals to the courts, refunds of moneys erroneously paid to the Commonwealth, auditing the accounts of the Commonwealth and all agencies thereof, of all public officers collecting moneys payable to the Commonwealth, or any agency thereof, and all receipts of appropriations from the Commonwealth, and imposing penalties; affecting every department, board, commission, and officer of the State government, every political subdivision, every person, association, and corporation required to pay, assess, or collect taxes, or to make returns or reports under the laws imposing taxes for State purposes, or to pay license fees or other moneys to the Commonwealth, or any agency thereof, every State depository and every debtor or creditor of the Commonwealth," by providing for the manner of payment of escheator's fees, informants' commissions, and other lawful charges due from moneys escheated to the Commonwealth, and escheatable moneys paid to the Commonwealth with escheat; designating the funds to which such moneys shall be credited; and making an appropriation.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1074, entitled:

An Act authorizing the Department of Property and Supplies, with the approval of the Governor and the Board of Trustees of Allentown State Hospital, to acquire a certain tract of land for the use of said hospital, and making an appropriation therefor.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1088, entitled:

An Act to amend sections one and two of the act, approved the seventh day of August, one thousand nine hundred forty-one (P. L. 887), entitled "An act authorizing the Department of Property and Supplies, with the approval of the Governor and the Department of Welfare, to acquire certain land adjacent to and for the use of the Scranton State Hospital, providing for the improvement and use thereof, authorizing the City of Scranton to pay the costs of such improvements in whole or in part, and making an appropriation," further providing as to the improvement and use of the land acquired under authority of said act.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1098, entitled:

An Act making an appropriation to the Pennsylvania Historical Commission to cover the expenses of restoring and refurnishing of the Daniel Boone Homestead.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1105, entitled:

An Act making an appropriation to the Department

of Property and Supplies for the restoration, improvement and equipment of the Pottsgrove Mansion in the borough of Pottstown on the advice and subject to the approval of the Pennsylvania Historical Commission.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1107, entitled:

An Act making an appropriation to the Department of Welfare for the maintenance of certain hospitals.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

BILL NOT ON FILE

The SPEAKER. Senate Bill No. 34, Printer's No. 328, is not on file and will be passed over.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 81, entitled:

An Act making an appropriation to the Elwyn Training School at Elwyn in the County of Delaware, Commonwealth of Pennsylvania, and prescribing certain conditions upon which the appropriation will be available to the school.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 106, entitled:

An Act making an appropriation to the Trustees of the Hahnemann Medical College and Hospital of Philadelphia, Pennsylvania.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 177, entitled:

An Act making an appropriation to the State Veterans' Commission for certain expenses of the commission and for the assistance of needy Pennsylvania veterans of any war or their dependents.

And said bill having been read at length the first time, Ordered. To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 191, entitled:

An Act making an appropriation to the Pennsylvania State College for expenditure by the School of Mineral Industries thereof under the Supervision of the Department of Mines for the purpose of developing new uses and markets for anthracite and bituminous coal.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 278, entitled:

An Act making an appropriation for the maintenance, repair, and improvement of the Port of Philadelphia.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 307, entitled:

An Act making an appropriation to the Department of Forests and Waters to be used for the acquisition of land within the limits of the "Bucktail State Park"; and prescribing the uses to be made of such land.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 327, entitled:

An Act making an appropriation to the several fire companies of the City of Harrisburg, Pennsylvania.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 415, entitled:

An Act making an appropriation to the Department of Property and Supplies for the acquisition of lands and the erection of new buildings and service systems, and the alteration and extension of existing buildings and service systems for the use of the Soldiers' Orphan School at Scotland, Pennsylvania.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 428, entitled:

An Act making an appropriation to the Trustees of the Pennsylvania State College for expenditure by the School of Mineral Industry under the supervision of the Department of Mines for the purpose of developing new uses and markets for slate and slate products.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 493, entitled:

An Act making an appropriation to the Department of Forests and Waters for the use of the Pennsylvania State Park and Harbor Commission of Erie, and for the joint use of the Federal Government and the Department of Forests and Waters of the Commonwealth of Pennsylvania.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 532, entitled:

An Act making appropriations for aid to free public non-sectarian county libraries, and for the purchase and transportation of books.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 671, entitled:

A further supplement to the act approved the first day of April, one thousand eight hundred and sixty-three (P. L. 213), entitled "An act to accept the grant of Public Lands, by the United States, to the several states, for the endowment of Agricultural Colleges," making an appriation for carrying the same into effect.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 945, entitled:

An Act lapsing all unexpended or unencumbered balances of appropriations from all funds made by the General Assembly at its session of one thousand nine hundred and thiry-five, and prior sessions, and at its regular sessions of one thousand nine hundred and thirty-seven, and one thousand nine hundred and thirty-nine, and the Special Sessions of one thousand nine hundred and thirty-six and one thousand nine hundred and thirty-eight.

And said bill having been read at length the first time. Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 961, entitled:

An Act making an appropriation to the National Farm School at Doylestown, Pennsylvania.

And said bill having been read at length the first time. Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 968, entitled:

An Act making an appropriation to aid certain school districts.

And said bill having been read at length the first time. Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 975, entitled:

An Act making an appropriation to the Department of Forests and Waters for the use of the Valley Forge Park Commission in payment of lands acquired by condemnation.

And said bill having been read at length the first time. Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1006, entitled:

An Act authorizing and directing the Department of Highways to erect and construct and maintain as a post war construction project, a toll bridge over the Ohio River at a point in the Borough of Aliquippa in the vicinity of Franklin Avenue and to provide the necessary approaches thereto providing for the acceptance of Federal aid empowering counties to pay certain damages; providing for the collection of tolls on such bridge and making an appropriation.

And said bill having been read at length the first time. Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1030, entitled:

An Act making an appropriation to the Jefferson Medical College, of Philadelphia, Pennsylvania, for medical education.

And said bill having been read at length the first time. Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1101, entitled:

An Act to provide for the ordinary expenses of the Executive, Legislative and Judicial Departments of the Commonwealth, interest on the public debt, and the support of the public schools for two years beginning June first, one thousand nine hundred and forty-three, and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending May thirty-first, one thousand nine hundred and forty-three.

And said bill having been read at length the first time. Ordered, To be laid aside for second reading.

BILLS NOT ON FILE

The SPEAKER. Senate Bill No. 165, Printer's No. 329;
Senate Bill No. 311, Printer's No. 331;
Senate Bill No. 388, Printer's No. 333 and
Senate Bill No. 389, Printer's No. 332
are not on file and will be passed over.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 759, entitled:

An Act to further amend section one of the act approved the twenty-ninth day of June, one thousand nine hundred twenty-three (P. L. 944), entitled "An act relating to salaries, compensation, bonds, offices, and supplies of certain county officers, their deputies and clerks, in counties of the sixth class," by fixing the salary of the treasurer.

And said bill having been read at length the first time. Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 531, entitled:

An Act making an appropriation to the Pennsylvania State College to advance the tobacco interest of this Commonwealth.

And said bill having been read at length the first time. Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 974, entitled:

An Act making an appropriation to the Trustees of the College of Lincoln University, Chester County.

And said bill having been read at length the first time.
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1052, entitled:

An Act to further amend section five hundred eight of the act, approved the eighteenth day of May, one thousand nine hundred eleven (P. L. 309), entitled "An Act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws, general, special or local, or any parts thereof, that are or may be inconsistent therewith," by further regulating the incurring, funding, and refunding of indebtedness, temporary and permanent, the retirement of indebtedness, and the borrowing in anticipation of current revenues.

And said bill having been read at length the first time.
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1106, entitled:

An Act making an appropriation to the Department of Welfare for the maintenance of certain homes.

And said bill having been read at length the first time.
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 179, entitled:

An Act making an appropriation to the Johnson Industrial School of Scranton, Pennsylvania.

And said bill having been read at length the first time.
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 627, entitled:

An Act making an appropriation to the Department of Public Instruction for the use of the Pennsylvania Historical Commission for the purpose of completing restoration and preparing for public use as a museum, the property at Ambridge, Beaver County, Pennsylvania, formerly owned and occupied by the Harmony Society, and known as "Old Economy."

And said bill having been read at length the first time.
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 209, entitled:

An Act to further amend section eleven (b) of the act approved the nineteenth day of March one thousand nine hundred nine (P. L. 46) entitled "An act to regulate the practice of osteopathy in the State of Pennsylvania to provide for the establishment of a State Board of Osteopathic Examiners to define the powers and duties of said Board of Osteopathic Examiners to provide for the examining and licensing of osteopaths in this State and to provide penalties for the violation of this act" by further regulating the requirements for license as an osteopathic surgeon.

And said bill having been read at length the first time.
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 244, entitled:

An Act reducing for a limited period of time the training period of internship in osteopathic hospitals in order to qualify for examination for license by the Osteopathic Surgeons' Examining Board to practice major surgery and suspending inconsistent laws.

And said bill having been read at length the first time.
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 116, entitled:

An Act to amend the act, approved the third day of June, one thousand nine hundred and thirty-seven (P. L. 1333), entitled "An act concerning elections, including general, municipal, special and primary elections, the nomination of candidates, primary and election expenses and election contests; creating and defining membership of county boards of elections; imposing duties upon the Secretary of the Commonwealth, courts, county boards of elections; county commissioners; imposing penalties for violation of the act, and codifying, revising and consolidating the laws relating thereto; and repealing certain acts and parts of acts relating to elections," by adding thereto article nine A, providing a general procedure for local option referendums.

And said bill having been read at length the first time.
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 682, entitled:

An Act to further amend clause (b) of section twenty-seven of the act, approved the seventh day of June, one thousand nine hundred seventeen (P. L. 447) entitled, as amended "An act relating to the administration and distribution of the estates of decedents and of minors, and of trust estates; including the appointment, bonds, rights, powers, duties, liabilities, accounts, discharge and removal of executors, administrators, guardians, and trustees, herein designated as fiduciaries; the administration and distribution of the estates of presumed decedents; widow's and children's exemptions; debts of decedents, rents of real estate as assets for payment thereof, the lien thereof, sales and mortgages of real estate for the payment thereof, judgments and executions therefor and the discharge of real estate from the lien thereof; contracts of decedents for the sale or purchase of real estate; legacies, including legacies charged on land; the discharge of residuary estates, and of real estate from the lien of legacies and other charges; the appraisement of real estate devised at a valuation; the ascertainment of the curtilage of dwelling houses or other buildings devised; the abatement and survival of actions, and the substitution of executors and administrators therein; the survival of causes of action and suits thereupon by or against fiduciaries; investments by fiduciaries; the organization of corporations to carry

on the business of decedents; the audit and review of accounts of fiduciaries; refunding bonds; transcripts to the court of common pleas of balances due by fiduciaries; the rights, powers, and liabilities of non-resident and foreign fiduciaries; the appointment, bonds, rights, powers, duties, and liabilities of trustees durante absentia; the recording and registration of decrees, reports and other proceedings, and the fees therefor; appeals in certain cases; and, also, generally dealing with the jurisdiction, powers, and procedure of the orphans' court in all matters relating to fiduciaries concerned with the estates of decedents," by further regulating the discharge of charges on real estate.

And said bill having been read at length the first time. Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 749, entitled:

An Act to further amend sections fifteen and eighteen of the act approved the twelfth day of June, one thousand nine hundred nineteen (P. L. 466), entitled "An act to provide for the incorporation and regulation of cooperative agricultural associations not having a capital stock and not conducted for profit, and defining agriculture so as to include persons engaged in agriculture, dairying, livestock raising, poultry raising, beekeeping, and horticulture," by providing for the termination of memberships, and exempting associations from payment of certain State, county or municipal tax, and the filing of reports relative to such taxes.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 892, entitled:

An Act to amend sections two, four, five, six, seventeen and twenty of the act, approved the thirtieth day of April, one thousand nine hundred and twenty-nine (P. L. 885), entitled "An act to provide for the incorporation and regulation of cooperative agricultural associations having capital stock; and defining agriculture so as to include persons engaged in agriculture, dairying, livestock raising, poultry raising, floriculture, mushroom growing, beekeeping, horticulture, and other allied occupations; and providing penalties," by providing for associations to be formed by two or more cooperative agricultural associations; removal of limitations on holding of common stock; further regulating preferred stock dividends and patronage and further exempting certain classes of associations formed under such act from state, county and municipal taxation, and from the duty of filing certain tax reports.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 901, entitled:

An Act to amend section one of the act, approved the eighth day of May, one thousand eight hundred ninety-five (P. L. 44), entitled "An act providing for the release and discharge of encumbrances or charges on land in all cases in which the period of twenty-one years has elapsed after the principal of the encumbrance or charge has become due and payable, and no payment has been made within such period of twenty-one years on account of such encumbrance or charge by the owner or owners of the land sought to be released and discharged and no sufficient release is of record in the county, and regulating proceedings for such release and discharge," further regulating the publication of notice in such proceedings to discharge encumbrances and charges on land.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1109, entitled:

An Act making an appropriation to the Department of Revenue for the payment of claims for legal services.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 613, entitled:

An Act creating a commission to investigate and consider various phases of aeronautics in order to keep the General Assembly advised as to legislation which may be needed to keep the Commonwealth of Pennsylvania abreast of present rapid developments in this field; directing such commission to make a report and recommendations to the General Assembly; conferring certain powers upon such commission including the power to issue subpoenas, administer oaths and affirmations; retain employes and expend funds and making an appropriation.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 716, entitled:

An Act to amend Section three of the Act approved the second day of July one thousand nine hundred and thirty-seven (P. L. 2793) entitled "An Act authorizing and empowering any city county school district or other municipality which shall have acquired a limited title to real estate for municipal purposes to secure a title in fee simple to any such real estate and providing and regulating the procedure in such cases" by making a final determination conclusive against subsequent claimants.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 108, entitled:

An Act to authorize cities boroughs incorporated towns townships and school districts to file suggestions of nonpayment and averments of default or to sue out writs of scire facias on certain tax or municipal claims and to revive judgments where the lien of such claims or the judgments thereon have been lost and providing for the reinstatement of the liens of such claims and judgments.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 208, entitled:

An Act allowing costs and counsel fees to stakeholder in interpleader proceeding out of funds paid into court.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 241, entitled:

An Act to amend section six hundred twenty-eight of the act, approved the twenty-fourth day of June, one thousand nine hundred thirty-nine (P. L. 872), entitled "An act to consolidate, amend and revise the penal laws of the Commonwealth," by providing for the prescribing, issuing and filing of certain forms by and with the Commissioner of the Pennsylvania Motor Police instead of the Secretary of the Commonwealth.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 248, entitled:

An Act regulating and providing fees of the clerks of quarter sessions of counties of the fourth class.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 268, entitled:

An Act to amend section seventeen of the act approved the seventh day of June one thousand nine hundred and seventeen (P. L. 363) entitled "An act relating to the organization jurisdiction and procedure of the orphans courts the powers and duties of the judges thereof and appeals therefrom" by prescribing procedure in cases affecting the interest of any lunatic, weak-minded person, presumed decedent or any person who may be unknown or unborn or under disability or out of the jurisdiction under such circumstances that actual notice cannot reasonably be given to such person.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 958, entitled:

An Act making an appropriation to the State Council for the Blind for use in supplying medical treatment, surgical operations, eyeglasses or other necessary aids or services to needy blind persons or persons with impaired vision.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

BILLS ON SECOND READING

Agreeably to order.

The House proceeded to the second reading and consideration of House Bill No. 809, entitled:

An Act to amend sections two four and thirty-two of the act approved the twenty-first day of June one thousand nine hundred and thirty-seven (P. L. 1969) entitled "An act relating to nonprofit cooperative corporations organized to engage in rural electrification providing for the organization consolidation and dissolution of such corporations prescribing the qualification for membership therein conferring certain rights powers duties and immunities upon them and their officers and members prescribing the conditions on which such corporations may exercise their powers providing for the inclusion of certain existing cooperative or nonprofit corporations and associations within the provisions of this act conferring powers and imposing duties on certain State departments commissions and officers fixing fees conferring the right of eminent domain prohibiting the use of certain terms in the corporate names of other corporations exempting such corporations from excise taxes imposing on them a license fee and exempting such corporations from the jurisdiction of the Pennsylvania Public Utility Commission and from the provisions of the Securities Act" changing the definition of rural area requiring corporations hereafter incorporated to secure certificates of public convenience from the Pennsylvania Public Utility Commission and also requiring certificates in cases of new plants and systems and of extensions improvements and additions by such corporations defining the powers of the Commission in such cases and restricting the exercise of the power of eminent domain

The first section was read.

On the question,

Will the House agree to the section?

Mr. JAMES offered the following amendments:

Amend Sec. 1, page 3, line 9, by inserting after the word "Pennsylvania" the following: "Public".

Amend Section 1 (Section 4), page 5, by striking out in lines 4, 5, and 6 the following: "and no corporation now exercising or hereafter authorized to exercise such powers shall" and insert in lieu thereof "or".

Amend Section 1 (Section 4), page 5, lines 8 and 9, by striking out the word "existing".

Amend Section 1 (Section 4), page 5, line 13 by striking out the word "new".

Amend Section 1 (Section 4), page 5, line 14 by striking out the word "existing".

Amend Section 1 (Section 4), page 5, line 16, by striking out the words "served or".

Amend Section 1 (Section 4), page 5, line 19, by striking out the following: "in the case of a corporation hereafter created".

On the question,

Will the House agree to the amendments?

Mr. JAMES. Mr. Speaker, I introduced House Bill 809 on March 15, and in due course it passed first reading and was prepared for second reading. At that point the bill caused considerable criticism on the part of electrical co-ops, who found in its provisions some very objectionable features.

The bill has been now on second reading for a very considerable length of time in order that those electrical co-ops and the regulated utilities might have an opportunity to study and discuss the provisions of the bill, with a view of ironing out the differences and providing amendments which would be satisfactory to both groups. I have been approached on this bill from time to time by Members of the House who in turn have been approached by the rural people, who benefit by the operation of electrical co-ops, and in many cases I have indicated an effort was made to reach an agreement, and the adding of amendments would be a signal that an agreement had been reached.

I am offering amendments, Mr. Speaker, but I do not wish to leave any Member of this House under a misapprehension. The amendments that I am offering are the amendments that were provided presumably to take out the objectionable features but insofar as the rural co-ops

are concerned I cannot truthfully say that an agreement has been reached.

I am, therefore, making the suggestion Mr. Speaker, when I offer these amendments that they be passed and included in the bill, and that the bill be then discussed and considered upon its merits.

On the question recurring,

Will the House agree to the amendments?

They were agreed to.

The section was agreed to as amended.

The second section and title were separately read and agreed to.

And said bill having been read at length the second time and agreed to as amended.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 313, entitled:

An Act authorizing the Department of Public Instruction to act as agent for the several school districts and vocational school districts in the purchase without bids and distribution among such districts of material supplies and equipment subject to priorities and on which prices have been stabilized to be used in vocational education of workers on war work and validating such action heretofore taken

The first section was read and agreed to.

The second section was read.

On the question,

Will the House agree to the section?

Mr. AUKER offered the following amendment:

Amend Sec. 2, page 2, line 25, by inserting after the word "enactment" the following: "and shall remain in force until the cessation of hostilities in the present war".

It was agreed to.

The section was agreed to as amended.

The third section was read and agreed to.

The title was read.

On the question,

Will the House agree to the title?

Mr. AUKER offered the following amendment:

Amend Title, page 1, line 1 of title, by inserting after the word "Authorizing" the following: "for a limited period of time".

It was agreed to.

The title was agreed to as amended.

And said bill having been read at length the second time and agreed to as amended.

Ordered, To be transcribed for a third reading.

BILL PASSED OVER

There being no objection, Senate Bill No. 472, Printer's No. 238, was passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 486, entitled:

An Act to amend the act approved the fifth day of May one thousand nine hundred thirty-three (P. L. 457) entitled "An act relating to the business of building and loan associations providing for the organization and voluntary dissolution of such associations defining the rights powers duties liabilities and immunities of such associations and of their officers directors shareholders solicitors and other employes prohibiting the transaction of business in this Commonwealth by foreign building and loan associations conferring powers and imposing duties upon the courts recorders of deeds and certain State departments commissions and offices establishing limitations of actions imposing penalties and repealing certain acts and parts of acts" further defining the rights powers duties liabilities and immunities of building and loan associations and their shareholders and creditors

And said bill having been read at length the second time and agreed to

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 77, entitled:

An Act to amend section eighteen and to further amend section twenty-two of the act approved the twenty-ninth day of April one thousand nine hundred thirty-seven (P. L. 487) entitled "An act to provide for the permanent personal registration of electors in boroughs towns and townships as a condition of their right to vote at elections and primaries and their enrollment as members of political parties as a further condition of their right to vote at primaries prescribing certain procedure for the conduct of elections and primaries and the challenge and proof of qualifications of electors requiring the county commissioners of the various counties to act as a registration commission therefor and prescribing the powers and duties of citizens parties political bodies registration commissions commissioners registrars inspectors of registration and other appointees of registration commissions county election boards election officers municipal officers departments and bureaus police officers courts judges prothonotaries sheriffs county commissioners peace officers county treasurers county controllers registrars of vital statistics certain public utility corporations real estate brokers rental agents and boards of school directors and imposing penaltis" permitting registrations before justices of the peace or aldermen

And said bill having been read at length the second time and agreed to

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 79, entitled:

An Act to amend section nineteen and to further amend section twenty-three of the act approved the twenty-fifth day of May one thousand nine hundred and thirty-seven (P. L. 849) entitled "An act to provide for the permanent personal registration of electors in cities of the third class as a condition of their right to vote at elections and primaries and their enrollment as members of political parties as a further condition of their right to vote at primaries prescribing certain procedure for the conduct of elections and primaries and the challenge and proof of qualifications of electors and prescribing the powers and duties of citizens parties political bodies registration commissions commissioners registrars inspectors of registration and other appointees of registration commissions county election boards election officers municipal officers departments and bureaus police officers courts judges prothonotaries sheriffs county commissioners peace officers county treasurers county controllers registrars of vital statistics certain public utility corporation real estate brokers rental agents and boards of school directors imposing penalties and repealing existing legislation" permitting registration before aldermen

And said bill having been read at length the second time and agreed to

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 133, entitled:

An Act to repeal the act approved the twenty-first day of March one thousand nine hundred twenty-nine (P. L. 34) entitled "An act authorizing the judges of the courts of common pleas and orphans' courts in counties of the third class to employ stenographers typists and clerks to facilitate the business of the courts and to provide for the payment of their compensation by the county and validating former employments and payments therefor"

And said bill having been read at length the second time and agreed to

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 245, entitled:

An Act making an appropriation to the Department of Welfare for use by the State Council for the Blind in supplying home instruction for adult blind persons

And said bill having been read at length the second time and agreed to

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 277, entitled:

An Act making an appropriation for the purpose of maintaining the public roads and improving and replacing bridges thereon through the Cornplanter Indian Reservation in Elk Township Warren County Pennsylvania

The first section was read.

On the question,

Will the House agree to the section?

Mr. MUIR offered the following amendment:

Amend sec. 1, page 1, line 1, by striking out the following: "six hundred dollars ($600)" and inserting in lieu thereof "one thousand five hundred dollars ($1,500)".

It was agreed to.

The section was agreed to as amended.

The title was read and agreed to.

And said bill having been read at length the second time and agreed to as amended.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 491, entitled:

An Act making an appropriation to the Department of Highways out of the Motor License Fund for the purpose of rebuilding county bridges carried away or destroyed by fire flood or other casualty and of carrying out the provisions of existing laws relating thereto

And said bill having been read at length the second time and agreed to

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 557, entitled:

An Act to add clause (m) to section two hundred four of the act approved the twenty-second day of May one thousand nine hundred thirty-three (P. L. 853) entitled "An act relating to taxation designating the subjects property and persons subject to and exempt from taxation for all local purposes providing for and regulating the assessment and valuation of persons property and subjects of taxation for county purposes and for the use of those municipal and quasi-municipal corporations which levy their taxes on county assessments and valuations amending revising and consolidating the law relating thereto and repealing existing laws" providing further exemptions from taxation and making the provisions for exemptions applicable to institution district taxes

And said bill having been read at length the second time and agreed to

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 727, entitled:

An Act to further amend section twenty-seven of the act approved the first day of June one thousand eight hundred eighty-nine (P. L. 420) entitled "A further supplement to an act entitled 'An act to provide revenue by taxation' approved the seventh day of June Anno Domini one thousand eight hundred and seventy-nine" further limiting the application of the section

And said bill having been read at length the second time and agreed to

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 904, entitled:

An Act exempting beauty and barber shop furniture mechanical appliances and equipment leased hired or conditionally sold from levy and sale on execution or distress for rent under certain conditions

And said bill having been read at length the second time and agreed to

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 931, entitled:

An Act making an appropriation out of the Motor License Fund to the Department of Highways for allocation to and expenditure in the second class townships of the Commonwealth for maintenance construction reconstruction resurfacing or improvement of township roads and bridges during the calendar years one thousand nine hundred forty-four and one thousand nine hundred forty-five permitting the use of the funds for maintenance and repair to township roads and bridges under certain conditions and providing for the method of payment of townships

And said bill having been read at length the second time and agreed to

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 933, entitled:

An Act to amend clauses two five six seven eight and nineteen of section twelve hundred ten of the act approved

the eighteenth day of May one thousand nine hundred eleven (P. L. 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" fixing the minimum annual salary and increments of members of the teaching and supervisory staff in all school districts and of county and assistant county superintendents increasing the percentage of state-aid for districts and providing additional state-aid through an equalization fund created by this act to be maintained from state appropriations

And said bill having been read at length the second time and agreed to

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 948, entitled:

An Act making an appropriation to the Department of Military Affairs for the maintenance and education of children of certain soldiers sailors marines female field clerks yeomen (female) and nurses

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 950, entitled:

An Act making an appropriation to the Department of Labor and Industry for the rehabilitation of the deaf and hard of hearing and for the purpose of matching additional federal funds

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 952, entitled:

An Act making an appropriation from the Banking Department Fund to the State Employes' Retirement Board to meet the obligations of the Commonwealth to the State Employes Retirement System with respect to State Employes receiving compensation from the Banking Department Fund

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 953, entitled:

An Act making an appropriation from the Motor License Fund to the State Employes' Retirement Board to meet the obligations of the Commonwealth to the State Employes' Retirement System with respect to State employes receiving compensation from the Motor License Fund

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 955, entitled:

An Act making an appropriation from the Motor License Fund to the Department of Property and Supplies for the payment of the costs incurred by that Department in acting as purchasing agent for the Department of Highways

The first section was read.

On the question,

Will the House agree to the section?

Mr. BARTON offered the following amendment:

Amend Sec. 1, page 2, line 7, by striking out "suplies" and inserting in lieu thereof: "supplies".

It was agreed to.

The section was agreed to as amended.

The title was read and agreed to.

And said bill having been read at length the second time and agreed to as amended.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 959, entitled:

An Act making an appropriation from the State Workmen's Insurance Fund to the State Employes' Retirement Board to meet the obligations of the Commonwealth to the State Employes' Retirement System with respect to State employes receiving compensation from the State Workmen's Insurance Fund

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 962, entitled:

An Act making an appropriation of moneys in the Motor License Fund to the Board of Finance and Revenue to meet interest and sinking fund requirements on the State debt

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 963, entitled:

An Act making an appropriation to the Department of Property and Supplies for the payment of rates rentals and other charges that may become due on leases and other contracts executed by The Pennsylvania State College with The General State Authority for the use and occupancy by such college of the various projects structures buildings and facilities of the Authority or for the services rendered by the Authority or its projects

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 965, entitled:

An Act making an appropriation from the State Stores Fund to the State Employes' Retirement Board to meet the obligations of the Commonwealth to the State Employes' Retirement System with respect to State employes receiving compensation from the State Stores Fund

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 966, entitled:

An Act making an appropriation from the Fish Fund to the State Employes' Retirement Board to meet the obligations of the Commonwealth to the State Employes' Retirement System with respect to State employes receiving compensaion from the Fish Fund

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 969, entitled:

An Act making an appropriation of moneys in the Motor License Fund to the Board of Finance and Revenue for the payment of the Loan and Transfer Agent of the Commonwealth

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 970, entitled:

An Act making an appropriation to the Treasury Department out of various funds to pay replacement checks issued in lieu of outstanding checks when presented

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 971, entitled:

An Act making an appropriation to The General State Authority to defray the costs and expenses of the said Authority in connection with the organization administration and operation thereof

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 977, entitled:

An Act making an appropriation to the Department of Labor and Industry to meet the obligation of the Commonwealth to pay a part of the compensation payable for certain occupational diseases

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 978, entitled:

An Act making an appropriation to the Department of Forests and Waters for the repair or reconstruction of a dam across the Lehigh River at Easton Northampton County and dredging in the Lehigh River and the entrance of the Delaware Division Canal

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 979, entitled:

An Act making an appropriation from the Manufacturing Fund to the State Employes' Retirement Board to meet the obligations of the Commonwealth to the State Employes' Retirement System with respect to State employes receiving compensation from the Manufacturing Fund

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 980, entitled:

An Act making an appropriation from the Game Fund to the State Employes' Retirement Board to meet the obligations of the Commonwealth to the State Employes' Retirement System with respect to State employes receiving compensation from the Game Fund

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1021, entitled:

An Act to amend section one of the act approved the seventh day of June one thousand nine hundred and seventeen (P. L. 403) entitled "An act relating to the form execution revocation and interpretation of wills to nuncupative wills to the appointment of testamentary guardians to spendthrift trusts to forfeiture of devise or legacy in case of murder of testator to elections to take under or against wills and to the recording and registering of such elections and of decrees relative thereto and to the fees therefor" authorizing certain minors to dispose of their real and personal estate by will

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1097, entitled:

An Act to further amend section twenty-one of the act approved the first day of June one thousand eight hundred eighty-nine (P. L. 420) entitled "A further supplement to an act entitled 'An act to provide revenue by taxation' approved the seventh day of June Anno Domini one thousand eight hundred and seventy-nine" by establishing a manufacturing exemption with regard to the

capital stock tax and the franchise tax on domestic and foreign corporations joint-stock associations limited partnerships and companies

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 69, entitled:

A Supplement to the act approved the eleventh day of May one thousand nine hundred and five (P. L. 518) entitled "An act making an appropriation for the erection of a home or school for indigent orphans to be called the Thaddeus Stevens Industrial and Reform School of Pennsylvania in which school provision shall be made for giving instruction in reading writing arithmetic drawing duties of citizenship elementary manual training the elements of farming and other requisite branches" authorizing the Thaddeus Stevens Industrial School to collect fees for board and tuition from certain special students

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 341, entitled:

An Act to further amend section two of the act approved the fourth day of June one thousand nine hundred and fifteen (P. L. 828) entitled "An act to provide revenue by imposing a State tax upon sales or agreements to sell or memoranda of sales upon deliveries or transfers of shares or certificates of stock in domestic and foreign corporations copartnership associations and joint-stock associations providing the manner of collecting such tax and prescribing penalties" by further extending the exemptions from the tax imposed by the said act

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 506, entitled:

An Act to further amend section one thousand thirty-three of the act approved the first day of May one thousand nine hundred and twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" extending the provisions of such section for a further period of two years

The first section was read.

On the question,

Will the House agree to the section?

Mr. AUKER offered the following amendments:

Amend Sec. 1 (Sec. 1033), page 3, line 19, by striking out the following: "[forty-four] forty-six" and inserting in lieu thereof: "forty-four."

Amend Sec. 1 (Sec. 1033), page 3, line 23, by striking out the following: "[forty-four] forty-six" and inserting in lieu thereof: "forty-four."

Amend Sec. 1 (Sec. 1033), page 4, line 5, by striking out the following: "[forty-four] forty-six" and inserting in lieu thereof: "forty-four."

On the question,

Will the House agree to the amendments,

Mr. COHEN. Mr. Speaker, I desire to interrogate the gentleman from Blair, Mr. Auker.

The SPEAKER. Will the gentleman from Blair permit himself to be interrogated?

Mr. AUKER. I shall, Mr. Speaker.

Mr. COHEN. Mr. Speaker, as I understand the amendments as read, I have no copy before me, they will negative the intent of this bill, is that correct?

Mr. AUKER. That is correct, Mr. Speaker.

Mr. COHEN. I believe, therefore, Mr. Speaker, that it will mean if we pass this bill on to third reading that we will be legislating on nothing, is that correct?

Mr. AUKER. Correct, Mr. Speaker.

Mr. COHEN. Mr. Speaker, might I ask the gentleman whether or not the better way to handle this proposition would not be to have a motion to recommit this bill, since we are going to go into a useless amount of expense in printing a bill that means nothing?

Mr. AUKER. That is correct, Mr. Speaker.

Mr. COHEN. Mr. Speaker, much has been said during this session about the war effort. I have a rather limited knowledge of the use of the so-called car carriers on the highways of Pennsylvania, but it seems to me that today when we know for a fact that the motor companies, all the big truck manufacturers are not permitted to and are not manufacturing these car carriers the amendments that are offered to this bill would make it impossible to use this equipment in Pennsylvania. I have seen some of these car carriers recently. I have seen them hauling used cars which are being taken out of Pennsylvania to war cities where they are much in demand. I have seen these car carriers even carrying some war equipment. I wonder whether the Members of the House will care to jump on the transportation facilities, when we know that our transportation facilities are so sorely needed. I suggest that the amendments can not be wholehearted because if the gentleman is anxious to kill the bill then he ought to move tc recommit it. If the gentleman is anxious to kill the bill and what it stands for definitely he should let it go to third reading just as it is and kill it on third reading. I think the gentleman is simply wasting the time of the House, he is wasting the time of the printer, he is wasting space on the calendar by amending the bill in a way that makes it no bill at all. I, therefore, suggest that the members of the House vote down these amendments.

Mr. LICHTENWALTER. Mr. Speaker, I ask the membership of the House to vote down the amendments.

Mr. AUKER. Mr. Speaker, when I offered these amendments I expected to be accused of being unpatriotic.

Nevertheless, to go back, I was first a member of the House in 1939. We were told at that time that an extension for these carriers would only be for two years. In 1941 a similar bill was put in and again the promise was forthcoming that another two years was all that was asked for. Now, we are in again under the same proposition, the same old cry, another two years. If I recall correctly a bill went through the House, authorizing the Governor to suspend the operation of any law in the Commonwealth when requested by the President or the War and Navy Departments, in the case where any law would interfere in any way whatsoever with the war effort in Pennsylvania. Under that bill we do not need this bill so far as the carriers are concerned. They are working in war industries, nobody is stopping them now and nobody will stop them from doing that work.

What I object to is these people coming in and waving the flag and asking for another two years. You can accuse me of being patriotic or unpatriotic or anything else, but I say the people of Pennsylvania are accusing these people of being unpatriotic, when there is no excuse for coming in now and asking for an extension for these carriers of two years at this time, as they have done for the last four years.

Mr. HUNTLEY. Mr. Speaker, I don't know whether this is the proper way of killing this bill but I think it ought to be killed. It has been the same old story ever since I have been a Member of this House. Each two years we are told there is going to be a change. What happens? Those who are interested in the bill go back in the campaign and try to elect a new House to support their bill. Then they come back and ask the House for an extension. I think it is about time that we flag those people finally.

Mr. TROUT. Mr. Speaker, I am not convinced that we have gotten to the point where as a legislative body we are willing to accede to an executive order. I think the gentleman from Blair, Mr. Auker, will agree with that. It is true that there has been a history connected with this bill. In 1939 we revised this bill considerably and got it into a position where we felt it would save transportation. In 1941 it was reenacted under those same regulations and those same restrictions. I am of the opinion that this is good legislation. The amendments can be voted down and the bill enacted, because the car carriers are an actual necessity to the business interests of this Commonwealth.

On the question recurring,

Will the House agree to the amendments?

They were not agreed to.

The section was agreed to.

The second section was read and agreed to.

The title was read.

On the question,

Will the House agree to the title?

Mr. AUKER. Mr. Speaker I withdraw my amendment to the title.

The title was agreed to.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 516, entitled:

An Act to provide protection to estates interests funds and property rights of minors mental and incompetents and absentees secured or to be secured by individual surety or sureties in courts of record or proceedings therein by specifying the requirements of such suretyship the qualifications of such sureties and imposing liens upon the collateral realty involved as well as providing for the revival thereof for execution thereon and for the release discharge or satisfaction thereof

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 517, entitled:

An Act to further amend section one of the act approved the twenty-eighth day of June one thousand nine hundred and seventeen (P. L. 645) entitled "An act making it unlawful for any individual or individuals to carry on or conduct any business under an assumed or fictitious name style or designation unless upon the filing of a certificate to that effect in the office of the Secretary of the Commonwealth and of the prothonotary requiring county commissioners at the expense of the county to provide books for the entry of such certificates fixing the fees of the Secretary of the Commonwealth and prothonotary and providing penalties" by requiring notice of intention to file such certificates to be given by limiting the assumed or fictitious names which may be adopted and by advertisement and the filing of proofs of such publication

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 640, entitled:

An Act requiring the names of all signers and witnesses to be printed or typewritten below their signatures on certain documents and other written instruments entitled to be recorded or filed and prohibiting the recording or filing thereof for failure to comply with such requirement

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 868, entitled:

An Act to amend clause two of section one thousand two hundred and ten of the act approved the eighteenth day of May one thousand nine hundred and eleven (P. L. 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" by further providing for the minimum salaries and increments of members of the teaching and supervisory staff in school districts of the first class

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 924, entitled:

An Act making an appropriation to the Department of Forests and Waters for the purpose of reconstructing and maintaining dikes along Darby Creek in Tinicum and Darby Townships Delaware County and in Philadelphia

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1019, entitled:

An Act to add Section 233.2 to the act approved the second day of May one thousand nine hundred twenty-nine (P. L. 1278) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto" authorizing the registers of wills to appoint a solicitor and providing for his salary

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 161, entitled:

An Act to promote the public welfare and to protect mental defectives by prescribing circumstances under which selective sterilization of certain types of institutionalized individuals may be performed without civil or criminal liability and providing penalties

The first section was read.

On the question,

Will the House agree to the section?

BILL RECOMMITTED

Mr. VAN ALLSBURG. Mr. Speaker, I move that this bill be recommitted to the Committee on Welfare for the purpose of further study.

The motion was agreed to.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 853, entitled:

An Act to further amend section one thousand two hundred six of the act approved the eighteenth day of May one thousand nine hundred eleven (P. L. 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" by further regulating leaves of absence for professional employes

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 827, entitled:

An Act to amend section two thousand four hundred and four of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant-Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" as amended in order to provide automobile liability insurance on vehicles owned by the United States of America and its instrumentalities which are loaned to and operated by State employes and certain other persons

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 142, entitled:

An Act for the extension of Capitol Park in the City of Harrisburg and for the acquisition of real estate in connection therewith and for the demolition of the buildings and structures thereon providing for and imposing powers and duties upon a Capitol Park Extension Commission conferring powers and duties upon the Department of Property and Supplies and making an appropriation

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 177, entitled:

An Act to amend section three hundred one of the act approved the fifth day of December one thousand nine hundred and thirty-six (1937 P. L. 2897) entitled "An act establishing a system of unemployment compensation to be administered by the Department of Labor and Industry and its existing and newly created agencies with personnel (with certain exceptions) selected on a civil service basis requiring employers to keep records and make reports and certain employers to pay contributions based on payrolls to provide moneys for the payment of compensation to certain unemployed persons providing procedure and administrative details for the determination payment and collection of such contributions and the payment of such compensation providing for cooperation with the Federal Government and its agencies creating certain special funds in the custody of the State Treasurer and prescribing penalties" providing for the payment of contributions by employers in accordance with an experience rating system and providing for and regulating such experience rating system and the terms and procedure to effectuate the same

And said bill having been read at length the second time and agreed to,

Ordered To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 178, entitled:

An Act to amend section one of the act approved the twenty-ninth day of May one thousand nine hundred and thirty-five (P. L. 244) entitled "An act creating a Local Government Commission to study and report on functions of local government their allocation and elimination the cost of local government and means of reducing it and the consolidation of local government and making an appropriation" fixing the terms of the members of said commission providing for the filling of vacancies and making an appropriation

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 207, entitled:

An Act providing for commissioning as police officers certain employes of institutions maintained in whole or in part by the Commonwealth conferring upon them the powers of constables in certain cases and imposing duties on wardens and keepers of jails police stations and lock-ups

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 261, entitled:

An Act to amend section one of the act approved the fifth day of August one thousand nine hundred and forty-one (P. L. 826) entitled "An act authorizing the Department of Property and Supplies with the approval of the Governor to sell and convey certain plots of land" by correcting the location of the plot of land described in paragraph Fourteen and providing for the sale of certain additional plots of land

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 266, entitled:

An Act to provide for the publication of the reports of the decisions of the Supreme Court of Pennsylvania and of the Superior Court in bound volumes and in advance sheets regulating the basis upon which bids shall be submitted and provisions of the contract for publication of such reports conferring powers and imposing duties on the State Reporter the Department of Property and Supplies and the Secretary of the Commonwealth providing for the custody and disposition of plates used in the printing of the bound volumes of such reports and of the advance sheets thereof and repealing certain acts and parts of acts

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 267, entitled:

An Act to authorize the State Reporter to waive the provisions of any existing contracts requiring volumes of the reports of the decisions of the Supreme Court of Pennsylvania or of the Superior Court to be stereotyped or electrotyped

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 297, entitled:

An Act to amend Article II section two hundred two and to repeal Article IV section four hundred thirty-three and Article XVIII section one thousand eight hundred ten of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined"

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 309, entitled:

A Joint Resolution proposing an amendment to article nine of the Constitution of the Commonwealth of Pennsylvania by adding thereto a section

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 310, entitled:

A Joint Resolution proposing an amendment to article nine of the Constitution of the Commonwealth of Pennsylvania by adding thereto a section

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 312, entitled:

An Act to further amend section one thousand four hundred and thirty-nine of the act approved the eighteenth day of May one thousand nine hundred and eleven

(P. L. 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" by providing for payment for education of blind children out of appropriations made to the Department of Public Instruction for such purposes and conforming said section to existing law

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 401, entitled:

An Act to amend section five hundred twenty-five of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" as amended by making provision for the destruction of certain records in the various administrative departments boards or commissions after such records have been first microfilmed

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 453, entitled:

An Act transferring money received from the sale of certain real estate and paid into the General Fund from the General Fund to the Motor License Fund

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 474, entitled:

An Act providing that the proceeds of the sale of real estate owned by the Commonwealth together with the rentals derived therefrom shall be repaid to and credited to the proper special fund from which the funds to purchase said real estate were taken

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 478, entitled:

An Act to amend section two of the act approved the second day of June one thousand eight hundred and eighty-three (P. L. 61) entitled "An act supplementary to an act entitled 'An act for the incorporation and regulation of corporations' approved April twenty-ninth one thousand eight hundred and seventy-four authorizing the incorporation of pipe lines for the transportation of petroleum and providing for the exercise of the right of eminent domain in taking lands and property for such purposes" by enlarging and extending the powers of such companies including the acquisition and disposition of franchises shares of stock and property of such companies in this and other states the distribution and storage of oil and petroleum products the use of connecting lines and equipment of other companies and producers and refiner the construction and maintenance of connecting pipe lines or branches pumps tanks and other equipment within and without the State extending the power of eminent domain preserving the jurisdiction of the Pennsylvania Public Utility Commission and regulating the laying of pipes by such companies and by foreign companies including companies incorporated under the Act of Congress and the erection and protection of storage tanks

The first, second and third sections were separately read and agreed to.

The title was read.

On the question,

Will the House agree to the title?

Mr. LICHTENWALTER offered the following amendment:

Amend Title, page 1, line 13 of title, by striking out the word "such" and inserting in lieu thereof "pipe line".

It was agreed to.

The title was agreed to as amended.

And said bill having been read at length the second time and agreed to as amended.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 502, entitled:

An Act authorizing the Department of Property and Supplies to sell and convey a lot or piece of land in Delaware County

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

BILL PASSED OVER

There being no objection Senate Bill No. 521, Printer's No. 241, was passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 218, entitled:

An Act to further amend Section 601 602 and 605 of and to add Sections 601.1 601.2 and 601.3 to the act approved the fourth day of May one thousand nine hundred twenty-seven (P. L. 519) entitled "An act concerning boroughs and revising amending and consolidating the law relating to boroughs" changing and further providing procedure to create change or establish boundaries of wards in boroughs imposing additional duties on borough

councils providing in certain cases for local option and terminating unfinished proceedings heretofore commenced for such purposes

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 246, entitled:

An Act to enable tax collectors and receivers of taxes in counties of the sixth class to make return to the county commissioners of unpaid taxes assessed on seated lands for certain years and validating the lien of such taxes

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

MOTION TO RECOMMIT

Mr. READINGER. Mr. Speaker, I move that Senate Bill No. 142, Printer's No. 154, on page 32 be recommitted to the committee from which it came for further consideration and possible amendments.

The SPEAKER. This bill has passed second reading.

Mr. READINGER. Mr. Speaker, I am simply moving that the bill be recommitted after second reading.

The SPEAKER. The motion is not in order. The bill has already passed second reading and will next be before us on third reading.

Mr. READINGER. Mr. Speaker, I then move that the vote by which this bill passed second reading be reconsidered.

The SPEAKER. How did the gentleman vote when the bill was before the House for consideration?

Mr. READINGER. I was not here.

The SPEAKER. Then the gentleman is not qualified to make the motion.

MOTION TO RECONSIDER VOTE

Mr. COHEN. Mr. Speaker, I move that the vote by which Senate Bill No. 142, Printer's No. 154, on page 32 of today's calendar, was ordered to be transcribed for third reading be reconsidered.

Mr. LEVY. Mr. Speaker, I second the motion.

The SPEAKER. How did the gentleman from Philadelphia, Mr. Cohen, vote to transcribe this bill for third reading.

Mr. COHEN. Mr. Speaker, I voted in the majority.

The SPEAKER. How did the gentleman from Philadelphia, Mr. Levy, vote to transcribe this bill for third reading?

Mr. LEVY. Mr. Speaker, I voted in the majority.

On the question,

Will the House agree to the motion?

Mr. LICHTENWALTER. Mr. Speaker, I ask the members on this side of the House to oppose the motion to reconsider the vote by which this bill was ordered transcribed for third reading.

On the question recurring,

Will the House agree to the motion?

It was not agreed to.

PERMISSION TO ADDRESS HOUSE REFUSED

Mr. PETROSKY. Mr. Speaker, I ask unanimous consent to address the House.

The SPEAKER. Will the House give its unanimous consent? Is there objection?

Mr. LICHTENWALTER. Mr. Speaker, I ask that unanimous consent be not given until we have completed the calendar.

The SPEAKER. The Chair hears objection.

Mr. PETROSKY. Mr. Speaker, I rise to make a motion.

The SPEAKER. What is the nature of the motion?

Mr. PETROSKY. Mr. Speaker, along with a resolution which I have prepared, I move you that the Committee on Constitutional Amendments be discharged—

The SPEAKER. The Chair would inform the gentleman from Westmoreland that the motion is not in order at this time. We will accept the motion under the proper order of business.

BILL ON FINAL PASSAGE RECALLED FROM GOVERNOR

Agreeably to order,

The House proceeded to the consideration on final passage of House Bill No. 462, as follows:

An Act authorizing in certain cases the renewal of old motor vehicle operators' licenses for persons honorably discharged from the armed forces of the United States or from any women's organization officially connected therewith without a learners permit examination or additional fee and while in such service the operation of motor vehicles without renewal of operator's license and the temporary suspension of existing laws requiring the same

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Any person serving in the armed forces of the United States or in any women's organization officially connected therewith during any part of the war in which the United States is now engaged and who shall have had a Pennsylvania motor vehicle operators license issued to him or her for the license year immediately preceding his or her entrance into such military service may have upon his or her honorable discharge from such service and for a period of one year thereafter a renewal of such operators license in the same manner as annual renewals of operators licenses are made without being required to secure a learners permit take an examination or pay any fee other than such as may be required by law for the annual renewal of an operators license if he or she shall satisfy the following requirements

(1) He or she shall have an honorable discharge from the service

(2) Application for the operators' license shall be made within sixty days after the date of such honorable discharge

(3) He or she is not physically or mentally incapacitated at the time of the application for renewal

(4) In the event that his or her certificate of honorable discharge reveals that injuries were sustained during service the application must be accompanied by the certificate of a licensed physician that the applicant is physically and mentally able to operate a motor vehicle

(5) Each application shall be sworn to before a magistrate alderman or justice of the peace who shall certify thereon that he has seen and examined the applicant's certificate of honorable discharge and that it is dated less than sixty days before the application was made

(6) His or her previous operators license has not been

revoked or suspended unless in case of suspensions the period of suspension has expired

Section 2 Any person while serving in the United States forces as hereinbefore described during any part of the war in which the United States is now engaged who shall have had a Pennsylvania motor vehicle operator's license issued to him or her for the license year in which he or she entered such service or for the license year immediately preceding his or her entrance into such service which license has not been revoked or suspended shall have the right to operate a motor vehicle on the highways of this Commonwealth while in this Commonwealth on leave or furlough or for any other reason without having a renewal of such operator's license for the current year and without the payment of any fee provided such person is not physically or mentally incapacitated

Section 3 The Secretary of Revenue is hereby authorized to suspend all provisions of the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vericles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" and all other acts and parts of acts in so far as they are inconsistent with the provisions of this act

Section 4 The provisions of this act shall become effective immediately upon its final enactment.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—200

Alspach,	Finnerty,	Krepps,	Reynolds,
Auker,	Flack,	Krise,	Riley,
Baker,	Fleming,	Lane,	Robertson,
Barrett,	Flynn,	Laughner,	Root,
Barton,	Foor,	Lee,	Rose, S.,
Bentley,	Fox,	Leisey,	Rose, W. E.,
Bentzel,	Freed,	Leonard,	Rowley,
Boies,	Fullerton,	Levy,	Royer,
Bonawitz,	Garber,	Leydic,	Salus,
Boorse,	Gardner,	Lichtenwalter,	Sarge,
Boory,	Gates,	Livingstone,	Sarraf,
Bower,	Gillan,	Longo,	Scanlon,
Boyd,	Goodling,	Lovett,	Schuster,
Bradley,	Goodwin,	Lyons,	Serrill,
Bretherick,	Gorman,	Madigan,	Simons,
Brice,	Grant,	Mahany,	Skale,
Brigerman,	Green,	Maxwell,	Smith,
Brown,	Greenwood,	McAtee,	Snider,
Brunner, C. H.,	Gross,	McClester,	Sollenberger,
Brunner, P. A.,	Gyger,	McKinney,	Sorg,
Burns,	Haberlen,	McSurdy,	Stank,
Cadwalader,	Hall,	Menna,	Stockham,
Calvin,	Hamilton,	Mihm,	Stonier,
Campbell,	Hannon,	Miller,	Tahl,
Chervenak,	Hare,	Mintess,	Tate,
Chudoff,	Harris,	Mock,	Taylor,
Cohen,	Haudenshield,	Modell,	Thompson,
Coleman,	Heatherington,	Mooney,	Thrasher,
Cook,	Helm,	Moore,	Tiemann,
Cooper,	Herman,	Moran,	Trent,
Cordier,	Hersch,	Moser,	Trout,
Corrigan,	Hewitt,	Muir,	Turbett,
Costa,	Hocke,	Munley,	Van Allsburg,
Coulson,	Hoffman,	Murray,	Verona,
Croop,	Hoggard,	Nowak,	Wachhaus,
Cullen,	Holmes,	O'Brien,	Wagner, K. H.,
Dague,	Hoopes,	O'Connor,	Wagner, P. L.,
Dalrymple,	Hunter, B. F.,	O'Dare,	Wallin,
Denman,	Hunter, W. M.,	O'Neill,	Walton,
Dennison,	Huntley,	Owens,	Watkins,
Depuy,	Imbrie,	Petrosky,	Weiss,
Dillon,	Irvin,	Pettit,	Welsh,
Dix,	James,	Polaski,	Winner,
Duffy,	Jones,	Powers,	Wood, L. H.,
Elder,	Kennedy,	Readinger,	Wood, N.,
Elliott,	Kirley,	Reagan,	Worley,
Ely,	Kitchen,	Reese, D. P.,	Wright,
Erb,	Kline,	Reese, R. E.,	Yeakel,
Ewing,	Kolankiewicz,	Regan,	Yester,
Figlock,	Kowalski,	Reilly,	Fiss,

Speaker.

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

FORMER MEMBER WELCOMED

The SPEAKER. There is present in the House this evening Honorable George R. Holstrom, who was a member of this House in the sessions of 1934, 1935 and 1937 from Lehigh County. The gentleman from Lehigh, Mr. Holstrom, has many friends in the House and we would like to have him rise in his place.

BILL ON FINAL PASSAGE RECALLED FROM GOVERNOR

Agreeably to order,

The House proceeded to the consideration on final passage of House Bill No. 644, as follows

An Act to further amend sections five hundred and eleven and six hundred and ten of the act approved the first day of May one thousand nine hundred and twenty-nine (P. L. 1005) entitled "An act relating to and regulating tractors and trailers and their operation providing for their registration and the licensing of certain operators by the Department of Revenue upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of tractors and trailers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns and townships within the Commonwealth liability for damages caused by the negligent operation of tractors and trailers imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" authorizing the issuance of special permits for the operation upon the highways of oversize and overweight quarry equipment and machinery and fixing fees therefor

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Sections five hundred and eleven and six hundred and ten of the act approved the first day of May one thousand nine hundred and twenty-nine (P. L. 1005) entitled "An act relating to and regulating tractors and trailers and their operation providing for

their registration and the licensing of certain operators by the Department of Revenue upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen, justices of the peace the courts and the clerks thereof owners of tractors and trailers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns and townships within the Commonwealth liability for damages caused by the negligent operation of tractors and trailers imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" as amended by the act approved the twenty-second day of June one thousand nine hundred and thirty-one (P. L. 815) are hereby further amended to read as follows

Section 511 Special Hauling Permits The fee for a special hauling permit which is issued for a single trip and which designates the route to be traversed as provided for in clause (a) of section six hundred and ten shall be five ($5) dollars and two ($0.02) cents per ton of two thousand (2000) pounds or fraction thereof of gross weight of vehicle and load for each mile or fraction thereof of length of haul payable to the authorities issuing such permit

The annual fee for a special permit which is issued for the license year and authorizes the operation or movement of heavy quarry equipment and machinery as provided for in clause (b) of section six hundred and ten shall be ten ($10) dollars

Section 610 Permits for Excessive Size and Weight

The Secretary of Highways of this Commonwealth and local authorities in their respective jurisdictions may at their discretion upon application in writing accompanied by the fee provided in this act and good cause being shown therefor issue [a] special [permit] permits in writing authorizing the applicant to operate or move [a tractor or trailer of a size and weight exceeding the maximum specified in this act] upon any highway under the jurisdiction of and for the maintenance of which the authorities granting the permit are responsible (a) a tractor or trailer of a size and weight exceeding the maximum specified in this act Every such permit shall be issued for a single trip and shall designate the route to be traversed and (b) any heavy piece of quarry equipment or machinery of a size and weight exceeding the maximum specified by this act across any highway from one part of a quarry to another or upon the highways connecting by the most direct route any quarries or portion of quarries under the single ownership or operation of such person this permit to be issued for the license year as provided by this act No such permit shall be issued for the movement of such equipment or machinery for a distance greater than one-half mile Any of the above permits shall be subject to such rules and regulations and any other conditions or restrictions including the obligation on the part of the permittee to restore or replace any section of highway or bridge damaged as a result of such movement whether or not the same was attributable to negligence on the part of the permittee as shall be deemed necessary by the authorities granting such permit Every such permit shall be carried in the vehicle to which it refers [and] shall be open to inspection by any peace officer or person having collision with the tractor or trailer and shall be revokable at any time at the discretion of the official who issued the same

Penalty Any person operating or moving a tractor or trailer and its load of a size or weight exceeding the maximum specified in this act without first having obtained a permit or permits so to do shall upon summary conviction before a magistrate be sentenced to pay a fine of fifty ($50) dollars and in default of the payment thereof shall undergo imprisonment for not more than ten (10) days

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—200

Alspach,	Finnerty,	Krepps,	Reynolds,
Auker,	Flack,	Krise,	Riley,
Baker,	Fleming,	Lane,	Robertson,
Barrett,	Flynn,	Laughner,	Root,
Barton,	Foor,	Lee,	Rose, S.
Bentley,	Fox,	Leisey,	Rose, W. E.,
Bentzel,	Freed,	Leonard,	Rowley,
Boies,	Fullerton,	Levy,	Royer,
Bonawitz,	Garber,	Leydic,	Salus,
Boorse,	Gardner,	Lichtenwalter,	Sarge,
Boory,	Gates,	Livingstone,	Sarraf,
Bower,	Gillan,	Longo,	Scanlon,
Boyd,	Goodling,	Lovett,	Schuster,
Bradley,	Goodwin,	Lyons,	Serrill,
Bretherick,	Gorman,	Madigan,	Simons,
Brice,	Grant,	Mahany,	Skale,
Brigerman,	Green,	Maxwell,	Smith,
Brown,	Greenwood,	McAtee,	Snider,
Brunner, C. H.,	Gross,	McClester,	Sollenberger,
Brunner, P. A.,	Gyger,	McKinney,	Sorgi
Burns,	Haberlen,	McSurdy,	Stank,
Cadwalader,	Hall,	Menna,	Stockham,
Calvin,	Hamilton,	Mihm,	Stonier,
Campbell,	Hannon,	Miller,	Tahl,
Chervenak,	Hare,	Mintess,	Tate,
Chudoff,	Harris,	Mock,	Taylor,
Cohen,	Haudenshield,	Modell,	Thompson,
Coleman,	Heatherington,	Mooney,	Thrasher,
Cook,	Helm,	Moore,	Tiemann,
Cooper,	Herman,	Moran,	Trent,
Cordier,	Hersch,	Moser,	Trout,
Corrigan,	Hewitt,	Muir,	Turbett,
Costa,	Hocke,	Munley,	Van Allsburg,
Coulson,	Hoffman,	Murray,	Verona,
Croop,	Hoggard,	Nowak,	Wachhaus,
Cullen,	Holmes,	O'Brien,	Wagner, K. H.,
Dague,	Hoopes,	O'Connor,	Wagner, P. L.,
Dalrymple,	Hunter, B. F.,	O'Dare,	Wallin,
Denman,	Hunter, W. M.,	O'Neill,	Walton,
Dennison,	Huntley,	Owens,	Watkins,
Depuy,	Imbrie,	Petrosky,	Weiss,
Dillon,	Irvin,	Pettit,	Welsh,
Dix,	James,	Polaski,	Winner,
Duffy,	Jones,	Powers,	Wood, L. H.,
Elder,	Kennedy,	Readinger,	Wood, N.,
Elliott,	Kirley,	Reagan,	Worley,
Ely,	Kitchen,	Reese, D. P.,	Wright,
Erb,	Kline,	Reese, R. E.,	Yeakel,
Ewing,	Kolankiewicz,	Regan,	Yester,
Figlock,	Kowalski,	Reilly,	Fiss,

Speaker.

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the consideration on final passage of House Bill No. 694, as follows:

An Act to amend sections one five seven nine and twelve and to repeal section six of the act approved the twenty-seventh day of May one thousand nine hundred and thirty-seven (P. L. 901) entitled "An act for the protection of producers of farm produce providing for the licensing the bonding or holding collateral of and the regulation of certain dealers in farm produce as herein defined within this Commonwealth conferring powers and imposing duties on the Department of Agriculture providing for appeals and injunctions and prescribing penalties" by changing definitions the period of the license and the fee therefor and the contents of records eliminating the requirement for a bond and adding to the reasons for refusing licenses and increasing the penalties

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Sections one and five of the act approved the twenty-seventh day of May one thousand nine hundred and thirty-seven (P. L. 901) entitled "An act for the protection of producers of farm produce providing for the licensing the bonding or holding collateral of and the regulation of certain dealers in farm produce as herein defined within this Commonwealth conferring powers and imposing duties on the Department of Agriculture providing for appeals and injunctions and prescribing penalties" are hereby amended to read as follows

Section 1 Be it enacted &c That the following words or phrases unless the context clearly indicates otherwise shall have the meanings ascribed to them in this section

(a) "Dealer in farm produce" means any person association copartnership or corporation engaged in the business of buying receiving selling exchanging negotiating or soliciting the sale resale exchange or transfer of any farm produce [and includes every person association copartnership or corporation receiving or purchasing farm produce] from the producer on consignment or on a net return basis

(b) "Department" means the Department of Agriculture of this Commonwealth

(c) "Farm produce" includes all agricultural horticultural vegetable fruit and floriculture products of the soil poultry eggs nuts flowers and honey but shall not include timber products tea coffee [or] livestock wool milk or milk products

(d) "Net return basis" means a purchase for sale of farm produce from a producer [or shipper] at an unfixed or unstated price at the time the produce is shipped from the point of origin and it shall include all purchases made "at the market price" ["at net worth"] and on similar terms which indicate that the buyer is the final arbiter of the price to be paid

(e) "On consignment" means [any receiving or sale of farm produce for the account of a person other than the seller wherein the seller acts as the agent for the owner] a sending transfer or delivery of farm produce by a producer to a dealer in farm produce for the purpose of sale upon a commission basis

(f) "Producer" means any producer of farm produce in this Commonwealth

Section 5 Unless the department refuses the application on one or more of the grounds hereinafter provided it shall issue to such applicant upon the payment of proper fees [and the execution and delivery of a bond as hereinafter provided] a license entitling the applicant to conduct business as a dealer in farm produce at each place named in the application Such license shall be in force from the date issued until and including the thirty-first day of December [in the] of the same year [next following] The fee for such license shall be [ten dollars ($10.00)] five dollars ($5.00) for each place of business which the applicant [desires to conduct and] conducts or names in the application

Section 2 Section six of said act is hereby repealed

Section 3 Sections seven nine and twelve of said act are hereby amended to read as follows

Section 7 Every dealer in farm produce shall upon the receipt of farm produce for which payment is not made on delivery and as he handles and disposes of the same make and preserve for at least two years a record thereof specifying the name and address of the producer consigning or shipping such farm produce the date of receipt the kind and quality of such produce the amount of goods sold the name and address of the purchaser except that where sales total less than five dollars ($5.00) in value such sales may be made to order of "cash" the selling price thereof and the items of expenses connected therewith An "account sales" together with payment in settlement for said shipment shall be mailed to the producer within forty-eight hours after the sale of such farm produce unless otherwise agreed in writing

Section 9 The department may decline to grant a license or may suspend or revoke a license already granted if it is satisfied that the applicant or licensee has either

(1) Suffered a money judgment to be entered against him upon which execution has been returned unsatisfied or

(2) Made false charges for handling or services rendered or

(3) Failed to account promptly and properly or to make settlements with any producer or

(4) Made any false statement or statements as to condition quality or quantity of goods received or held for sale when he could have ascertained the true condition quality or quantity by reasonable inspection or

(5) Made any false or misleading statement or statements as to market conditions or service rendered or

(6) Been guilty of a fraud in the [attempt to produce] application for or the procurement or the renewal of a license or

(7) Directly or indirectly purchased farm produce received on consignment or on a net return basis for his own account without prior authority from the producer consigning the same or without notifying such producer

Section 12 Any dealer in farm produce violating the provisions of section three of this act or interfering with an agent of the department in the enforcement of this act shall for the first [or second] offense upon conviction in a summary proceedings be sentenced to pay a fine of not less than fifty dollars ($50.00) nor more than three hundred dollars ($300.00) and costs of prosecution and in default of payment of such fine and costs shall be sentenced to undergo imprisonment in the county jail for a period not exceeding sixty (60) days and for a [third] second or subsequent offense shall be guilty of a misdemeanor and shall upon conviction thereof be sentenced to pay a fine of not less than five hundred dollars ($500.00) nor more than one thousand dollars ($1,000) or to undergo imprisonment not exceeding one year or both in the discretion of the court

Section 4 The provisions of this act shall become effective immediately upon final enactment

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—200

Alspach,	Flack,	Krise,	Reynolds,
Auker,	Fleming,	Lane,	Riley,
Baker,	Flynn,	Laughner,	Robertson,
Barrett,	Foor,	Lee,	Root,
Barton,	Fox,	Leisey,	Rose, S.,
Bentley,	Freed,	Leonard,	Rose, W. E.,
Bentzel,	Fullerton,	Levy,	Rowley,
Boies,	Garber,	Leydic,	Royer,
Bonawitz,	Gardner,	Lichtenwalter,	Salus,
Boorse,	Gates,	Livingstone,	Sarge,
Boory,	Gillan,	Longo,	Sarraf,
Bower,	Goodling,	Lovett,	Scanlon,
Boyd,	Goodwin,	Lyons,	Schuster,
Bradley,	Gorman,	Madigan,	Serrill,
Bretherick,	Grant,	Mahany,	Simons,
Brice,	Green,	Maxwell,	Skale,
Brigerman,	Greenwood,	McAtee,	Smith,
Brown,	Gross,	McClester,	Snider,
Brunner, C. H.,	Gyger,	McKinney,	Sollenberger,
Brunner, P. A.,	Haberlen,	McMillen,	Sorg,
Burns,	Hall,	McSurdy,	Stank,
Cadwalader,	Hamilton,	Menna,	Stockham,
Calvin,	Hamma,	Mihm,	Stonier,
Campbell,	Hare,	Miller,	Tahl,
Chervenak,	Harris,	Mintess,	Tate,
Chudoff,	Haudenshield,	Mock,	Taylor,
Cohen,	Heatherington,	Modell,	Thompson,
Coleman,	Helm,	Mooney,	Thrasher,
Cook,	Herman,	Moore,	Tiemann,
Cooper,	Hersch,	Moran,	Trent,
Cordier,	Hewitt,	Moser,	Trout,
Corrigan,	Hocke,	Muir,	Turbett,
Costa,	Hoffman,	Munley,	Van Allsburg,
Coulson,	Hoggard,	Murray,	Verona,
Croop,	Holmes,	Nowak,	Wachhaus,
Cullen,	Hoopes,	O'Brien,	Wagner, K. H.,
Dague,	Hunter, B. F.,	O'Connor,	Wagner, P. L.,
Dalrymple,	Hunter, W. M.,	O'Dare,	Wallin,

Denman,	Huntley,	O'Neill,	Walton,
Dennison,	Imbrie,	Owens,	Watkins,
Depuy,	Irvin,	Petrosky,	Weiss,
Dillon,	James,	Pettit,	Welsh,
Dix,	Jones,	Polaski,	Winner,
Duffy,	Kennedy,	Powers,	Wood, L. H.,
Elder,	Kirley,	Readinger,	Wood, N.,
Elliott,	Kitchen,	Reagan,	Worley,
Ely,	Kline,	Reese, D. P.,	Wright,
Erb,	Kolankiewicz,	Reese, R. E.,	Yeakel,
Ewing,	Kowalski,	Regan,	Yester,
Figlock,	Krepps,	Reilly,	Fiss,
Finnerty,			Speaker.

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

BILLS ON FINAL PASSAGE

Agreeably to order,

The House proceeded to the consideration on final passage of House Bill No. 26, as follows:

An Act authorizing all counties boroughs incorporated towns townships and institution districts to place their respective officers and employes in the State Employes' Retirement Association prescribing the procedure to be followed and authorizing a special tax to pay the expenses incident thereto placing certain duties upon the State Treasurer and the fiscal officers of the said municipal units prohibiting the future establishment of local pension or retirement systems and providing in certain cases for the discontinuance of existing ones

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The term "municipal unit" as used in this act shall mean any county borough incorporated town township and institution district within this Commonwealth

Section 2 The county commissioners of any county the council of any borough incorporated town or the governing body of any institution district and the commissioners or supervisors of any township may by proper ordinance or resolution accept the benefits of this act and authorize the employes thereof to participate in and become members of the State Employes' Retirement Association

When such action has been taken by any such municipal units all officers and employes thereof except such officers and employes as may at the time be eligible to participate in any retirement system wholly or in part maintained by the State shall be entitled to membership in the State Employes' Retirement Association

Section 3 Any municipal officer or employe in service at the time of such municipal action may join the State Employes' Retirement Association before the end of the calendar year in which the municipal authority is given or if such period is less than six months then at any time before the end of the next succeeding calendar year each such member shall be classed as an original member and shall be entitled to a certificate covering prior services either as employe of the State or any county borough incorporated town township or institution district in the same manner as other original members of the State Employes' Retirement Association

Section 4 Any municipal officer or employe not joining within the time designated in section three may join at any time and become an original member under the provisions hereof upon paying into the retirement association a sum equal to all back payments which such person would have made had he or she become a member of the retirement association when the retirement system was established Such back payments may be spread over a period of years by having such regular payroll deduction of such person increased by not less than one-third of the amount thereof which deduction increase shall be credited to such back payments owing and shall be continued until the amount thereof shall be paid in full unless such member is retired under the provisions of this act before such back payments have been completed Any such deduction increase may be anticipated in full by the member at any time and shall be anticipated in full at the time of retirement before a retirement allowance is granted and if not so anticipated then the member's annuity shall be calculated on the total accumulated deductions standing to his credit and his State annuity shall be reduced by an amount equivalent to the reduction which occurs in the member's annuity due to the amount of the back payments not so anticipated

All officers and employes of any such municipal unit except per diem employes not desiring to qualify as original members shall join the State Employes' Retirement Association and shall be classified as new members

Section 5 If three-fourths of all the members of any annuity or pension association of any such municipal unit hereafter referred to as a local pension association shall express their desire to become members of the State Employes' Retirement Association by signing a petition to that effect the cash and securities of such local pension association shall at once be transferred to the State Employes' Retirement Association and the operation of such local association shall be discontinued The trustees or administrative head of such local pension association shall certify the proportion if any of the funds of the association that represents the accumulated contributions of the members and the relative shares of the members as of that date

Such individual shares shall be credited to the respective members annuity saving fund account in the State Employes' Retirement Association The balance of the funds transferred to the State Employes' Retirement Association shall be offset against the accrued liabilities before determining the contributions to be paid by the municipal unit

Section 6 The existing pensioners of such local pension association who are being paid pensions at the time the funds of such local association are transferred to the State Employes' Retirement Association shall be continued and paid at their existing rates by the State Employes' Retirement Association the liability on this account shall be included in the computation of the accrued liability to determine the contributions to be paid by the municipal unit

Section 7 The chief fiscal officer of any municipal unit accepting the benefits of this act shall submit such information and perform the duties relative to employes thereof who may become members of the State Employes' Retirement Association corresponding to the information furnished and duties performed by the head of a department in the State service relative to the employes of his department

Section 8 Each municipal unit which accepts the benefits of this act shall be liable to the Commonwealth for and shall pay into the State Treasury the following

(a) All the contributions and payments on account of the officers and employes thereof becoming members of the State Employes' Retirement Association which the State would make if such members were employes of the State The contributions to be paid on account of original members under this act shall be computed in the same manner as the State contributions have been computed on account of the original members who were State employes

(b) The pro rata share of the cost of administration of the State Employes' Retirement Association based upon the respective payrolls

(c) The cost of making the actuarial valuation of the accrued liability on account of the officers and employes of such municipal unit who become original members of the State Employes' Retirement Association

Section 9 The officers and employes of a municipal unit who become members of the State Employes' Retirement Association under the provisions of this act

shall make the same contributions thereto and shall be entitled to the same benefits therefrom as they would if they were employes of the State

The contributions of all such members which shall be deducted from their compensation shall be paid to the State Treasurer by the treasurer of such municipal unit

Section 10 The actuary of the State Employes' Retirement Association shall compute the rates of contributions payable by members who are officers or employes of a municipal unit and shall compute the contributions payable by each municipal unit on account of the members who are officers or employes thereof

Section 11 The State Treasurer shall certify to the treasurer of each municipal unit accepting the benefits of this act the amount of all the contributions and expenses for which it is liable to the Commonwealth under this act and all the contributions due from the members of the State Employes' Retirement Association who are officers or employes of such municipal unit

Section 12 All the money paid into the State Treasury under the provisions of this act shall be credited to the proper funds of the State Employes' Retirement Association

Section 13 All costs contributions and expenses which any county borough incorporated town township or institution district is required to pay under the provisions of this act may be levied and collected as a special tax in the same manner as other taxes are levied and collected

Section 14 No county borough incorporated town township or institution district shall hereafter establish or permit to be established any pension or retirement system for the officers or employes thereof except as in this act provided

Section 15 All acts and parts of acts inconsistent herewith are hereby repealed

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—200

Alspach,	Finnerty,	Krepps,	Reynolds,
Auker,	Flack,	Krise,	Riley,
Baker,	Fleming,	Lane,	Robertson,
Barrett,	Flynn,	Laughner,	Root,
Barton,	Foor,	Lee,	Rose, S.
Bentley,	Fox,	Leisey,	Rose, W. E.,
Bentzel,	Freed,	Leonard,	Rowley,
Boles,	Fullerton,	Levy,	Royer,
Bonawitz,	Garber,	Leydic,	Salus,
Boorse,	Gardner,	Lichtenwalter,	Sarge,
Boory,	Gates,	Livingstone,	Sarraf,
Bower,	Gillan,	Longo,	Scanlon,
Boyd,	Goodling,	Lovett,	Schuster,
Bradley,	Goodwin,	Lyons,	Serrill,
Bretherick,	Gorman,	Madigan,	Simons,
Brice,	Grant,	Mahany,	Skale,
Brigerman,	Green,	Maxwell,	Smith,
Brown,	Greenwood,	McAtee,	Snider,
Brunner, C. H.,	Gross,	McClester,	Sollenberger,
Brunner, P. A.,	Gyger,	McKinney,	Sorg,
Burns,	Haberlen,	McSurdy,	Stank,
Cadwalader,	Hall,	Menna,	Stockham,
Calvin,	Hamilton,	Mihm,	Stonier,
Campbell,	Hannon,	Miller,	Tahl,
Chervenak,	Hare,	Mintess,	Tate,
Chudoff,	Harris,	Mock,	Taylor,
Cohen,	Haudenshield,	Modell,	Thompson,
Coleman,	Heatherington,	Mooney,	Thrasher,
Cook,	Helm,	Moore,	Tiemann,
Cooper,	Herman,	Moran,	Trent,
Cordier,	Hersch,	Moser,	Trout,
Corrigan,	Hewitt,	Muir,	Turbett,
Costa,	Hocke,	Munley,	Van Allsburg,
Coulson,	Hoffman,	Murray,	Verona,
Croop,	Hoggard,	Nowak,	Wachhaus,
Cullen,	Holmes,	O'Brien,	Wagner, K. H.,
Dague,	Hoopes,	O'Connor,	Wagner, P. L.,
Dalrymple,	Hunter, B. F.,	O'Dare,	Wallin,
Denman,	Hunter, W. M.,	O'Neill,	Walton,
Dennison,	Huntley,	Owens,	Watkins,
Depuy,	Imbrie,	Petrosky,	Weiss,
Dillon,	Irvin,	Pettit,	Welsh,
Dix,	James,	Polaski,	Winner,
Duffy,	Jones,	Powers,	Wood, L. H.,
Elder,	Kennedy,	Readinger,	Wood, N.,
Elliott,	Kirley,	Reagan,	Worley,
Ely,	Kitchen,	Reese, D. P.,	Wright,
Erb,	Kline,	Reese, R. E.,	Yeakel,
Ewing,	Kolankiewicz,	Regan,	Yester,
Figlock	Kowalski,	Reilly,	Fiss,

Speaker.

NAYS—0

The majority required by the Constitution having voted in the affirmative, the questions was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the consideration on final passage of House Bill No. 578, as follows:

An Act relating to chattel mortgages on livestock poultry farm machinery farm equipment and crops grown growing or to be grown designating the operation and effect of the lien of such mortgages providing for the filing indexing and docketing of such mortgages and related instruments in prothonotaries's offices and prescribing prothonotaries' fees providing for the filing in Pennsylvania of similar lien instruments originally filed or recorded in other states regulating the assignment release satisfaction and extension of the lien of such mortgages prescribing methods of foreclosure defining defaults and violations and fixing penalties

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Any person association partnership or corporation may give as security for any funds borrowed or to be borrowed or any pre-existing indebtedness a bond or note with or without a confession of judgment clause secured by a chattel mortgage upon livestock poultry farm machinery farm equipment and crops including annual or perennial crops and other plant products either grown or growing at the time of the execution of such chattel mortgage or to be planted or grown within one year thereafter For the purposes of this act all such chattels and crops shall be deemed to be personal property and mortgageable as such No such chattel mortgage may secure any indebtedness which shall bear interest in excess of the rate of six per centum (6%) per annum

Section 2 Any mortgage executed under and pursuant to this act shall be in writing and signed by the mortgagor or his agent duly authorized and constituted but such mortgage need not be acknowledged witnessed or sealed The property covered or to become covered by any such chattel mortgage may be described at all that property of a specified class so identified by reference to location brands marks numbers or otherwise as to distinguish it from other property of the same class or such property may be described in any other manner permitted or authorized by law

Section 3 Any mortgage executed under and pursuant to this act may validly include livestock poultry farm machinery or farm equipment of the same class as that described in the mortgage acquired by the mortgagor subsequent to the execution of the chattel mortgage and prior to its extinguishment and any such mortgage also may validly include replacements of any of the mortgaged property therein described and all increase issue progeny and produce of animals and livestock of all kinds and the issue increase progeny and produce of any and all property mortgageable under the terms and provisions of this act including the increase issue progeny and produce of any original increase issue or progeny A mortgage of sheep or goats shall be held to include the wool or mohair which may be clipped therefrom

Section 4 Any chattel mortgage executed under and pursuant to this act may secure a pre-existing debt advances currently made or contracted for and future advances whether obligatory or optional to be made by the mortgagee within a period of three years from the date of the execution of such mortgage but not to exceed in the aggregate an amount stated in the mortgage Such a chattel mortgage may also secure advances and expenditures of the mortgagee for taxes levies insurance and repairs to or maintenance of the property described in the chattel mortgage together with interest on such advances and expenditures at the rate fixed therefor by the terms of the mortgage or if no rate therefor is specified at the rate provided in the mortgage for the principal indebtedness secured thereby All future advances made within the terms of such chattel mortgage shall be secured to the same extent and shall have the same priority as if made at the time of the execution of the mortgage

Section 5 Any mortgage executed pursuant to this act shall be a lien upon the property therein described which lien shall be good and valid against and superior to all rights of subsequent purchasers subsequent mortgagees and other subsequent lienors and encumbrancers and all persons subsequently dealing with the mortgaged property or subsequently acquiring an interest therein from the time of filing of the mortgage as provided in section eight of this act The lien of any chattel mortgage on crops executed pursuant to this act shall be superior to any mortgages deeds of trust or judgments or other liens upon the land upon which any such crop has been or is to be seeded or may be growing and any sale made under any mortgage deed of trust or judgment on such land or otherwise before said crops have been severed shall be made subject to the lien on the crops as provided for in this act

Section 6 Any of the property covered by a chattel mortgage executed pursuant to this act which may be removed without the written consent of the mortgagee from the county in which it was located at the time of the execution of the mortgage or from the county in which the mortgage is filed shall remain subject to the lien of the mortgage

Any of such property which may be removed with the written consent of the mortgagee from the county in which it was located at the time of the execution of the mortgage or from the county in which the mortgage is filed shall remain subject to the lien of the mortgage Provided however That the lien of any such mortgage shall remain valid as against subsequent purchasers subsequent mortgagees and other subsequent lienors and subsequent encumbrancers without actual notice of the chattel mortgage for a period of only sixty days from the date of removal unless within such period a true copy of the mortgage is filed in the office of the prothonotary in the county to which the property is removed

Any property covered by a chattel mortgage which may be sold by the mortgagor shall remain subject to the lien of the mortgage unless the mortgagee expressly consents in writing to such sale free and acquit of the mortgage lien and the consent of the mortgagee to the sale of a part of the property shall not invalidate or impair the lien of the mortgage as to other property covered by the mortgage

If the mortgagor with or without the written consent of the mortgagee shall make sale of the mortgaged property or any part thereof the proceeds realized through such sale shall be subject to the lien of said mortgage and the mortgagee at his option may enforce said lien against said chattels or against said proceeds Provided however That said mortgagee shall receive only one full satisfaction of the debt secured by said mortgage and provided further that the mortgagee in consenting in writing to sale of the mortgaged property or a part thereof may authorize and permit the mortgagor to sell such mortgaged chattels free and acquit of the mortgage lien upon condition that the proceeds of sale be paid to the mortgagee and if consent to sale is given on such terms and conditions any purchaser or grantee of said mortgaged chattels shall acquire title to said chattels free and acquit of said lien but the lien shall remain attached to the proceeds realized through sale until payment thereof to the mortgagee

A chattel mortgage conveying livestock or poultry and hay grain or other foodstuffs or crops shall not be invalid in any particular because provision is contained therein or the mortgagee agrees that the mortgagor may use and consume any such hay grain food forage fodder or crops in preserving or preparing for market the livestock or poultry covered by the mortgage

Section 7 If the mortgagor without the consent of the mortgagee shall substantially injure the chattel or chattels subject to the mortgage or conceal or purport to sell or otherwise dispose of them or any substantial part of them under claim of full ownership or otherwise by his wilful act or neglect substantially impair the value of the agreed security save in so far as is consistent with a reasonable use of the chattel or chattels such action shall constitute a default under the chattel mortgage Provided however That unless otherwise stipulated in the instrument the injury or destruction of the chattel or chattels without fault of the mortgagor shall not constitute a default and such injury or destruction incurred before final sale or foreclosure shall not discharge the mortgagor for any obligation secured for which he is personally liable

Section 8 Any chattel mortgage executed pursuant to this act may be filed in the office of the prothonotary for each county in which the chattels or any portion of the chattels are located at the time of filing such chattel mortgage and when so filed such chattel mortgage shall constitute a lien on the property described therein and conveyed thereby from the time of such filing which lien shall be good and valid as hereinbefore provided Provided however That in the case of more than one chattel mortgage the first filed shall have priority and be first paid out of the proceeds of the sale of the mortgaged chattels The prothonotary shall maintain a book to be known as the "Chattel Mortgage Book" in which he shall docket each instrument presented to him for filing pursuant to this act and in said docket he shall set forth the date and the hour of filing the name of the mortgagor the name of the mortgagee the amount advanced and the limit thereof and a brief description of the chattels described in the instrument and the premises upon which such chattels and crops are located and he shall retain the instrument in his office for future public inspection The prothonotary shall likewise maintain a book to be known as a "Chattel Mortgage Index" in which he shall index alphabetically under the names of the mortgagor or mortgagors or a mortgagee or mortgagees all chattel mortgages filed pursuant to this act and on which the date of filing such instrument shall be noted

Any instrument affecting the lien of a chattel mortgage or its ownership may be filed in each office in which the chattel mortgage is filed and from the date of filing thereof each such instrument shall be good and valid as against subsequent purchasers subsequent mortgagees or other subsequent lienors and subsequent encumbrancers with or without notice thereof and the fact and date of filing of each such instrument shall be noted by the prothonotary on the margin of the page on which the chattel mortgage is docketed

Section 9 The prothonotary shall be entitled to charge and receive for services rendered hereunder the following fees

(1) For filing indexing and docketing each chattel mortgage seventy-five cents (75c)

(2) For filing indexing and noting each assignment seventy-five cents (75c)

(3) For filing and noting each partial release satisfaction extension or subordination by written instrument twenty-five cents (25c)

(4) For attesting the entry of a marginal satisfaction and noting the satisfaction on the index twenty-five cents (25c)

(5) For indexing and attesting the entry of a marginal assignment fifty cents (50c)

(6) For a certified copy of a chattel mortgage filed

hereunder the sum of twenty-five cents (25) if a copy of the instrument is furnished at the time the same is filed If no copy is furnished the charge shall be the same as provided by law for similar service

Section 10 When chattels are brought into this State subject to a chattel mortgage or other chattel lien filed or recorded in another state such chattel mortgage or other chattel lien instrument or a copy thereof certified by the officer in whose office it was filed or recorded may be filed as chattel mortgages provided for herein are filed and when so filed any such instrument shall be indexed and docketed upon an affidavit of the mortgagee setting forth a brief description of the lands and premises upon which said chattels are located in this State and upon such filing such chattel lien instrument shall have the same force and effect and be subject to all the terms and conditions of this act to the same extent and in the same manner as though executed and filed in this State pursuant to this act

Section 11 Any chattel mortgage executed under and pursuant to this act may be assigned by an instrument in writing signed by the mortgagee or assignee and setting forth the amount of the debt as of the date of the assignment and upon presentation of such assignment to the prothonotary the prothonotary shall file the same and note on the margin of the page in which the chattel mortgage is docketed the fact of the assignment the date of the notation the name of the assignor the name of the assignee the address of each the date of the assignment and the amount of the debt as of the date of the assignment and such assignment shall except as to the parties thereto take effect and be valid only from the time of the marginal notation as herein provided Provided however Any such chattel mortgage may be assigned by an assignment stating the amount of the debt as of the date of the assignment and executed by the mortgagee or assignee on the margin of the page where such chattel mortgage is docketed which assignment shall be attested by the prothonotary

Section 12 Any such chattel mortgage may be satisfied by an instrument in writing signed by the mortgagee or assignee or the duly authorized attorney for such mortgagee or assignee and upon presentation of such instrument to the prothonotary the prothonotary shall file the same and note the fact of such satisfaction and the date thereof on the margin of the page of the book where the chattel mortgage is docketed and when so noted such satisfaction shall fully and effectually release the lien of such mortgage Provided however That any such chattel mortgage may be satisfied by the mortgagee or assignee on the margin of the page where such chattel mortgage is docketed which satisfaction shall be attested by the prothonotary Each satisfaction of a chattel mortgage lien shall be noted by the prothonotary on the line of the page on which the chattel mortgage is indexed

Section 13 Such chattel mortgages shall except between the parties thereto take effect and be valid only from the time of filing as herein provided Such mortgage shall remain a lien on the property mortgaged as between the parties thereto until paid but as to third parties shall not remain a lien for a longer period than five (5) years unless the lien thereof is extended by filing prior to the expiration of the said lien with the prothonotary an affidavit of the mortgagee or his assignee stating the amount then secured by the lien in which case the said mortgage shall remain a lien for an additional period of five (5) years from the date of the filing of such affidavit The lien of any mortgage may be further extended with like effect by the filing of successive like affidavits The prothonotary shall note each extension of a chattel mortgage lien and date of filing the same on the margin of the page of the book where the chattel mortgage is docketed The prothonotary shall likewise index each such extension in the "Chattel Mortgage Index" in the same manner as is herein provided for the indexing of chattel mortgages originally filed

Section 14 Upon default in any of the terms and covenants of any chattel mortgage or bond executed in accordance with the provisions of this act the mortgagee assignee or duly authorized attorney or agent of such mortgagee or assignee shall have the right without process of law immediately to take possession of the mortgaged property and to do all things necessary to preserve the same and any expense incurred in conjunction therewith shall be included in and secured by the lien of said chattel mortgage And this right shall be in addition to any and all other rights inuring to the benefit of the mortgagee or assignee

Section 15 Upon default by the mortgagor in the payment of the mortgaged debt either as to principal or interest or upon default in the performance of any covenant contained in the chattel mortgage or bond or note the chattel mortgage may be foreclosed by any of the methods authorized by law for the foreclosure of a mortgage including the entry of judgment on the bond or note secured by the chattel mortgage The lien of any levy which may be made upon the mortgaged property by virtue of any execution based upon a judgment entered upon such bond or note shall relate back to the date of the filing of the chattel mortgage In such foreclosure proceedings the mortgaged chattels may be sold in the same manner as authorized by the laws of this Commonwealth in the case of personal property sold under execution

Section 16 This act shall not be construed to adversely affect or impair the lien of or rights under any existing chattel mortgage nor shall this act be construed to repeal or affect any act relating to chattel mortgages not herein expressly repealed

Section 17 The act approved the second day of March one thousand nine hundred and thirty-three (P. L. 6) entitled "An act to enable persons associations partnerships and corporations engaged in farming and raising breeding fattening and marketing livestock to borrow money and secure the repayment thereof by the execution and recordation of chattel mortgages on livestock farm machinery farm equipment and corps and designating the operation and effect of the lien of such mortgages" as amended by an act approved the eighteenth day of April one thousand nine hundred and thirty-five (P. L. 38) and as amended by an act approved the twenty-fourth day of July one thousand nine hundred and forty-one (P. L. 439) are hereby repealed

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—200

Alspach,	Finnerty,	Krepps,	Reynolds,
Auker,	Flack,	Krise,	Riley,
Baker,	Fleming,	Lane,	Robertson,
Barrett,	Flynn,	Laughner,	Root,
Barton,	Foor,	Lee,	Rose, S.
Bentley,	Fox,	Leisey,	Rose, W. E.,
Bentzel,	Freed,	Leonard,	Rowley,
Boies,	Fullerton,	Levy,	Royer,
Bonawitz,	Garber,	Leydic,	Salus,
Boorse,	Gardner,	Lichtenwalter,	Sarge,
Boory,	Gates,	Livingstone,	Sarraf,
Bower,	Gillan,	Longo,	Scanlon,
Boyd,	Goodling,	Lovett,	Schuster,
Bradley,	Goodwin,	Lyons,	Serrill,
Bretherick,	Gorman,	Madigan,	Simons,
Brice,	Grant,	Mahany,	Skale,
Brigerman,	Green,	Maxwell,	Smith,
Brown,	Greenwood,	McAtee,	Snider,
Brunner, C. H.,	Gross,	McClester,	Sollenberger,
Brunner, R. A.,	Gyger,	McKinney,	Sorg,
Burns,	Haberlen,	McSurdy,	Stank,
Cadwalader,	Hall,	Menna,	Stockham,
Calvin,	Hamilton,	Mihm,	Stonier,
Campbell,	Hannon,	Miller,	Tahl,
Chervenak,	Hare,	Mintess,	Tate,
Chudoff,	Harris,	Mock,	Taylor,
Cohen,	Haudenshield,	Modell,	Thompson,
Coleman,	Heatherington,	Mooney,	Thrasher,
Cook,	Heim,	Moore,	Tiemann,

Cooper,	Herman,	Moran,	Trent,
Cordier,	Hersch,	Moser,	Trout,
Corrigan,	Hewitt,	Muir,	Turbett,
Costa,	Hocke,	Munley,	Van Allsburg,
Coulson,	Hoffman,	Murray,	Verona,
Croop,	Hoggard,	Nowak,	Wachhaus,
Cullen,	Holmes,	O'Brien,	Wagner, K. H.,
Dague,	Hoopes,	O'Connor,	Wagner, P. L.,
Dalrymple,	Hunter, B. F.,	O'Dare,	Wallin,
Denman,	Hunter, W. M.,	O'Neill,	Walton,
Dennison,	Huntley,	Owens,	Watkins,
Depuy,	Imbrie,	Petrosky,	Weiss,
Dillon,	Irvin,	Pettit,	Welsh,
Dix,	James,	Polaski,	Winner,
Duffy,	Jones,	Powers,	Wood, L. H.,
Elder,	Kennedy,	Readinger,	Wood, N.,
Elliott,	Kirley,	Reagan,	Worley,
Ely,	Kitchen,	Reese, D. P.,	Wright,
Erb,	Kline,	Reese, R. E.,	Yeakel,
Ewing,	Kolankiewicz,	Regan,	Yester,
Figlock,	Kowalski,	Reilly,	Fiss,

Speaker.

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the consideration on final passage of House Bill No. 875, as follows:

An Act to further amend section six hundred fourteen of the act approved the first day of May one thousand nine hundred ad twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" further regulating the revocation of operating privileges by the Secretary of Revenue

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section six hundred fourteen of the act approved the first day of May one thousand nine hundred and twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" as last amended by the act approved the twenty-ninth day of June one thousand nine hundred and thirty-seven (P. L. 2329) is hereby further amended to read as follows

Section 614 Revocation of Operating Privilege (a) Upon receiving a certified record from the clerk of the court of proceedings in which a person pleaded guilty entered a plea of nolo contendere or was found guilty by a judge or jury of any of the crimes enumerated in this section the secretary shall [forthwith] revoke for a period of one (1) year [from the date of revocation] the operating privilege of any such person and where such person was convicted or entered a plea of guilty or nolo contendere of any one of the crimes enumerated in clauses (1) (2) (3) and (4) of this section such operating privilege shall not be restored unless and until the fine and costs imposed in such cases have been fully paid The clerk of the courts shall when such fine and costs have been so paid in any such case certify such fact to the Department of Revenue

1 Operating a motor vehicle while under the influence of intoxicating liquor or any narcotic or habit producing drug or permitting any person who may be under the influence of intoxicating liquor or narcotic or habit producing drug to operate any motor vehicle owned by him or in his custody or control

2 Using a false or fictitious name or giving a false or fictitious address in any application or form required under the provisions of this act or knowingly making a false statement or knowingly concealing a material fact or otherwise committing a fraud in any application

3 Any crime punishable as a felony under the motor vehicle laws of this Commonwealth or any other felony in the commission of which a motor vehicle is used

4 Conviction of an operator of a motor vehicle involved in an accident resulting in injury or death to any person or damage to property upon the charge of failing to stop and render assistance or disclose his identity at the scene of the accident

(b) The secretary upon receiving a certified record from the clerk of the court of the conviction of any person upon a charge of operating a motor vehicle while the operator's license or learner's permit of such person is revoked shall immediately extend the period of such first revocation for an additional like period

(c) The secretary upon revoking any operator's license or learner's permit shall require that such license of any operator whose license or permit is so revoked shall immediately be surrendered to and retained by the department

Section 2 The provisions of this act shall become effective immediately upon final enactment

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—200

Alspach,	Finnerty,	Krepps,	Reynolds,
Auker,	Flack,	Krise,	Riley,
Baker,	Fleming,	Lane,	Robertson,
Barrett,	Flynn,	Laughner,	Root,
Barton,	Foor,	Lee,	Rose, S.
Bentley,	Fox,	Leisey,	Rose, W. E.,
Bentzel,	Freed,	Leonard,	Rowley,
Boies,	Fullerton,	Levy,	Royer,
Bonawitz,	Garber,	Leydic,	Salus,
Boorse,	Gardner,	Lichtenwalter,	Sarge,
Boory,	Gates,	Livingstone,	Sarraf,
Bower,	Gillan,	Longo,	Scanlon,
Boyd,	Goodling,	Lovett,	Schuster,
Bradley,	Goodwin,	Lyons,	Serrill,

Bretherick,	Gorman,	Madigan,	Simons,
Brice,	Grant,	Mahany,	Skale,
Brigerman,	Green,	Maxwell,	Smith,
Brown,	Greenwood,	McAtee,	Snider,
Brunner, C. H.,	Gross,	McClester,	Sollenberger,
Brunner, P. A.,	Gyger,	McKinney,	Sorg,
Burns,	Haberlen,	McSurdy,	Stank,
Cadwalader,	Hall,	Menna,	Stockham,
Calvin,	Hamilton,	Mihm,	Stonier,
Campbell,	Hannon,	Miller,	Tahl,
Chervenak,	Hare,	Mintess,	Tate,
Chudoff,	Harris,	Mock,	Taylor,
Cohen,	Haudenshield,	Modell,	Thompson,
Coleman,	Heatherington,	Mooney,	Thrasher,
Cook,	Helm,	Moore,	Tiemann,
Cooper,	Herman,	Moran,	Trent,
Cordier,	Hersch,	Moser,	Trout,
Corrigan,	Hewitt,	Muir,	Turbett,
Costa,	Hocke,	Munley,	Van Allsburg,
Coulson,	Hoffman,	Murray,	Verona,
Croop,	Hoggard,	Nowak,	Wachhaus,
Cullen,	Holmes,	O'Brien,	Wagner, K. H.,
Dague,	Hoopes,	O'Connor,	Wagner, P. L.,
Dalrymple,	Hunter, B. F.,	O'Dare,	Wallin,
Denman,	Hunter, W. M.,	O'Neill,	Walton,
Dennison,	Huntley,	Owens,	Watkins,
Depuy,	Imbrie,	Petrosky,	Weiss,
Dillon,	Irvin,	Pettit,	Welsh,
Dix,	James,	Polaski,	Winner,
Duffy,	Jones,	Powers,	Wood, L. H.,
Elder,	Kennedy,	Readinger,	Wood, N.,
Elliott,	Kirley,	Reagan,	Worley,
Ely,	Kitchen,	Reese, D. P.,	Wright,
Erb,	Kline,	Reese, R. E.,	Yeakel,
Ewing,	Kolankiewicz,	Regan,	Yester,
Figlock,	Kowalski,	Reilly,	Fiss,

Speaker.

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

BILLS PASSED OVER

There being no objection

Senate Bill No. 296, Printer's No. 330

House Bill No. 558, Printer's No. 523,

were passed over at the request of the SPEAKER.

Agreeably to order,

The bill having been called up from the postponed calendar by Mr. BRETHERICK,

The House resumed the consideration on final passage of House Bill No. 302, as follows:

An Act to further amend section seven hundred seven subsection (e) of section nine hundred three and to repeal section seven hundred eight and subsection (f) of section nine hundred two of the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" changing the provisions of said act relating to the weight length and width of motor buses and motor omnibuses and loads and changing the registration fees of motor buses motor omnibuses and other vehicles used for the transportation of passengers

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section seven hundred seven of the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keeprs providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" as amended by the act approved the twenty-second day of June one thousand nine hundred thirty-one (P. L. 751) is hereby further amended to read as follows

Section 707 Motor Buses [and] Motor Omnibuses [with Pneumatic Tires] and Other Vehicles Used for the Transportation of Passengers

[The fee for annual registration of each motor bus and motor omnibuses with pneumatic tires shall be according to seating capacity and the following classes

Class	Seating Capacity	Fee
A	Five (5) passengers or less	$ 25.00
B	More than five (5) passengers and less than eight (8) passengers	$ 30.00

C More than seven (7) passengers and not more than twenty-six (26) passengers $40.00 plus $4.00 for each seat over seven seats

D In excess of twenty-six (26) passengers $40.00 plus $4.00 for each seat over seven seats to and including twenty-six seats plus $10.00 for each seat over twenty-six

E In excess of fifty-three (53) passengers when operated exclusively in cities $300.00]

Motor buses motor omnibuses and other vehicles used for the transportation of passengers shall be registered in the following classes and the fee for annual registration of such vehicles shall be based on the gross weight as given and certified to by the manufacturer or builder and shall be as follows

Motor Powered Vehicles

Class	Gross Weight in Pounds	Fee Pneumatic Tires	Fee Cushion Tires	Fee Solid Tires
Two Axle				
R	Less than 5001	$16.50	$21.00	$27.00
S	5001 and over but less than 7001	26.00	28.00	40.00
T	7001 and over but less than 11,001	35.00	44.00	60.00
U	11,001 and over but less than 15,001	45.00	60.00	76.00
V	15,001 and over but less than 19,001	70.00	92.00	120.00

W 19,001 and over but less than 23,001	96.00	124.00	160.00
Y 23,001 and over but less than 27,001	120.00	156.00	204.00
Z 27,001 and over but less than 30,001	175.00	228.00	296.00
Three Axle			
RZ Less than 12,001	$40.00	$52.00	$68.00
SZ 12,001 and over but less than 16,001	52.00	68.00	88.00
TZ 16,001 and over but less than 20,001	72.00	92.00	120.00
UZ 20,001 and over but less than 24,001	104.00	136.00	176.00
VZ 24,001 and over but less than 28,001	136.00	176.00	232.00
WZ 28,001 and over but less than 32,001	168.00	216.00	284.00
YZ 32,001 and over but less than 36,001	200.00	260.00	340.00

Trailers and Semi-Trailers

Class Gross Weight in Pounds	Pneumatic Tires	Fee Cushion Tires	Solid Tires
One Axle Semi-Trailer			
A Less than 3001	$5.00	$6.00	$8.00
B 3001 and over but less than 6001	8.00	10.00	15.00
C 6001 and over but less than 10,001	15.00	20.00	25.00
D 10,001 and over but less than 12,001	25.00	30.00	35.00
E 12,001 and over but less than 14,001	30.00	40.00	50.00
F 14,001 and over but less than 16,001	45.00	60.00	75.00
G 16,001 and over but less than 18,001	75.00	85.00	100.00
Two Axle Trailer or Semi-Trailer			
A Less than 3001	$5.00	$6.00	$8.00
B 3001 and over but less than 6001	8.00	10.00	15.00
C 6001 and over but less than 10,001	15.00	20.00	25.00
D 10,001 and over but less than 16,001	25.00	30.00	35.00
E 16,001 and over but less than 20,001	30.00	40.00	50.00
F 20,001 and over but less than 24,001	45.00	60.00	75.00
G 24,001 and over but less than 30,001	75.00	85.00	100.00
Three Axle Trailer			
AZ Less than 12,001	$40.00	$45.00	$50.00
BZ 12,001 and over but less than 15,001	45.00	50.00	60.00
CZ 15,001 and over but less than 20,001	50.00	60.00	70.00
DZ 20,001 and over but less than 26,001	60.00	75.00	90.00
EZ 26,001 and over but less than 30,001	75.00	100.00	125.00
FZ 30,001 and over but less than 34,001	85.00	110.00	135.00
GZ 34,001 and over but less than 36,001	100.00	125.00	150.00

All motor vehicles registered under this section must have painted thereon in letters at least two (2) inches high the maximum gross weight of the vehicle

Section 2 Section seven hundred eight of said act is hereby repealed

Section 3 Subsection (f) of section nine hundred two of said act as last amended by the act approved the twenty-ninth day of June one thousand nine hundred thirty-seven (P. L. 2329) is hereby repealed

Section 4 Subsection (e) of section nine hundred three of said act as last amended by the act approved the twenty-seventh day of June one thousand nine hundred thirty-nine (P. L. 1135) is hereby further amended to read as follows

Section 903 Weight of Vehicles and Loads

* * * * *

(e) No [four-wheeled] two axle vehicle except motor buses motor omnibuses and fire department equipment and any motor bus operated within a municipality or in a business or residence district shall be operated upon any highway with a gross weight in excess of [twenty-six thousand (26,000) pounds] thirty thousand (30,000) pounds or in excess of eighteen thousand (18,000) pounds on any axle or in excess of eight hundred (800) pounds on any one wheel for each nominal inch of width of tire on such wheel

Section 5 All acts and parts of acts inconsistent herewith are hereby repealed

Section 6 This act shall become effective on the first day of April one thousand nine hundred forty-three

On the question recurring,

Shall the bill pass finally?

Mr. COHEN. Mr. Speaker, this is a peculiar sort of a bill. I have been told that Mr. Eastman, Director of Transportation, has requested legislation that would enable the transportation companies of Pennsylvania to use, I think, seventy-five hundred new bus bodies that could be put on whatever available equipment there is in stock now, since chasses for buses are not permitted to be manufactured. I have no objection if it is necessary for war purposes to transport war workers, to having these new bus bodies put on old truck chasses or old car carrier chasses or any sort of chassis that has a wheel on it or a motor to it to make it go, but, Mr. Speaker, we have protested before in this House, and we protest again against a reduction in fees for certain types of vehicles without a corresponding reduction for all the motor licensed taxpayers.

For this reason, principally we oppose this bill. We have no objection if we can get better transportation, but we certainly do have objection if it is going to permit the use of this large sized equipment without a corresponding increase in fees.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken.

Messrs. Tate, Petrosky and Samuel Rose requested a verification of the roll.

The roll was verified and was as follows:

YEAS—123

Alspach,	Fox,	Krepps,	Rowley,
Auker,	Fullerton,	Krise,	Royer,
Barton,	Garber,	Laughner,	Salus,
Bonawitz,	Gates,	Lee,	Sarge,
Boorse,	Gillan,	Leisey,	Serrill,
Bower,	Goodling,	Leydic,	Simons,
Boyd,	Gorman,	Lichtenwalter,	Smith,
Bretherick,	Greenwood,	Livingstone,	Sollenberger,
Brice,	Gross,	Lyons,	Sorg,
Brunner, C. H.,	Gyger,	Madigan,	Stockham,
Cadwalader,	Hall,	Mahany,	Stonier,
Campbell,	Hamilton,	McAtee,	Tahl,
Cook,	Hannon,	McClester,	Taylor,
Cooper,	Hare,	McKinney,	Thrasher,
Cordier,	Haudenshield,	McSurdy,	Tiemann,
Costa,	Helm,	Menna,	Trout,
Coulson,	Hewitt,	Miller,	Turbett,
Dague,	Hocke,	Mintess,	Van Allsburg,
Dalrymple,	Hoffman,	Mock,	Wachhaus,
Denman,	Holmes,	Moser,	Wagner, K. H.,
Dennison,	Hoopes,	Muir,	Wagner, P. L.,

Depuy,	Hunter, W. M.,	Murray,	Wallin,
Dix,	Huntley,	Nowak,	Walton,
Elder,	Imbrie,	O'Dare,	Watkins,
Ely,	Irvin,	Reagan,	Winner,
Erb,	James,	Reese, D. P.,	Wood, L. H.,
Ewing,	Jones,	Reilly,	Wood, N.,
Figlock,	Kennedy,	Riley,	Worley,
Flack,	Kitchen,	Robertson,	Yeakel,
Fleming,	Kline,	Root,	Fiss,
Foor,	Kowalski,	Rose, W. E.,	Speaker.

NAYS—67

Baker,	Elliott,	Longo,	Reese, R. E.,
Barrett,	Finnerty,	Lovett,	Regan,
Bentley,	Goodwin,	Maxwell,	Reynolds,
Bentzel,	Grant,	Mihm,	Rose, S.
Boles,	Green,	Modell,	Sarraf,
Boory,	Haberlen,	Mooney,	Scanlon,
Bradley,	Harris,	Moran,	Schuster,
Brigerman,	Heatherington,	Munley,	Skale,
Brunner, P. A.,	Herman,	O'Brien,	Snider,
Chervenak,	Hersch,	O'Connor,	Tate,
Cohen,	Hoggard,	O'Neill,	Thompson,
Coleman,	Hunter, B. F.,	Owens,	Trent,
Corrigan,	Kirley,	Petrosky,	Weiss,
Croop,	Kolankiewicz,	Pettit,	Welsh,
Cullen,	Lane,	Polaski,	Wright,
Dillon,	Leonard,	Powers,	Yester,
Duffy,	Levy,	Readinger,	

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The bill having been called up from the postponed calendar by Mr. EWING.

The House resumed the consideration on final passage of House Bill No. 679, as follows:

An Act to further amend the act approved the eighteenth day of May one thousand nine hundred eleven (P. L. 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" by increasing the term of the county assistant county district and assistant district superintendents

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section one thousand one hundred four of the act approved the eighteenth day of May one thousand nine hundred eleven (P. L. 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" is hereby amended to read as follows

Section 1104 Every [four] six years there shall be elected as herein provided in every county in this Commonwealth a person to be known as the county superintendent

Section 2 Section one thousand one hundred five of the act approved the eighteenth day of May one thousand nine hundred eleven (P. L. 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" as last amended by the act approved the twenty-third day of May one thousand nine hundred twenty-three (P. L. 349) is hereby further amended to read as follows

Section 1105 The school directors of each county of this Commonwealth in which a county superintendent is to be elected shall meet in convention at the county seat of their county in the courthouse or some other suitable place to be furnished by the county commissioners at the expense of the county on the second Tuesday of April [one thousand nine hundred and eighteen (1918)] one thousand nine hundred and forty-six (1946) and on the same day of every [fourth] sixth year thereafter and by a majority vote of those present elect as herein provided one duly qualified person as county superintendent to serve for [four] six years from the first Monday of July next following [Provided That on the second Tuesday of April one thousand nine hundred and twenty-six (1926) county superintendents shall be elected as herein provided to serve from the first Monday of May one thousand nine hundred and twenty-six (1926) until the first Monday of July one thousand nine hundred and thirty (1930)]

Section 3 Section one thousand one hundred eight of the act approved the eighteenth day of May one thousand nine hundred eleven (P. L. 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" is hereby amended to read as follows

Section 1108 No votes for a candidate for county superintendent at any such convention shall be counted unless said candidate has before the vote is taken filed with the president thereof a county district or assistant county or district superintendent's commission which has been issued within the previous [four] six years by the Superintendent of Public Instruction or such other evidence of eligibility as is required by this act

Section 4 Section one thousand one hundred thirty-four of the act approved the eighteenth day of May one thousand nine hundred eleven (P. L. 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" as last amended by the act approved the twenty-ninth day of May one thousand nine hundred thirty-one (P. L. 243) is hereby further amended to read as follows

Section 1134 The boards of school directors of each district of the second or third class electing a district superintendent shall meet in convention at its regular place of meeting on the second Tuesday of April [one thousand nine hundred and eighteen (1918)] one thousand nine hundred forty-six (1946) and every [four] six years thereafter at an hour previously fixed by said board and the secretary shall mail to each member thereof at least five days beforehand a notice of the time place and purpose of such convention Such convention shall in the same manner as a county superintendent is elected and certified elect and certify a properly qualified district superintendent to serve for [four] six years from the first Monday of July next following his election [Provided That on the second Tuesday of April one thousand nine hundred and twenty-six (1926) such district superintendents shall be elected as herein provided to serve from the first Monday of May one thousand nine hundred and twenty-six until the first Monday of July one thousand nine hundred and thirty (1930)]

The term of office or commission of a district superintendent or assistant district superintendent shall not be shortened by reason of the fact that the district in which he serves shall because of loss of population enter

a class of districts for which there is no provision for a district superintendent or assistant district superintendent and such superintendent or assistant superintendent shall continue to serve such district for the term of his office or commission

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—162

Alspach,	Finnerty,	Lee,	Rose, W. E.,
Baker,	Flack,	Leisey,	Rowley,
Barrett,	Fleming,	Leonard,	Royer,
Bentley,	Fox,	Levy,	Salus,
Bentzel,	Freed,	Leydic,	Scanlon,
Boies,	Fullerton,	Lichtenwalter,	Schuster,
Bonawitz,	Garber,	Livingstone,	Serrill,
Boorse,	Gardner,	Longo,	Simons,
Boory,	Goodling,	Madigan,	Smith,
Bower,	Goodwin,	McAtee,	Snider,
Boyd,	Gorman,	McSurdy,	Sollenberger,
Bretherick,	Green,	Menna,	Sorg,
Brice,	Greenwood,	Mihm,	Stank,
Brigerman,	Gyger,	Miller,	Stockham,
Brown,	Haberlen,	Mintess,	Tahl,
Brunner, C. H.,	Hall,	Mock,	Tate,
Brunner, P. A.,	Hamilton,	Mooney,	Taylor,
Burns,	Harris,	Moran,	Thompson,
Cadwalader,	Haudenshield,	Moser,	Thrasher,
Calvin,	Heatherington,	Muir,	Tiemann,
Campbell,	Herman,	Munley,	Trent,
Chervenak,	Hersch,	Murray,	Trout,
Cohen,	Hewitt,	Nowak,	Turbett,
Coleman,	Hoggard,	O'Brien,	Van Allsburg,
Cook,	Holmes,	O'Connor,	Wachhaus,
Cooper,	Hoopes,	O'Dare,	Wagner, K. H.,
Cordier,	Hunter, B. F.,	O'Neill,	Wagner, P. L.,
Corrigan,	Hunter, W. M.,	Owens,	Wallin,
Costa,	Huntley,	Petrosky,	Walton,
Croop,	Irvin,	Pettit,	Watkins,
Cullen,	James,	Polaski,	Weiss,
Dague,	Jones,	Powers,	Welsh,
Dennison,	Kennedy,	Readinger,	Wood, L. H.,
Depuy,	Kirley,	Reese, R. F.	Wood, N.,
Dillon,	Kitchen,	Reese, D. P.	Worley,
Duffy,	Kline,	Regan,	Wright,
Elliott,	Kolankiewicz,	Reilly,	Yeakel,
Ely,	Krepps,	Reynolds,	Yester,
Erb,	Krise,	Riley,	Fiss,
Ewing,	Lane,	Robertson,	Speaker.
Figlock,	Laughner,	Root,	

NAYS—13

Auker,	Foor,	Lovett,	McKinney,
Barton,	Grant,	Maxwell,	Modell,
Dix,	Imbrie,	McClester,	Stonier,
Elder,			

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

BILLS ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 665, as follows:

An Act to amend section three hundred sixteen of the act approved the seventeenth day of May one thousand nine hundred and twenty-one (P. L. 682) entitled "An act relating to insurance amending revising and consolidating the law providing for the incorporation of insurance companies and the regulation supervision and protection of home and foreign insurance companies Lloyds associations reciprocal and inter-insurance exchanges and fire insurance rating bureaus and the regulation and supervision of insurance carried by such companies associations and exchanges including insurance carried by the State Workmen's Insurance Fund providing penalties and repealing existing laws" by extending the provisions to include officers and employees

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section three hundred sixteen of the act approved the seventeenth day of May one thousand nine hundred and twenty-one (P. L. 682) entitled "An act relating to insurance amending revising and consolidating the law providing for the incorporation of insurance companies and the regulation supervision and protection of home and foreign insurance companies Lloyds associations reciprocal and inter-insurance exchanges and fire insurance rating bureaus and the regulation and supervision of insurance carried by such companies associations and exchanges including insurance carried by the State Workmen's Insurance Fund providing penalties and repealing existing laws" is hereby amended to read as follows

Section 316 Pensions [for Employees] Any stock or mutual insurance company may out of the earnings of said company grant allowances or pensions to officers and employees for faithful and long continued service who have in such service become old infirm or disabled The provisions of this section shall not apply to any director [or officer of any such company] who is not an officer or employee of said company

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. COHEN. Mr. Speaker, we have a lot of stock in mutual insurance companies in Pennsylvania. I am particularly concerned about the mutual insurance companies that represent a copartnership of many people who put their money together for the purpose of insuring each other for any loss of property by accident, fire or other calamities. Among these mutual companies there are many men who receive handsome salaries as officers of these companies. Of course, there are many other employes who like ordinary individuals work for their salaries and earn their money. There is no argument about the men who earn normal office salaries being permitted under plans adopted by these mutual organizations to have bonuses and pensions at a time when they have given long and meritorious service to these mutual companies, and when they reach the time when they must retire because of age or otherwise. The officers of these companies who get these big salaries are the ones who are going to benefit under this bill, to the detriment of mutual stockholders who expect dividends back on the money they paid in on their policies each year. I cannot go along on any sort of legislation that gives them another special privilege, the privilege of eating into the resources of the stockholders of these mutual companies the right to be voted bonuses, which I presume will be based in proportion to the amount of salary earned, and thereby take away from the mutual stockholders of these companies, the returns that they ought to get which they have not been getting up to this time. This represents another step for special privilege for a special few For that reason we must vote against this bill.

Mr. TAYLOR. Mr. Speaker, this bill amends the act of May 17, 1921, P. L. 682, which act provided that stock

insurance companies and mutual insurance companies may provide for pensions for those employes who have had long continuous service and who have become aged and infirm. This bill amends that particular act to include officers of those companies. Many of these officers have risen from the ranks of employes and many of these officers are not men in the higher brackets as suggested by the gentleman from Philadelphia, Mr. Cohen. I believe that men who have served long periods of time, whether they are employes or officers, are entitled to some recognition when they become old, aged and infirm and unable to carry on the duties of their office. I ask all the Members of the House to vote "aye" on this bill.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—125

Alspach,	Freed,	Krise,	Royer,
Auker,	Fullerton,	Laughner,	Salus,
Barton,	Garber,	Lee,	Sarge,
Bonawitz,	Gardner,	Leisey,	Serrill,
Boorse,	Gates,	Leydic,	Simons,
Bower,	Gillan,	Lichtenwalter,	Smith,
Boyd,	Goodling,	Livingstone,	Sollenberger,
Bretherick,	Gorman,	Lyons,	Sorg,
Brice,	Greenwood,	Madigan,	Stockham,
Brunner, C. H.,	Gross,	Mahany,	Stonier,
Cadwalader,	Gyger,	McAtee,	Tahl,
Calvin,	Hall,	McClester,	Taylor,
Campbell,	Hannon,	McKinney,	Thrasher,
Cook,	Hare,	McSurdy,	Tiemann,
Cooper,	Haudenshield,	Menna,	Trout,
Cordier,	Helm,	Miller,	Turbett,
Costa,	Hewitt,	Mintess,	Van Allsburg,
Coulson,	Hocke,	Mock,	Wachhaus,
Dague,	Hoffman,	Moser,	Wagner, K. H.,
Denman,	Holmes,	Muir,	Wagner, P. L.,
Dennison,	Hoopes,	Murray,	Wallin,
Depuy,	Hunter, W. M.,	Nowak,	Walton,
Dix,	Huntley,	O'Dare,	Watkins,
Elder,	Imbrie,	Reagan,	Welsh,
Ely,	Irvin,	Reese, D. P.,	Winner,
Erb,	James,	Reilly,	Wood, L. H.,
Ewing,	Jones,	Riley,	Wood, N.,
Figlock,	Kennedy,	Robertson,	Worley,
Flack,	Kitchen,	Root,	Yeakel,
Fleming,	Kline,	Rose, W. E.,	Fiss,
Foor,	Kowalski,	Rowley,	Speaker.
Fox,	Krepps,		

NAYS—73

Baker,	Dillon,	Lane,	Powers,
Barrett,	Duffy,	Leonard,	Readinger,
Bentley,	Elliott,	Levy,	Reese, R. E.,
Bentzel,	Finnerty,	Longo,	Regan,
Boies,	Flynn,	Lovett,	Reynolds,
Boory,	Goodwin,	Maxwell,	Rose, S.
Bradley,	Grant,	Mihm,	Sarraf,
Brigerman,	Green,	Modell,	Scanlon,
Brown,	Haberlen,	Mooney,	Schuster,
Brunner, P. A.,	Hamilton,	Moran,	Skale,
Burns,	Harris,	Munley,	Snider,
Chervenak,	Heatherington,	O'Brien,	Stank,
Chudoff,	Herman,	O'Connor,	Tate,
Cohen,	Hersch,	O'Neill,	Thompson,
Coleman,	Hoggard,	Owens,	Trent,
Corrigan,	Hunter, B. F.,	Petrosky,	Verona,
Croop,	Kirley,	Pettit,	Weiss,
Cullen,	Kolankiewicz,	Polaski,	Wright,
			Yester,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

BILL PASSED OVER

There being no objection House Bill No. 717, Printer's No. 433, was passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 740, entitled:

An Act placing corporations operating cemeteries and burial grounds under the control of the Department of Banking authorizing said Department to make examinations of the affairs of such corporations at the cost of such corporations and in certain cases with the approval of the Department of Justice to take over and operate the same and imposing certain duties on the court of common pleas

On the question,

Will the House agree to the bill on third reading?

BILL RECOMMITTED

Mr. ALSPACH. Mr. Speaker, I move that this bill be recommitted to the Committee on State Government for the purpose of further study.

The motion was agreed to.

BILL PASSED OVER

There being no objection House Bill No. 944, Printer's No. 359, was passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 281, as follows:

An Act to amend section one of the act approved the eleventh day of May one thousand eight hundred ninety three (P. L. 42) entitled "An act to authorize corporations organized for profit under the laws of Pennsylvania to make allowances or pensions to employes for faithful and long continued service who in such service have become old infirm or disabled" authorizing certain corporations to make allowances or pensions to officers or employes

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section one of the act approved the eleventh day of May one thousand eight hundred ninety-three (P. L. 42) entitled "An act to authorize corporations organized for profit under the laws of Pennsylvania to make allowances or pensions to employes for faithful and long continued service who in such service have become old infirm or disabled" is hereby amended to read as follows

Section 1 That [from and after the passage of this act] corporations organized for profit under the laws of the Commonwealth of Pennsylvania and subject to the provisions of this act may out of the earnings of said corporation grant allowances or pensions to officers or employes for faithful and long continued service who have in such service become old infirm or disabled

Provided that the provisions of this act shall not apply to any director [or officer] of any such [company or] corporation who is not an officer or employe of said corporation

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. COHEN. Mr. Speaker, just awhile ago a bill similar to this applying to mutual insurance companies was passed by this House. Senate Bill 281 is similar in that

it makes provision for officers of profit making corporations in Pennsylvania. Most everything that was said against the other bill can be said against this bill. It is another measure to take care of the special privileged few, who if during the years that they were making big incomes as officers of these corporations cannot find time to save enough for their old age, and they ought not to be considered to the detriment of the little stockholder of these corporations. The policy of this Administration ought not to place too much emphasis on those away up but should save a little for those away down. For that reason we certainly are opposed to this bill and are asking all the Members to vote against it.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—125

Alspach,	Fox,	Krise,	Rowley,
Auker,	Freed,	Laughner,	Royer,
Barton,	Fullerton,	Lee,	Salus,
Bonawitz,	Garber,	Leisey,	Sarge,
Boorse,	Gardner,	Leydic,	Serrill,
Bower,	Gillan,	Lichtenwalter,	Simons,
Boyd,	Goodling,	Livingstone,	Smith,
Bretherick,	Gorman,	Lyons,	Sollenberger,
Brice,	Greenwood,	Madigan,	Sorg,
Brunner, C. H.,	Gross,	Mahany,	Stockham,
Cadwalader,	Gyger,	McAtee,	Stonier,
Calvin,	Hall,	McClester,	Tahl,
Campbell,	Hannon,	McKinney,	Taylor,
Cook,	Hare,	McSurdy,	Thrasher,
Cooper,	Haudenshield,	Menna,	Tiemann,
Cordier,	Helm,	Miller,	Trout,
Costa,	Hewitt,	Mintess,	Turbett,
Coulson,	Hocke,	Mock,	Van Allsburg,
Dague,	Hoffman,	Moore,	Wachhaus,
Dalrymple,	Holmes,	Moser,	Wagner, K. H.,
Denman,	Hoopes,	Muir,	Wagner, P. L.,
Dennison,	Hunter, W. M.,	Murray,	Walton,
Depuy,	Huntley,	Nowak,	Watkins,
Dix,	Imbrie,	O'Dare,	Welsh,
Elder,	Irvin,	Reagan,	Winner,
Ely,	James,	Reese, D. P.,	Wood, L. H.,
Erb,	Jones,	Reilly,	Wood, N.,
Ewing,	Kennedy,	Riley,	Worley,
Figlock,	Kitchen,	Robertson,	Yeakel,
Flack,	Kline,	Root,	Fiss,
Fleming,	Kowalski,	Rose, W. E.,	Speaker.
Foor,	Krepps,		

NAYS—74

Baker,	Elliott,	Levy,	Reese, R. E.,
Barrett,	Finnerty,	Longo,	Regan,
Bentley,	Flynn,	Lovett,	Reynolds,
Bentzel,	Goodwin,	Maxwell,	Rose, S.,
Boies,	Grant,	Mihm,	Sarraf,
Boory,	Green,	Modell,	Scanlon,
Bradley,	Haberlen,	Mooney,	Schuster,
Brigerman,	Hamilton,	Moran,	Skale,
Brown,	Harris,	Munley,	Snider,
Brunner, P. A.,	Heatherington,	O'Brien,	Stank,
Burns,	Herman,	O'Connor,	Tate,
Chervenak,	Hersch,	O'Neill,	Thompson,
Cohen,	Hoggard,	Owens,	Trent,
Coleman,	Hunter, B. F.,	Petrosky,	Verona,
Corrigan,	Kirley,	Pettit,	Wallin,
Croop,	Kolankiewicz,	Polaski,	Weiss,
Cullen,	Lane,	Powers,	Wright,
Dillon,	Leonard,	Readinger,	Yester,
Duffy,			

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 835, as follows:

An Act to further amend section ten of the act approved the twenty-first day of May one thousand nine hundred and thirty-one (P. L. 149) entitled "An act imposing a State tax payable by those herein defined as distributors on liquid fuels used or sold and delivered within the Commonwealth which are ordinarily practically and commercially usable in internal combustion engines for the generation of power providing for the collection and lien of the tax and the distribution and use of the proceeds thereof requiring such distributors to secure permits to file corporate surety bonds and reports and to retain certain records imposing duties on retail dealers common carriers county commissioners and such distributors providing for rewards imposing certain costs on counties conferring powers and imposing duties on certain State officers and departments providing for refunds imposing penalties and making an appropriation" appropriating one-half cent per gallon of said tax for the maintenance construction reconstruction resurfacing and improvement of certain roads streets and bridges in certain political subdivisions

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section ten of the act approved the twenty-first day of May one thousand nine hundred and thirty-one (P. L. 149) entitled "An act imposing a State tax payable by those herein defined as distributors on liquid fuels used or sold and delivered within the Commonwealth which are ordinarily practically and commercially usable in internal combustion engines for the generation of power providing for the collection and lien of the tax and the distribution and use of the proceeds thereof requiring such distributors to secure permits to file corporate surety bonds and reports and to retain certain records imposing duties on retail dealers common carriers county commissioners and such distributors providing for rewards imposing certain costs on counties conferring powers and imposing duties on certain State officers and departments providing for refunds imposing penalties and making an appropriation" as last amended by the act approved the twenty-first day of June one thousand nine hundred and thirty-nine (P. L. 634) is hereby further amended to read as follows

Section 10 Disposition and Use of Tax (a) One-half cent per gallon of the permanent tax collected under the provisions of this act shall be paid into the Liquid Fuels Tax Fund of the State Treasury and such moneys paid into said fund are hereby specifically appropriated for the purposes hereinafter set forth

The moneys so paid into the Liquid Fuels Tax Fund except those that are refunded as hereinafter provided shall be paid to the respective counties of this Commonwealth on the first day of June and December of each year in the ratio that the average return made during the three (3) preceding years to each county bears to the average amount returned to all counties for the three preceding years Provided That the distribution of tax to the counties from the Liquid Fuels Tax Fund that is payable the first day of August one thousand nine hundred and thirty-one shall be made under the provisions of the acts of Assembly repealed by this act

All moneys received by the counties hereunder shall be used only for the purpose of construction reconstruction maintenance and repair of roads highways and bridges including the payment of property damage now due or hereafter to become due occasioned by or the relocation or construction of highways and bridges and for the payment of interest and sinking fund charges on bonds issued or used for highways and bridge purposes or on so much of any bonds as have been used for such purposes and all such payments heretofore made are hereby validated The county commissioners of each county shall make to the department on or before the

first day of May and November of each year on forms prescribed prepared and furnished by the department a report showing the receipts and expenditures of such moneys received during the preceding six months by the county from the Commonwealth under the provisions of this section Such reports shall be transmitted to the Department of the Auditor General for audit Upon the failure of the county commissioners to file any such report the department shall withhold further payments to the county out of the Liquid Fuels Tax Fund until the delinquent report is filed

(b) One-half cent per gallon of the permanent tax collected under the provisions of this act shall be paid into the Highway Aid Fund which is hereby created in the Treasury Department and such moneys paid into said fund are hereby specifically appropriated for the purposes hereinafter set forth

Three-tenths of one cent per gallon of said tax so paid into the Highway Aid Fund shall be paid to the respective townships of the second class of this Commonwealth and shall be allocated and apportioned among said townships in the ratio which the mileage of township roads in each township of the second class bears to the total mileage of township roads in all townships of the second class in the Commonwealth as of January first of the year in which an allocation is made

Two-tenths of one cent per gallon of said tax so paid into the Highway Aid Fund shall be paid to the respective cities of the first class cities of the second class cities of the second class A cities of the third class boroughs incorporated towns and townships of the first class of this Commonwealth and shall be allocated and apportioned among said units of government in the ratio which the mileage of roads and streets not maintained by the Department of Highways under the provisions of existing laws in each such unit bears to the total mileage of such roads and streets in all of said units in the Commonwealth as of January first of the year in which an allocation is made The term "roads and streets" is defined to mean public roads and streets used for travel by horse drawn and motor vehicles and to exclude ways courts and alleys

The moneys in the Highway Aid Fund from time to time shall be paid over in the manner provided by law on requisition of the Secretary of Highways to cities of the first class cities of the second class cities of the second class A cities of the third class boroughs incorporated towns and townships on the first day of March June September and December of each year

The funds so allocated and apportioned shall be expended by the corporate authorities of said political subdivisions directly or by contract let but only after consultation with the Department of Highways as to the most beneficial and efficient manner of making such expenditures and shall be used only for the maintenance construction reconstruction resurfacing and improvement of public roads and streets not maintained by the Department of Highways under the provisions of existing laws and the maintenance construction and reconstruction of bridges on such roads and streets in said political subdivisions except that in political subdivisions which do not have sufficient funds from other sources for the maintenance and repair of all roads and bridges not maintained by the Department of Highways under the provisions of existing laws the allocation to such political subdivisions may be used in whole or in part for such maintenance and repair purposes Where road and bridge work is performed by the political subdivision this paragraph shall be construed to permit the funds so allocated to be used and expended only for labor rental equipment payrolls purchase of material including repair parts necessary for the maintenance of equipment small tools road drags and snow fences

The supervisors of each township of the second class shall appoint a foreman who may be a member of the Board of Supervisors to supervise the work done and in the event more than one foreman is required the Department of Highways may authorize the supervisors to appoint one or more additional foremen The Secretary of Highways shall have the right to remove any foreman appointed for incompetency

Each political subdivision shall submit to the Department of Highways a report on the last days of May and November of each year showing the cost of the work done pursuant to the moneys so allocated and apportioned in such detail as may be required by the department In case any records or reports required by law are not made in the manner or at the time required no further moneys shall be approved for payment by the Secretary of Highways to such political subdivision until such reports have been made and approved

Nothing herein contained shall be construed to prevent the use of any funds so allocated and apportioned for Federal projects sponsored by the political subdivision or for county-aid work relating to the improvement of roads and bridges

[(b)] (c) The remaining two [and one-half] cents per gallon of the permanent tax collected under the provisions of this act all penalties and interest and all interest earned on deposits of the Liquid Fuels Tax Fund and the Highway Aid Fund shall be paid into the Motor License Fund and are hereby specifically appropriated for the same purposes for which moneys in the Motor License Fund are appropriated by law

[(c)] (d) The entire amount of the additional emergency tax of one cent per gallon or fractional part thereof collected under the provisions of this act [before June first one thousand nine hundred thirty-six] shall be paid into the State Treasury by and through the department and [shall be used only for unemployment relief purposes and for such purposes is hereby appropriated and all such tax paid into the State Treasury on and] [after June first one thousand nine hundred thirty-six] shall be credited to the General Fund

Section 2 This act shall become effective on the first day of January one thousand nine hundred and forty-four

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—200

Alspach,	Flack,	Krise,	Riley,
Auker,	Fleming,	Lane,	Robertson,
Baker,	Flynn,	Laughner,	Root,
Barrett,	Foor,	Lee,	Rose, S.,
Barton,	Fox,	Leisey,	Rose, W. E.,
Bentley,	Freed,	Leonard,	Rowley,
Bentzel,	Fullerton,	Levy,	Royer,
Boies,	Garber,	Leydic,	Salus,
Bonawitz,	Gardner,	Lichtenwalter,	Sarge,
Boorse,	Gates,	Livingstone,	Sarraf,
Boory,	Gillan,	Longo,	Scanlon,
Bower,	Goodling,	Lovett,	Schuster,
Boyd,	Goodwin,	Lyons,	Serrill,
Bradley,	Gorman,	Madigan,	Simons,
Bretherick,	Grant,	Mahany,	Skale,
Brice,	Green,	Maxwell,	Smith,
Brigerman,	Greenwood,	McAtee,	Snider,
Brown,	Gross,	McClester,	Sollenberger,
Brunner, C. H.,	Gyger,	McKinney,	Sorg,
Brunner, P. A.,	Haberlen,	McSurdy,	Stank,
Burns,	Hall,	Menna,	Stockham,
Cadwalader,	Hamilton,	Mihm,	Stonier,
Calvin,	Hannon,	Miller,	Tahl,
Campbell,	Hare,	Mintess,	Tate,
Chervenak,	Harris,	Mock,	Taylor,
Chudoff,	Haudenshield,	Modell,	Thompson,
Cohen,	Heatherington,	Mooney,	Thrasher,
Coleman,	Helm,	Moore,	Tiemann,
Cook,	Herman,	Moran,	Trent,
Cooper,	Hersch,	Moser,	Trout,
Cordier,	Hewitt,	Muir,	Turbett,
Corrigan,	Hocke,	Munley,	Van Allsburg,
Costa,	Hoffman,	Murray,	Verona,
Coulson,	Hoggard,	Nowak,	Wachhaus,
Croop,	Holmes,	O'Brien,	Wagner, K. H.,

Cullen,	Hoopes,	O'Connor,	Wagner, P. L.,
Dague,	Hunter, B. F.,	O'Dare,	Wallin,
Dalrymple,	Hunter, W. M.,	O'Neill,	Walton,
Denman,	Huntley,	Owens,	Watkins,
Dennison,	Imbrie,	Petrosky,	Weiss,
Depuy,	Irvin,	Pettit,	Welsh,
Dillon,	James,	Polaski,	Winner,
Dix,	Jones,	Powers,	Wood, L. H.,
Duffy,	Kennedy,	Readinger,	Wood, N.,
Elder,	Kirley,	Reagan,	Worley,
Elliott,	Kitchen,	Reese, D. P.,	Wright,
Ely,	Kline,	Reese, R. E.,	Yeakel,
Erb,	Kolankiewicz,	Regan,	Yester,
Ewing,	Kowalski,	Reilly,	Fiss,
Figlock,	Krepps,	Reynolds,	Speaker.
Finnerty,			

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 20, as follows:

An Act to amend sections nine hundred twenty-two and nine hundred seventy-nine of the act approved the third day of June one thousand nine hundred and thirty-seven (P. L. 1333) entitled "An act concerning elections including general municipal special and primary elections the nomination of candidates primary and election expenses and election contests creating and defining membership of county boards of elections imposing duties upon the Secretary of the Commonwealth courts county boards of elections county commissioners imposing penalties for violation of the act and codifying revising and consolidating the laws relating thereto and repealing certain acts and parts of acts relating to elections" providing for nominations where successful candidates have died before or on the day of the primary

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Sections nine hundred twenty-two and nine hundred seventy-nine of the act approved the third day of June one thousand nine hundred and thirty-seven (P. L. 1333) entitled "An act concerning elections including general municipal special and primary elections the nomination of candidates primary and election expenses and election contests creating and defining membership of county boards of elections imposing duties upon the Secretary of the Commonwealth courts county boards of elections county commissioners imposing penalties for violation of the act and codifying revising and consolidating the laws relating thereto and repealing certain acts and parts of acts relating to elections" are hereby amended to read as follows

Section 922 Which Candidates Nominated Candidates of the various political parties for nomination except for the office of President of the United States who receive a plurality of votes of their party electors in the State or in the political district as the case may be at the primary election together with the candidates for the office of presidential elector nominated as herein provided shall be candidates of their respective parties and it shall be the duty of the proper county boards to print their names upon the official ballots and ballot labels at the succeeding election Provided That when a candidate for nomination shall have died before or on the day of the primary election and shall nevertheless receive a plurality of votes of his party electors cast for the office for which he sought nomination then no candidate shall have been nominated for the office at such primay and a substituted nomination may be made in the manner hereinafter provided

Section 979 Substituted Nominations by Parties Any vacancy happening or existing after the date of the primary in any party nomination by reason of the death or withdrawal of any candidate after nomination or by reason of the death before or on the day of the primary election of a candidate for nomination who had received a plurality of votes of his party electors cast for the office for which he sought nomination may be filled by a substituted nomination made by such committee as is authorized by the rules of the party to make nominations in the event of vacancies on the party ticket Provided however That no substitute nomination certificate shall nominate any person who has already been nominated by any political party or by any other political body for the same office Upon the making of any such substituted nomination in accordance with the party rules it shall be the duty of the chairman and secretary or secretaries of the party committee making the nomination to file with the Secretary of the Commonwealth in the case of United States Senator Representative in Congress and all State officers including judges of courts of records senators and representatives and with the proper county board of elections in the case of other offices a nomination certificate which shall be signed by the chairman and secretary or secretaries of the said committee and which shall set forth the following

(a) The office and district if any for which it is filed (b) the cause of the vacancy (c) the rule or rules of the political party setting forth the provisions applicable to a substituted nomination (d) that a quorum of the committee caucus or convention as provided by the party rules duly convened and the names of those present at said meeting or their proxies that said persons are the duly appointed or elected members of said committee caucus or convention (e) the name residence and occupation of the candidate duly nominated at said meeting Every such certificate of nomination shall be sworn to or affirmed by the chairman and secretary or secretaries before an officer qualified to administer oaths

And said bill having been read at length the third time, considered and agreed to,

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—200

Alspach,	Flack,	Krise,	Riley,
Auker,	Fleming,	Lane,	Robertson,
Baker,	Flynn,	Laughner,	Root,
Barrett,	Foor,	Lee,	Rose, S.,
Barton,	Fox,	Leisey,	Rose, W. E.,
Bentley,	Freed,	Leonard,	Rowley,
Bentzel,	Fullerton,	Levy,	Royer,
Boies,	Garber,	Leydic,	Salus,
Bonawitz,	Gardner,	Lichtenwalter,	Sarge,
Boorse,	Gates,	Livingstone,	Sarraf,
Boory,	Gillan,	Longo,	Scanlon,
Bower,	Goodling,	Lovett,	Schuster,
Boyd,	Goodwin,	Lyons,	Serrill,
Bradley,	Gorman,	Madigan,	Simons,
Bretherick,	Grant,	Mahany,	Skale,
Brice,	Green,	Maxwell,	Smith,
Brigerman,	Greenwood,	McAtee,	Snider,
Brown,	Gross,	McClester,	Sollenberger,
Brunner, C. H.,	Gyger,	McKinney,	Sorg,
Brunner, P. A.,	Haberlen,	McSurdy,	Stank,
Burns,	Hall,	Menna,	Stockham,
Cadwalader,	Hamilton,	Mihm,	Stonier,
Calvin,	Hannon,	Miller,	Tahl,
Campbell,	Hare,	Mintess,	Tate,
Chervenak,	Harris,	Mock,	Taylor,
Chudoff,	Haudenshield,	Modell,	Thompson,
Cohen,	Heatherington,	Mooney,	Thrasher,
Coleman,	Helm,	Moore,	Tiemann,
Cook,	Herman,	Moran,	Trent,
Cooper,	Hersch,	Moser,	Trout,
Cordier,	Hewitt,	Muir,	Turbett,
Corrigan,	Hocke,	Munley,	Van Allsburg,
Costa,	Hoffman,	Murray,	Verona,
Coulson,	Hoggard,	Nowak,	Wachhaus,

Croop,	Holmes,	O'Brien,	Wagner, K. H.,
Cullen,	Hoopes,	O'Connor,	Wagner, P. L.,
Dague,	Hunter, B. F.,	O'Dare,	Wallin,
Dalrymple,	Hunter, W. M.,	O'Neill,	Walton,
Denman,	Huntley,	Owens,	Watkins,
Dennison,	Imbrie,	Petrosky,	Weiss,
Depuy,	Irvin,	Pettit,	Welsh,
Dillon,	James,	Polaski,	Winner,
Dix,	Jones,	Powers,	Wood, L. H.,
Duffy,	Kennedy,	Readinger,	Wood, N.,
Elder,	Kirley,	Reagan,	Worley,
Elliott,	Kitchen,	Reese, D. P.,	Wright,
Ely,	Kline,	Reese, R. E.,	Yeakel,
Erb,	Kolankiewicz,	Regan,	Yester,
Ewing,	Kowalski,	Reilly,	Fiss,
Figlock,	Krepps,	Reynolds,	Speaker.
Finnerty,			

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 407, as follows:

An Act to amend section three of the act approved the seventeenth day of July one thousand nine hundred thirty-five (P. L. 1092) entitled "An act defining fraternal benefit societies and their status authorizing such societies to create subordinate lodges and to pay benefits to members and their beneficiaries from funds collected and regulating such benefits and collections providing for the organization and incorporation of such societies and for their supervision regulation and examination by the Insurance Commissioner and for the admission of foreign societies designating tables of mortality as a basis for rates of contribution requiring all societies to make annual and other reports and appointing the Insurance Commissioner as attorney for service of process providing penalties for any violations of the act exempting such societies from taxation and certain other societies from its provisions and requiring beneficial associations other than fraternal benefit societies to report to and be supervised by the Insurance Commissioner and repealing existing laws" providing for the waiving of the requirement for the holding of meetings by societies under certain conditions

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section three of the act approved the seventeenth day of July one thousand nine hundred thirty-five (P. L. 1092) entitled "An act defining fraternal benefit societies and their status authorizing such socieities to create subordinate lodges and to pay benefits to members and their beneficiaries from funds collected and regulating such benefits and collections providing for the organization and incorporation of such societies and for their supervision regulation and examination by the Insurance Commissioner and for the admission of foreign socieities designating tables of mortality as a basis for rates of contribution requiring all societies to make annual and other reports and appointing the Insurance Commissioner as attorney for service of process providing penalties for any violation of the act exempting such societies from taxation and certain other societies from its provisions and requiring beneficial associations other than fraternal benefit societies to report to and be supervised by the Insurance Commissioner and repealing existing laws" is hereby amended to read as follows

Section 3 Representative Form of Government Defined Any society shall be deemed to have a representative form of government when it shall provide in its constitution and laws for a supreme legislative or governing body composed of representatives elected either by the members or by delegates elected directly or indirectly by the members together with such other members as may be prescribed by its constitution and laws Provided That the elective members shall constitute a majority in number and not less than the number of votes required to amend its constitution and laws And provided further That the meetings of the supreme or governing body and the election of officers representatives or delegates shall be held as often as once in four calendar years unless due to war emergency the government of the United States of America or any of its agencies has limited or prohibited travel and meeting or convention purposes in which event upon request by the society the Insurance Commissioner may at his discretion either waive the requirement that such meeting be held or extend the time for holding such meeting the privilege of so requesting such waiver or extension to be permitted only during such time as the limitation or prohibition on travel shall continue No member under age sixteen shall have voice or vote in the management of the society No member officer representative or delegate shall vote by proxy

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—200

Alspach,	Flack,	Krise,	Riley,
Auker,	Fleming,	Lane,	Robertson,
Baker,	Flynn,	Laughner,	Root,
Barrett,	Foor,	Lee,	Rose, S.,
Barton,	Fox,	Leisey,	Rose, W. E.,
Bentley,	Freed,	Leonard,	Rowley,
Bentzel,	Fullerton,	Levy,	Royer,
Boies,	Garber,	Leydic,	Salus,
Bonawitz,	Gardner,	Lichtenwalter,	Sarge,
Boorse,	Gates,	Livingstone,	Sarraf,
Boory,	Gillan,	Longo,	Scanlon,
Bower,	Goodling,	Lovett,	Schuster,
Boyd,	Goodwin,	Lyons,	Serrill,
Bradley,	Gorman,	Madigan,	Simons,
Bretherick,	Grant,	Mahany,	Skale,
Brice,	Green,	Maxwell,	Smith,
Brigerman,	Greenwood,	McAtee,	Snider,
Brown,	Gross,	McClester,	Sollenberger,
Brunner, C. H.,	Gyger,	McKinney,	Sorg,
Brunner, P. A.,	Haberlen,	McSurdy,	Stank,
Burns,	Hall,	Menna,	Stockham,
Cadwalader,	Hamilton,	Mihm,	Stonier,
Calvin,	Hannon,	Miller,	Tahl,
Campbell,	Hare,	Mintess,	Tate,
Chervenak,	Harris,	Mock,	Taylor,
Chudoff,	Haudenshield,	Modell,	Thompson,
Cohen,	Heatherington,	Mooney,	Thrasher,
Coleman,	Helm,	Moore,	Tiemann,
Cook,	Herman,	Moran,	Trent,
Cooper,	Hersch,	Moser,	Trout,
Cordier,	Hewitt,	Muir,	Turbett,
Corrigan,	Hocke,	Munley,	Van Allsburg,
Costa,	Hoffman,	Murray,	Verona,
Coulson,	Hoggard,	Nowak,	Wachnaus,
Croop,	Holmes,	O'Brien,	Wagner, K. H.,
Cullen,	Hoopes,	O'Connor,	Wagner, P. L.,
Dague,	Hunter, B. F.,	O'Dare,	Wallin,
Dalrymple,	Hunter, W. M.,	O'Neill,	Walton,
Denman,	Huntley,	Owens,	Watkins,
Dennison,	Imbrie,	Petrosky,	Weiss,
Depuy,	Irvin,	Pettit,	Welsh,
Dillon,	James,	Polaski,	Winner,
Dix,	Jones,	Powers,	Wood, L. H.,
Duffy,	Kennedy,	Readinger,	Wood, N.,
Elder,	Kirley,	Reagan,	Worley,
Elliott,	Kitchen,	Reese, D. P.,	Wright,
Ely,	Kline,	Reese, R. E.,	Yeakel,
Erb,	Kolankiewicz,	Regan,	Yester,
Ewing,	Kowalski,	Reilly,	Fiss,
Figlock,	Krepps,	Reynolds,	Speaker.
Finnerty,			

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 240, as follows:

An Act to further amend section eleven of the act approved the thirteenth day of May one thousand nine hundred and twenty-five (P. L. 644) entitled "An act relating to and regulating the solicitation of moneys and property for charitable religious benevolent humane and patriotic purposes" by exempting alumni or alumnae associations from the provisions of the act in certain cases

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section eleven of the act approved the thirteenth day of May one thousand nine hundred and twenty-five (P. L. 644) entitled "An act relating to and regulating the solicitation of moneys and property for charitable religious benevolent humane and patriotic purposes" as amended by the act approved the twenty-second day of June one thousand nine hundred and thirty-one (P. L. 871) is hereby further amended to read as follows

Section 11 This act shall not apply to fraternal organizations incorporated under the laws of the Commonwealth religious organizations raising funds for religious purposes colleges schools universities or associations of alumni or alumnae thereof raising funds for fellowships or scholarships labor unions municipalities or subdivisions thereof nor to charitable institutions or agencies required by the provisions of existing law to file reports with the Department of Welfare or with any other department or office of the Commonwealth

Section 2 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—200

Alspach,	Flack,	Krise,	Riley,
Auker,	Fleming,	Lane,	Robertson,
Baker,	Flynn,	Laughner,	Root,
Barrett,	Foor,	Lee,	Rose, S.,
Barton,	Fox,	Leisey,	Rose, W. E.,
Bentley,	Freed,	Leonard,	Rowley,
Bentzel,	Fullerton,	Levy,	Royer,
Boies,	Garber,	Leydic,	Salus,
Bonawitz,	Gardner,	Lichtenwalter,	Sarge,
Boorse,	Gates,	Livingstone,	Sarraf,
Boory,	Gillan,	Longo,	Scanlon,
Bower,	Goodling,	Lovett,	Schuster,
Boyd,	Goodwin,	Lyons,	Serrill,
Bradley,	Gorman,	Madigan,	Simons,
Bretherick,	Grant,	Mahany,	Skale,
Brice,	Green,	Maxwell,	Smith,
Brigerman,	Greenwood,	McAtee,	Snider,
Brown,	Gross,	McClester,	Sollenberger,
Brunner, C. H.,	Gyger,	McKinney,	Sorg,
Brunner, P. A.,	Haberlen,	McSurdy,	Stank,
Burns,	Hall,	Menna,	Stockham,
Cadwalader,	Hamilton,	Mihm,	Stonier,
Calvin,	Hannon,	Miller,	Tahl,
Campbell,	Hare,	Mintess,	Tate,
Chervenak,	Harris,	Mock,	Taylor,
Chudoff,	Haudenshield,	Modell,	Thompson,
Cohen,	Heatherington,	Mooney,	Thrasher,
Coleman,	Helm,	Moore,	Tiemann,
Cook,	Herman,	Moran,	Trent,
Cooper,	Hersch,	Moser,	Trout,
Cordier,	Hewitt,	Muir,	Turbett,
Corrigan,	Hocke,	Munley,	Van Allsburg,
Costa,	Hoffman,	Murray,	Verona,
Coulson,	Hoggard,	Nowak,	Wachhaus,
Croop,	Holmes,	O'Brien,	Wagner, K. H.,
Cullen,	Hoopes,	O'Connor,	Wagner, P. L.,
Dague,	Hunter, B. F.,	O'Dare,	Wallin,
Dalrymple,	Hunter, W. M.,	O'Neill,	Walton,
Denman,	Huntley,	Owens,	Watkins,
Dennison,	Imbrie,	Petrosky,	Weiss,
Depuy,	Irvin,	Pettit,	Welsh,
Dillon,	James,	Polaski,	Winner,
Dix,	Jones,	Powers,	Wood, L. H.,
Duffy,	Kennedy,	Readinger,	Wood, N.,
Elder,	Kirley,	Reagan,	Worley,
Elliott,	Kitchen,	Reese, D. P.,	Wright,
Ely,	Kline,	Reese, R. E.,	Yeakel,
Erb,	Kolankiewicz,	Regan,	Yester,
Ewing,	Kowalski,	Reilly,	Fiss,
Figlock,	Krepps,	Reynolds,	Speaker.
Finnerty,			

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 202, as follows:

An Act to further amend paragraph (a) of section four of the act approved the first day of June one thousand nine hundred thirty-seven (P. L. 1168) entitled "An act to protect the right of employes to organize and bargain collectively creating the Pennsylvania Labor Relations Board conferring powers and imposing duties upon the Pennsylvania Labor Relations Board officers of the State government and courts providing for the right of employes to organize and bargain collectively declaring certain labor practices by employers to be unfair further providing that representatives of a majority of the employes be the exclusive representatives of all the employes authorizing the board to conduct hearings and elections and certify as to representatives of employes for purposes of collective bargaining empowering the board to prevent any person from engaging in any unfair labor practice and providing a procedure for such cases including the issuance of a complaint the conducting of a hearing and the making of an order empowering the board to petition a court of common pleas for the enforcement of its order and providing a procedure for such cases providing for the review of an order of the board by a court of common pleas on petition of any person aggrieved by such order and establishing a procedure for such cases providing for an appeal from the common pleas court to the Supreme Court providing the board with investigatory powers including the power to issue subpoenas and the compelling of obedience to them through application to the proper court providing for service of papers and process of the board prescribing certain penalties" by making further changes in the qualifications of members of the Pennsylvania Labor Relations Board

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Paragraph (a) of section four of the act approved the first day of June one thousand nine hundred thirty-seven (P. L. 1168) entitled "An act to protect the right of employes to organize and bargain collectively creating the Pennsylvania Labor Relations Board conferring powers and imposing duties upon the Pennsylvania Labor Relations Board officers of the State government and courts providing for the right of employes to organize and bargain collectively declaring certain labor practices

by employers to be unfair further providing that representatives of a majority of the employes be the exclusive representatives of all the employes authorizing the board to conduct hearings and elections and certify as to representatives of employes for purposes of collective bargaining empowering the board to prevent any person from engaging in any unfair labor practice and providing a procedure for such cases including the issuance of a complaint the conducting of a hearing and the making of an order empowering the board to petition a court of common pleas for the enforcement of its order and providing a procedure for such cases providing for the review of an order of the board by a court of common pleas on petition of any person aggrieved by such order and establishing a procedure for such cases providing for an appeal from the common pleas court to the Supreme Court providing the board with investigatory powers including the power to issue subpoenas and the compelling of obedience to them through application to the proper court providing for service of papers and process of the board prescribing certain penalties" as amended by the act approved the ninth day of June one thousand nine hundred thirty-nine (P. L. 293) is hereby further amended to read as follows

Section 4 Pennsylvania Labor Relations Board Created (a) There is hereby created a departmental administrative board in the department to be known as the "Pennsylvania Labor Relations Board" (hereinafter referred to as the "Board") which shall be composed of three members who shall be appointed by the Governor but with the advice and consent of two-thirds of all the members of the Senate Each member of the board at the time of his appointment shall be a citizen of the United States and a resident of the Commonwealth of Pennsylvania and shall have been a qualified elector in the Commonwealth for a period of at least one year next preceding his appointment No member of the board during his period of service as such shall hold any other office under the law of this Commonwealth or of the United States [nor shall he engage in any business or commercial enterprise of any kind nor be an officer in any labor organization or be engaged in any political activities] One of the original members shall be appointed for a term of two years one for a term of four years and one for a term of six years but their successors shall be appointed for terms of six years each except that any individual chosen to fill a vacancy shall be appointed only for the unexpired term of the member whom he is to succeed The Governor shall designate one member to serve as chairman of the board

Section 2 This act shall become effective immediately upon its final enactment

On the question,
Will the House agree to the bill on third reading?
It was agreed to.
On the question,
Shall the bill pass finally?

Mr. COHEN. Mr. Speaker, back in 1937 the first Labor Relations Act was passed and became law. It sought to set up the proper machinery for the handling of labor disputes, to try to avoid unnecessary disputes and long drawn out disputes. By and large the act has worked out very well.

In the 1937 act it was our thought that on the Labor Relations Board there should be representatives of labor and industry, but before the commission really had a chance to get together so that we might know how that provision would work, the 1939 session came along, and as I remember history the administration then felt that because certain labor representatives on the Labor Relations Board were obnoxious to the administration and to the party it represents, that law was amended to provide that persons with a labor affiliation, one who received a salary from a labor organization, I suppose, could not properly be a member of this board, presumably because he may be biased in his opinions on labor matters, and on disputes involving labor unions.

That purpose was consummated in the 1939 session and we still have no black marks against the Labor Relations Board. We come now to the point where we find that a labor man would not be obnoxious because they've got to find room for a labor faker. Everybody knows what the purpose of this bill is. Everybody knows that there is nothing in the bill which says who is going to be the man on the board, but you cannot find everything in the history of a bill. You've got to go to a history to find out the whys and wherefors. This time we find history as follows: a certain gentleman who has been in the labor movement for years suddenly decides to go against the will of the majority of the labor leaders and labor people in Pennsylvania in their political battling, and because he could not have his way he picked up his marbles and would not play, and decided that he was going other ways. That is a man's right. A man can vote any way he pleases. That is what makes a democracy so swell. The way a man votes is his own business, and one of the great things about democracy is that we all agree to let a man choose his own way to vote and we all ought to respect his opinion. Well, I respect the gentleman's opinion. He can vote as he pleases, but, Mr. Speaker, this bill smacks to me of being part of a deal, and that deal seems to be "If I support you, Mr. Martin, will you put me on the Labor Board"? So the administration is keeping its promise to a labor faker.

In 1939 we thought we were wrong, we thought that a labor man ought not be on the board, and so we decide now we are going to have one in order to make room for this great labor faker; we are going to have a labor man on the board now by providing that being a labor man is no cause for disability and no reason for his not being on the labor board. Because in 1939 the best thought was that there should be no labor men on the board is no reason why he should not be on the board now. It is about time to recognize the fact that we ought to adopt a definite opinion or a definite way of thinking on matters of this kind instead of each legislative session paying off election promises, and if we must keep on amending the law then I think we have come to a sad point in our legislative duties. I agreed in 1937 that there should be a labor representative. I disagreed in 1939 that they should take a man off the board merely because he was a labor man. If there were no ugly history behind this bill I probably would not complain, but I know and everybody else knows, no matter how vigorously you deny it, that the administration is paying off a promise to a labor faker, and wants to put him on the State Labor Relations Board. The purpose of the bill, Mr. Speaker, is disgusting to us, to say the least. I cannot vote for it and neither can anyone else on this side of the House, I believe.

Mr. LICHTENWALTER. Mr. Speaker, I vividly recall the sessions of 1935 and 1937, and I believe in those particular sessions of the legislature there were many bills introduced in the House and Senate that would take care of men who were actively engaged in the campaign in those particular years for the Democratic party.

All this bill does, Mr. Speaker, is to put it back where it was as passed in 1937. In 1939 we amended this bill because we felt that there was good reason to amend the bill, and we are here to frankly admit that we feel that those particular reasons and objections have not been removed. We frankly admit that the amendments inserted in 1939 are not necessary today, therefore we feel that the deletion of the amendments which were inserted in 1939 are not particularly necessary to this piece of legislation. Therefore, we are trying to enact back into the law the original Labor Relations Act.

Mr. COHEN. Mr. Speaker, legislative debate has reached a new high. Both sides admit that the purpose of the bill is what it really is. I am glad that the gentleman from Lehigh admits that I am right. I think he is very frank about it and very sincere too. He knows that I am right but still thinks he is right. When we can get to being very frank and honest on this bill, and can agree on its real disgusting purpose, I am satisfied we have reached a new high in legislative debate.

Mr. LEONARD. Mr. Speaker, I rise to oppose the amendment on Senate Bill 202 because I am definitely opposed to one man holding more than one job. If the members on the labor board did not receive any salaries but were holding only voluntary positions somebody would have to have another job to serve on that board. In this case the man gets $7,000 a year. A man who accepts the appointment as a member of the State Labor Relations Board must of course in my opinion realize the responsibility that goes with that job. The position requires the man to be ready and willing to give every minute of his service to the board, to the end that labor disputes may be settled without the stoppage of work.

I ask the members of this House, if a member of a manufacturers' association or a member of organized labor on the payroll can give his full time to such an important position as this, and still look after the affairs of his other position? That is an imposition on the workers of this state; it is an imposition on the state itself to have a man serve in such an important capacity holding another job, and I repeat how can he give the services necessary to prevent a sudden shutdown? If the man is on the job as he should be, with nothing else to interfere, and trouble appears he is right there on the job to give his service with nothing else to interfere with his duties.

Last week I believe, Mr. Speaker, the members of this House used the Pittsburgh Press to further their arguments in favor of a measure that was before the House. I desire to take the same liberty and I want to quote the Pittsburgh Press of April 19, 1943 editorially.

> Despite the odor, the Republican leadership in the State Legislature seems bent on passing the Abernathy Bill.
>
> This is a piece of special legislation being jammed through the Legislature for the single purpose of permitting Leo A. Abernathy to hold his job as president of the billposters' union and head of a billposting company after appointment as a member of the State Labor Relations Board.
>
> Present law wouldn't prevent Governor Edward Martin from appointing Mr. Abernathy to the Labor Board, but it does prohibit any Labor Board member from holding a position in either a corporation or a labor union.
>
> The law is sound and should be retained on its merits. Some of the same Republicans who now are voting to repeal this law four years ago voted for it—at a time when Pat Fagan was a member of the board and also district president of the United Mine Workers.
>
> * * *
>
> Special legislation always is suspect on principle. This piece of special legislation is doubly so. For it is designed solely to pay off a political debt, and a debt to a politician who hasn't earned payment.
>
> What did Mr. Abernathy do for Governor Martin? He made a couple of speeches, gave out a statement and headed a so-called "labor" campaign committee. The Pittsburgh Central Labor Union, of which he was president at the time, voted 134 to 39 to endorse Mr. Martin's opponent.
>
> For this, the Governor and the Legislature are willing to repeal a sound law and turn over a $7000 semi-judicial job to a labor politician who has been repudiated at the polls by the voters of Allegheny County.

Consistency, thou art a jewel. The law does not prohibit the Governor from appointing this gentleman that the editorial refers to right now, or any other member of organized labor, providing the appointee accepts the law as it is and resigns his job. I again insist that the law should compel a man to give his full time on an important job like that. With that statement I ask you to consider it from that viewpoint, and vote accordingly, and if Mr. Martin the Governor wants to appoint this gentleman, let the gentleman resign his present position.

Mr. GATES. Mr. Speaker, I really do not think we are so much concerned with who is appointed on the Pennsylvania Labor Relations Board. I was a Member of this House since 1939 and I voted against the repeal of the act which would take out labor's representative on this particular board. I cannot conceive how any mental gymnastics might change the minds of any of the men on the other side of the House. I maintained in 1939 and I maintain now that labor in the state of Pennsylvania has a right to be on the Pennsylvania Labor Relations Board. I do not think that you have any right to resort again to name calling for the simple reason that some man who belongs to a labor organization and differed with you in opinion in the last election and saw fit to support a Republican of this state, I can see no reason why he should be called a labor faker. Had he supported the Democratic nominee he would have been a fine, high type of outstanding labor leader, but because he had the manhood to assert his own individual initiative, then he is a faker. Gentlemen, there is no consistency in you putting through the Act of 1937 and now voting against your very act on the floor of this House tonight. If you really believe that labor should be represented as I did in 1939, on the Pennsylvania Labor Relations Board, you are compelled to vote for this bill.

Mr. LOVETT. Mr. Speaker, I desire to interrogate the gentleman from Lehigh, Mr. Lichtenwalter.

The SPEAKER. Will the gentleman from Lehigh permit himself to be interrogated?

Mr. LICHTENWALTER. I shall, Mr. Speaker.

Mr. LOVETT. Mr. Speaker, does the gentleman from Lehigh know the present Labor Relations Board?

Mr. LICHTENWALTER. I do not, Mr. Speaker.

Mr. LOVETT. Mr. Speaker, does the gentleman know the names of the men who serve on the present Labor Relations Board?

Mr. LICHTENWALTER. I do not, Mr. Speaker.

Mr. LOVETT. Mr. Speaker, does the gentleman know the affiliations of those men who serve on the Labor Relations Board?

Mr. LICHTENWALTER. I do not, Mr. Speaker.

Mr. LOVETT. Does the gentleman know whether or not the present Labor Relations Board is doing a good job?

Mr. LICHTENWALTER. I believe it is, Mr. Speaker. I have never heard any complaints.

Mr. LOVETT. Does the gentleman know who appointed the present Labor Relations Board?

Mr. LICHTENWALTER. I do not, Mr. Speaker.

Mr. LOVETT. Mr. Speaker, does the gentleman think two wrongs make a right?

Mr. LICHTENWALTER. At times, Mr. Speaker.

Mr. LOVETT. That is all.

Mr. Speaker, from the interrogation of the leader on the Republican side he admits that he does not know very much about the Labor Relations Board, that is, the present Labor Relations Board.

I was very much interested in the remarks of my good friend, Mr. Gates, in regard to this particular bill. I don't know that I recall in 1939 whether I voted for or against these amendments to the present bill that we are now considering, but I want to admit here frankly that if I did not vote for the amendments in 1939 I think I was wrong. I do not see anything in the present bill that prohibits any labor leader, that is, any labor man, who is not serving in the capacity of a labor leader, to serve on the board. I cannot see any necessity whatever for amending the present act. I think that the present Labor Relations Board in the state of Pennsylvania is all right. I have heard no complaint. The Majority Floor Leader says he has not heard any complaint. I question whether any man on the other side of the House has heard any complaint about the present Labor Relations Board. So if that be true and there are no complaints, and I have heard none from labor organizations, there is no necessity whatever for amending the present act. I think labor men can be appointed. My good friend, Mr. Leonard, said that the Governor of this state could appoint Mr. Abernathy. I think that is true. So I say, as my good friend Mr. Stank said, "Let's be fair," and say that in 1939, even though I may have voted against it, the Republicans were right, and if they were right in 1939 then they are certainly wrong tonight. Let's be fair and defeat this present bill and let the Labor Relations Board remain as it now is under the present law.

Mr. BENTLEY. Mr. Speaker, I think we ought to talk about this bill with our gloves off. This bill has been named by the press the "Abernathy Bill." They have not properly named the bill. This bill is the Martin Double Somersault Payoff Abernathy Bill. I have reached the point in this House I think that when I speak for a bill I kill it. When I speak against it I probably pass it. Under the circumstances I am rather happy about that.

This bill is entitled to all the adjectives that were hurled around this floor today. It is dirty, it is vicious, it is special. It is a bill in which the Governor of the Commonwealth comes to the majority party of the House and says, "I have got another debt I want you to pay off for me." And this is the payoff.

I called it a double somersault bill because in 1939 the Republican Party took its first somersault and tonight it takes its second. I called it a payoff bill because it is one of a long series. We have seen the majority of the House paying off the public utilities, paying off the vested interests, paying off the corporations, and tonight we see a real anomaly, we see them paying off what they are trying to convince us or that the man who is being paid off is trying to convince us is a payoff of labor. The Democratic party stands for representation of labor on the State Labor Relations Board. We on this side of the House need to make no apologies nor explanations to labor as to where we stand. Our record speaks for that. We feel that labor should have a man on this board, but let him go on there in a proper manner. Let him sever his affiliations before he goes on there. Is that done in this case? It is just the opposite. The bill is designed to allow a man to keep his affiliations. Nothing wrong with that, but if he takes a quasi-judicial position how can he judge? Would a judge in any court of this Commonwealth sit on a case in which his law firm was involved? That answers itself. Would a Member of this House vote on a bill in which he has a personal interest? If he does he violates the Constitution. And yet we are going to have Mr. Abernathy sit on the Labor Relations Board, passing on labor questions. How will he sit? Will he sit as a member of the board? Will he sit as the President of the Bill Posters' Union?—

POINT OF ORDER

Mr. AUKER. Mr. Speaker, I rise to a point of order.

The SPEAKER. The gentleman from Blair will state his point of order.

Mr. AUKER. Mr. Speaker, the gentleman is not discussing the merits of the bill.

Mr. BENTLEY. Mr. Speaker, I certainly am discussing the merits of the bill and the man who is going to be appointed under it.

Mr. AUKER. Mr. Speaker, there are no names mentioned in this bill. When the gentleman mentions names he is certainly not speaking on the merits of the bill.

The SPEAKER. The Chair has allowed wide latitude. Will the gentleman please confine himself to the merits of the bill? The gentleman will proceed.

Mr. BENTLEY. Mr. Speaker, will the appointee sit as a member of the Labor Relations Board or will he sit perchance as President of the Billposters Union, or will he perchance even sit as a member or as the proprietor of a one-man club? The gentleman cannot do justice to the state, to labor, to industry or to the people if he is permitted to take his place on the board under the conditions that this bill will allow.

I said the other night that there were many things that occurred in this House that convince me that the Republican party was not interested in winning the war. This bill conclusively proves I was wrong. Here is a bill designed to put an end to the war. We have taken up a good deal of time both in the House and Senate on this bill. As a war measure I suppose it is justified, so the members on the other side of the House ought to get together and give it the good resounding majority that they have given to all the rest of these payoff bills. Get together and get a good fast count. The Governor pays off a debt and you have a man on the labor relations board that never should be there.

Mr. LEONARD. Mr. Speaker, I should like to interrogate the gentleman from Armstrong, Mr. Gates.

The SPEAKER. Will the gentleman from Armstrong permit himself to be interrogated?

Mr. GATES. I shall, Mr. Speaker.

Mr. LEONARD. Mr. Speaker, does the gentleman from Armstrong contend that a bona fide labor representative cannot serve on the board now?

Mr. GATES. No, Mr. Speaker, I believe he can.

Mr. LEONARD. Did the gentleman say he can?

Mr. GATES. Absolutely, and he did, Mr. Speaker.

Mr. LEONARD. Then why is the gentleman talking for this bill?

Mr. GATES. Because I want a labor man on this board; I don't care who he is.

Mr. LEONARD. Mr. Speaker, the appointment does not mean a thing to me, because I wouldn't have anything to do with it anyhow, but the point I am trying to make is that the gentleman from Armstrong argues in favor of the bill and he just answered a question of mine to the effect that any labor man can serve on this board.

Mr. GATES. I tell you, Mr. Speaker, in 1939 when the bill was presented in the House which repealed the act of 1937, a representative of labor acted on the board. I was a Member of this House, and voted against the deletion of a labor man serving on that board. Now, this bill reenacts the 1937 law to permit this labor man to be on this Pennsylvania Labor Relations Board, and therefore, I am for this bill.

Mr. LEONARD. Mr. Speaker, is the gentleman contending that a labor representative cannot be on this board now without this bill?

Mr. GATES. Yes, Mr. Speaker.

Mr. LEONARD. The only thing that this House Bill 202 is doing, Mr. Speaker, is removing the words "to hold other position." That's all it is doing.

Mr. GATES. What is the difference, Mr. Speaker?

Mr. LEONARD. All the difference in the world, Mr. Speaker.

Mr. GATES. Not a bit of difference, Mr. Speaker; the gentleman is trying to legislate—

The SPEAKER. The Chair is endeavoring to ascertain who is doing the interrogating? Does the gentleman wish to interrogate further?

Mr. LEONARD. Mr. Speaker, what I want to know is this from the gentleman from Armstrong or the Speaker of the House, does the present law prohibit the appointment of a labor representative on that board? Will Mr. Gates answer that?

Mr. GATES. With the reservation, Mr. Speaker, that he shall not have any other position.

Mr. LICHTENWALTER. Mr. Speaker, I would like to interrogate the gentleman from Westmoreland, Mr. Lovett.

The SPEAKER. Will the gentleman from Westmoreland permit himself to be interrogated?

Mr. LOVETT. I will, Mr. Speaker.

Mr. LICHTENWALTER. I would like to inquire, Mr. Speaker, if Mr. Lovett could inform me as to any criticism of the action of the labor board, the way they have handled affairs before the board after their appointment in 1937?

Mr. LOVETT. Offhand, Mr. Speaker, I don't recall that there was any criticism.

Mr. LICHTENWALTER. Mr. Speaker, I agree with the argument on the other side as far as the person serving on this board and doing a job, and also being affiliated and holding a job with some labor organization is concerned. As I recall, there was a member of this board, in fact I believe the chairman of the board appointed at that time was affiliated and holding a position in a labor union. Therefore, I feel that the argument would fall as far as a person serving on this board giving its time and doing the job and at the same time being affiliated as an officer of a union.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken.

Messrs. Moran, Goodwin and Heatherington asked for a verification of the roll.

The roll was verified and was as follows:

YEAS—123

Alspach,	Fox,	Krise,	Royer,
Auker,	Freed,	Laughner,	Saluti,
Barton,	Fullerton,	Lee,	Sarraf,
Boies,	Garber,	Leisey,	Serrill,
Bonawitz,	Gates,	Leydic,	Simons,
Boorse,	Gillan,	Lichtenwalter,	Smith,
Bower,	Goodling,	Livingstone,	Sollenberger,
Boyd,	Gorman,	Lyons,	Sorg,
Bretherick,	Greenwood,	Madigan,	Stockham,
Brice,	Gyger,	Mahany,	Stonier,
Brunner, C. H.,	Hall,	McAtee,	Tahl,
Cadwalader,	Hannon,	McClester,	Taylor,
Campbell,	Hare,	McSurdy,	Thrasher,
Cook,	Haudenshield,	Menna,	Tiemann,
Cooper,	Helm,	Miller,	Trout,
Cordier,	Hewitt,	Mintess,	Turbett,
Costa,	Hocke,	Mock,	Van Allsburg,
Coulson,	Hoffman,	Moore,	Wachhaus,
Dague,	Holmes,	Moser,	Wagner, K. H.,
Denman,	Hoopes,	Muir,	Wagner, P. L.,
Dennison,	Hunter, W. M.,	Murray,	Wallin,
Depuy,	Huntley,	Nowak,	Walton,
Dix,	Imbrie,	O'Dare,	Watkins,
Elder,	Irvin,	Petrosky,	Weiss,
Ely,	James,	Reagan,	Winner,
Erb,	Jones,	Reese, D. P.,	Wood, L. H.,
Ewing,	Kennedy,	Reilly,	Wood, N.,
Figlock,	Kitchen,	Riley,	Worley,
Flack,	Kline,	Robertson,	Yeakel,
Fleming,	Kowalski,	Root,	Fiss,
Foor,	Krepps,	Rose, W. E.,	Speaker.

NAYS—69

Baker,	Duffy,	Lane,	Powers,
Barrett,	Elliott,	Leonard,	Reese, R. E.,
Bentley,	Finnerty,	Levy,	Regan,
Bentzel,	Flynn,	Longo,	Reynolds,
Boory,	Goodwin,	Lovett,	Rose, S.
Bradley,	Grant,	Maxwell,	Rowley,
Brigerman,	Green,	McKinney,	Scanlon,
Brown,	Haberlen,	Mihm,	Schuster,
Brunner, P. A.,	Hamilton,	Modell,	Skale,
Burns,	Harris,	Mooney,	Snider,
Chervenak,	Heatherington,	Moran,	Stank,
Cohen,	Herman,	Munley,	Tate,
Coleman,	Hersch,	O'Brien,	Thompson,
Corrigan,	Hoggard,	O'Connor,	Trent,
Croop,	Hunter, B. F.,	O'Neill,	Welsh,
Cullen,	Kirley,	Pettit,	Wright,
Dillon,	Kolankiewicz,	Polaski,	Yester,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with the information that the House of Representatives has passed the same without amendments.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 295, as follows:

An Act to further amend section two hundred fifty-four of the act approved the second day of May one thousand nine hundred twenty-five (P. L. 448) entitled "An act relating to fish and amending revising consolidating and changing the law relating to fish in the inland waters and the boundary lakes and boundary rivers of the Commonwealth" by authorizing the Board of Fish Commissioners to close streams or parts thereof for a certain period after stocking the same

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section two hundred fifty-four of the act approved the second day of May one thousand nine hundred twenty-five (P. L. 448) entitled "An act relating to fish and amending revising consolidating and changing the law relating to fish in the inland waters and the boundary lakes and boundary rivers of the Commonwealth" as amended by the act approved the tenth day of June one thousand nine hundred thirty-five (P. L. 290) is hereby further amended to read as follows

Section 254 Streams and Lakes to Be Free for Fishing Exception Any natural stream or lake in this Commonwealth which has been or may be stocked with fish furnished by the Commonwealth or the board shall be open to the public for the purpose of lawful fishing but nothing in this section shall be so construed as to free any person trespassing on the lands of any person in this Commonwealth from liability for any damage he may do to said lands or the improvement thereon or to any crops or livestock or poultry thereon

Notwithstanding the provisions of this section whenever any stream is stocked with trout during the open season for trout the Board of Fish Commissioners may close such stream or any part thereof to fishing for a period of any number of days not exceeding five days after the same has been stocked Whenever any stream or part of a stream is closed to fishing under the provisions of this section the portion thereof that has been closed shall be posted with signs giving notice of such closing together with the date of stocking and the date when such stream or part thereof will again be open to fishing A statement of the stocking of such stream giving the number of cans of trout planted the fact that the stream or part thereof has been closed and the dates of the stocking and reopening of the stream shall be given to at least one newspaper published in the vicinity of such stream with the request that the same be published as a news item nothing in this act contained shall authorize the Board of Fish Commissioners to close any stream or part thereof which is owned or held by any individual association or corporation and which has not been stocked with fish furnished by the Commonwealth or the board

Any person fishing in any stream or part of a stream during the period the same has been closed to fishing under the provisions of this section shall on conviction as provided in chapter fourteen of this act be subject to a penalty of twenty-five dollars

Section 2 This act shall become effective immediately upon final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—200

Alspach,	Finnerty,	Krepps,	Reynolds,
Auker,	Flack,	Krise,	Riley,
Baker,	Fleming,	Lane,	Robertson,
Barrett,	Flynn,	Laughner,	Root,
Barton,	Foor,	Lee,	Rose, S.,
Bentley,	Fox,	Leisey,	Rose, W. E.,
Bentzel,	Freed,	Leonard,	Rowley,
Boies,	Fullerton,	Levy,	Royer,
Bonawitz,	Garber,	Leydic,	Salus,
Boorse,	Gardner,	Lichtenwalter,	Sarge,
Boory,	Gates,	Livingstone,	Sarraf,
Bower,	Gillan,	Longo,	Scanlon,
Boyd,	Goodling,	Lovett,	Schuster,
Bradley,	Goodwin,	Lyons,	Serrill,
Bretherick,	Gorman,	Madigan,	Simons,
Brice,	Grant,	Mahany,	Skale,
Brigerman,	Green,	Maxwell,	Smith,
Brown,	Greenwood,	McAtee,	Snider,
Brunner, C. H.,	Gross,	McClester,	Sollenberger,
Brunner, P. A.,	Gyger,	McKinney,	Sorg,
Burns,	Haberlen,	McSurdy,	Stank,
Cadwalader,	Hall,	Menna,	Stockham,
Calvin,	Hamilton,	Mihm,	Stonier,
Campbell,	Hannon,	Miller,	Tahl,
Chervenak,	Hare,	Mintess,	Tate,
Chudoff,	Harris,	Mock,	Taylor,
Cohen,	Haudenshield,	Modell,	Thompson,
Coleman,	Heatherington,	Mooney,	Thrasher,
Cook,	Helm,	Moore,	Tiemann,
Cooper,	Herman,	Moran,	Trent,
Cordier,	Hersch,	Moser,	Trout,
Corrigan,	Hewitt,	Muir,	Turbett,
Costa,	Hocke,	Munley,	Van Allsburg,
Coulson,	Hoffman,	Murray,	Verona,
Croop,	Hoggard,	Nowak,	Wachhaus,
Cullen,	Holmes,	O'Brien,	Wagner, K. H.,
Dague,	Hoopes,	O'Connor,	Wagner, P. L.,
Dalrymple,	Hunter, B. F.,	O'Dare,	Wallin,
Denman,	Hunter, W. M.,	O'Neill,	Walton,
Dennison,	Huntley,	Owens,	Watkins,
Depuy,	Imbrie,	Petrosky,	Weiss,
Dillon,	Irvin,	Pettit,	Welsh,
Dix,	James,	Polaski,	Winner,
Duffy,	Jones,	Powers,	Wood, L. H.,
Elder,	Kennedy,	Readinger,	Wood, N.,
Elliott,	Kirley,	Reagan,	Worley,
Ely,	Kitchen,	Reese, D. P.,	Wright,
Erb,	Kline,	Reese, R. E.,	Yeakel,
Ewing,	Kolankiewicz,	Regan,	Yester,
Figlock,	Kowalski,	Reilly,	Fiss,

Speaker.

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 298, as follows:

An Act providing for and regulating the accumulation investment and expenditure by counties cities boroughs incorporated towns and townships of funds for post war projects

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Definitions As used in this act the word or phrase

"Municipality" means any county city borough incorporated town or township

"Post war period" means any period commencing not earlier than six months after the cessation of hostilities in all wars in which the United States is now engaged

"Special Fund" means a Capital Reserve Fund created invested and expended in accordance with this act

Section 2 Creation of Capital Reserve Fund Any municipality shall have power to create a special fund and to accumulate therein moneys for expenditure in accordance with the provisions of this act during the post war period Such special fund may consist (a) of moneys transferred during any fiscal year from appropriations made for any particular purpose which may not be needed (b) of surplus moneys in the general fund of the treasury of the municipality at the end of any fiscal year No such moneys shall be paid into the fund after the commencement of the post war period

The municipality shall annually show in its budget the amount of moneys in the special fund

Section 3 Investment of Fund Budget Record The moneys in the fund shall be kept separate and apart from any other fund by the treasurer of the municipality and the moneys in the special fund may be invested by the corporate authorities of the municipality in securities legal for the investment of the sinking fund moneys of the municipality The interest earnings on investments shall be paid into the special fund The corporate authorities may sell any such securities and reinvest the moneys in other securities or convert such securities into cash when the same may be needed for expenditure under the provisions of this act

Section 4 Expenditure of Fund The moneys in any such special fund may be expended by the municipality singly or jointly with one or more other municipalities only during the post war period and only for capital improvements and for replacement of addition to construction of public works and improvements and for deferred maintenance thereof and for no other purpose

Section 5 Plans and Surveys Any municipality singly or jointly with one or more municipalities shall have power to formulate and develop preliminary and final plans and surveys for a long-range program of public works and improvements for the post war period and to revise the same from time to time so that the scope cost employment possibilities materials and equipment needed for the completion of the projects will be readily available and to maintain contact exchange information and cooperate with State and Federal agencies having duties and responsibilities related to post war planning

Section 6 Where any municipality has prior to the effective date of this act created any special fund or set moneys aside for expenditure during the post war period the said action of the municipality is hereby ratified confirmed and validated and the moneys in such fund or so set aside shall be placed in a special fund shall be invested and shall be expended only in accordance with the provisions of this act

Section 7 This act shall become effective immediately upon final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—200

Alspach,	Finnerty,	Krepps,	Reynolds,
Auker,	Flack,	Krise,	Riley,
Baker,	Fleming,	Lane,	Robertson,
Barrett,	Flynn,	Laughner,	Root,
Barton,	Foor,	Lee,	Rose, S.,
Bentley,	Fox,	Leisey,	Rose, W. E.,
Bentzel,	Freed,	Leonard,	Rowley,
Boies,	Fullerton,	Levy,	Royer,
Bonawitz,	Garber,	Leydic,	Salus,
Boorse,	Gardner,	Lichtenwalter,	Sarge,
Boory,	Gates,	Livingstone,	Sarraf,
Bower,	Gillan,	Longo,	Scanlon,
Boyd,	Goodling,	Lovett,	Schuster,
Bradley,	Goodwin,	Lyons,	Serrill,
Bretherick,	Gorman,	Madigan,	Simons,
Brice,	Grant,	Mahany,	Skale,
Brigerman,	Green,	Maxwell,	Smith,
Brown,	Greenwood,	McAtee,	Snider,
Brunner, C. H.,	Gross,	McClester,	Sollenberger,
Brunner, P. A.,	Gyger,	McKinney,	Sorg,
Burns,	Haberlen,	McSurdy,	Stank,
Cadwalader,	Hall,	Menna,	Stockham,
Calvin,	Hamilton,	Mihm,	Stonier,
Campbell,	Hannon,	Miller,	Tahl,
Chervenak,	Hare,	Mintess,	Tate,
Chudoff,	Harris,	Mock,	Taylor,
Cohen,	Haudenshield,	Modell,	Thompson,
Coleman,	Heatherington,	Mooney,	Thrasher,
Cook,	Helm,	Moore,	Tiemann,
Cooper,	Herman,	Moran,	Trent,
Cordier,	Hersch,	Moser,	Trout,
Corrigan,	Hewitt,	Muir,	Turbett,
Costa,	Hocke,	Munley,	Van Allsburg,
Coulson,	Hoffman,	Murray,	Verona,
Croop,	Hoggard,	Nowak,	Wachhaus,
Cullen,	Holmes,	O'Brien,	Wagner, K. H.,
Dague,	Hoopes,	O'Connor,	Wagner, P. L.,
Dalrymple,	Hunter, B. F.,	O'Dare,	Wallin,
Denman	Hunter, W. M.,	O'Neill,	Walton,
Dennison,	Huntley,	Owens,	Watkins,
Depuy,	Imbrie,	Petrosky,	Weiss,
Dillon,	Irvin,	Pettit,	Welsh,
Dix,	James,	Polaski,	Winner,
Duffy,	Jones,	Powers,	Wood, L. H.,
Elder,	Kennedy,	Readinger,	Wood, N.,
Elliott,	Kirley,	Reagan,	Worley,
Ely,	Kitchen,	Reese, D. P.,	Wright,
Erb,	Kline,	Reese, R. E.,	Yeakel,
Ewing,	Kolankiewicz,	Regan,	Yester,
Figlock,	Kowalski,	Reilly,	Fiss,

Speaker.

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 37, as follows:

An Act to amend section five hundred forty of the act approved the twenty-third day of June one thousand nine hundred and thirty-one (P. L. 932) entitled "An act relating to cities of the third class and amending revising and consolidating the law relating thereto" further regulating the adjustment of indebtedness where part of a township is annexed to a city of the third class

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section five hundred forty of the act approved the twenty-third day of June one thousand nine hundred and thirty-one (P. L. 932) entitled "An act relating to cities of the third class and amending revising and consolidating the law relating thereto" is hereby amended to read as follows

Section 540 Adjustment of Indebtedness When Part of Township is Annexed Where any part of any township or outlying lots are annexed to any city the township officers of that part of the said township not annexed and the city council of the said city shall make a just and proper adjustment and apportionment of all public property owned by the said township at the time of said annexation both real and personal including funds as well as indebtedness if any to and between the said township and the city In making such adjustment and apportionment of the property and indebtedness the township and the city shall be entitled respectively to share in a division of he property and indebtedness in the proportion that the assessed valuation of the land remaining in the township bears to the assessed valuation of the land annexed Provided however That where indebtedness was incurred by the township for an improvement located wholly within the annexed part of the township the whole of such indebtedness shall be assumed by the city and where more than fifty per centum of any such improvement is located within the annexed part of the township the part of such indebtedness representing the part of the improvement located within the territory annexed shall be assumed by the city and the adjustment and apportionment of any remaining debt and the public property of the township shall be made as above provided The adjustment and apportionment as made shall

be reduced to writing and duly executed and acknowledged by the proper officials and filed in the office of the clerk of the court of quarter sessions of the county in which said city is located

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—200

Alspach,	Flack,	Krise,	Robertson,
Auker,	Fleming,	Lane,	Root,
Baker,	Flynn,	Laughner,	Rose, S.,
Barrett,	Foor,	Lee,	Rose, W. E.,
Barton,	Fox,	Leisey,	Rowley,
Bentley,	Freed,	Leonard,	Royer,
Bentzel,	Fullerton,	Levy,	Salus,
Boies,	Garber,	Leydic,	Rush,
Bonawitz,	Gardner,	Lichtenwalter,	Sarge,
Boorse,	Gates,	Livingstone,	Sarraf,
Boory,	Gillan,	Longo,	Scanlon,
Bower,	Goodling,	Lovett,	Schuster,
Boyd,	Goodwin,	Lyons,	Serrill,
Bradley,	Gorman,	Madigan,	Simons,
Bretherick,	Grant,	Mahany,	Skale,
Brice,	Green,	Maxwell,	Smith,
Brigerman,	Greenwood,	McAtee,	Snider,
Brown,	Gross,	McClester,	Sollenberger,
Brunner, C. H.,	Gyger,	McKinney,	Sorg,
Brunner, P. A.,	Haberlen,	McSurdy,	Stank,
Burns,	Haines,	Menna,	Stockham,
Cadwalader,	Hall,	Mihm,	Stonier,
Calvin,	Hamilton,	Miller,	Tahl,
Campbell,	Hannon,	Mintess,	Tate,
Chervenak,	Hare,	Mock,	Taylor,
Chudoff,	Harris,	Modell,	Thompson,
Cohen,	Haudenshield,	Mooney,	Thrasher,
Coleman,	Heatherington,	Moore,	Tiemann,
Cook,	Helm,	Moran,	Trent,
Cooper,	Herman,	Moser,	Trout,
Cordier,	Hersch,	Muir,	Turbett,
Corrigan,	Hewitt,	Muniey,	Van Allsburg,
Costa,	Hocke,	Murray,	Verona,
Coulson,	Hoffman,	Nowak,	Wachhaus,
Croop,	Hoggard,	O'Brien,	Wagner, K. H.,
Cullen,	Holmes,	O'Connor,	Wagner, P. L.,
Dague,	Hoopes,	O'Dare,	Wallin,
Dalrymple,	Hunter, B. F.,	O'Neill,	Walton,
Denman,	Hunter, W. M.,	Owens,	Watkins,
Dennison,	Huntley,	Petrosky,	Weiss,
Depuy,	Imbrie,	Pettit,	Welsh,
Dillon,	Irvin,	Polaski,	Winner,
Dix,	James,	Powers,	Wood, L. H.,
Duffy,	Jones,	Readinger,	Wood, N.,
Elder,	Kennedy,	Reagan,	Worley,
Elliott,	Kirley,	Reese, D. P.,	Wright,
Ely,	Kitchen,	Reese, R. E.,	Yeakel,
Erb,	Kline,	Regan,	Yester,
Ewing,	Kolankiewicz,	Reilly,	Fiss,
Figlock,	Kowalski,	Reynolds,	Speaker.
Finnerty,	Krepps,	Riley,	

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 39, as follows:

An Act to amend section seven hundred seventeen of the act approved the fourth day of May one thousand nine hundred and twenty-seven (P. L. 519) entitled "An act concerning boroughs and revising amending and consolidating the law relating to boroughs" further regulating the adjustment of liabilities and property where part of a township is annexed to a borough

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section seven hundred seventeen of the act approved the fourth day of May one thousand nine hundred and twenty-seven (P. L. 519) entitled "An act concerning boroughs and revising amending and consolidating the law relating to boroughs" is hereby amended to read as follows

Section 717 Duties of Auditor The auditor shall ascertain the liabilities of the several boroughs and townships affected the amount and value of the property owned by each the amount and value of the property passing to and from each borough and township and the assessed valuation of all property liable to taxation for borough or township purposes as shown by the last assessment and within the limits of the part annexed to or detached from such borough Where territory of a township is annexed to a borough and indebtedness was incurred by the township for an improvement located wholly or located more than fifty per centum within the part of the township to be annexed the auditor shall ascertain the amount of the indebtedness of the township which represents such improvement He shall make report [the same] to the court with the form of a decree adjusting the liabilities equitably between such boroughs and townships respectively and in such decree in the case of annexation of part of a township to a borough the whole of the indebtedness representing an improvement located wholly within the territory to be annexed and the part of the indebtedness representing an improvement any part of which is located within the annexed territory shall be directed to be paid by the borough and the remainder of the debt and liabilities of the township and property of the township shall be adjusted in proportion that the assessed valuation of the land remaining in the township bears to the assessed valuation of the land to be annexed.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—200

Alspach,	Finnerty,	Krepps,	Reynolds,
Auker	Flack,	Krise,	Riley,
Baker,	Fleming,	Lane,	Robertson,
Barrett,	Flynn,	Laughner,	Root,
Barton,	Foor,	Lee,	Rose, S.,
Bentley,	Fox,	Leisey,	Rose, W. E.,
Bentzel,	Freed,	Leonard,	Rowley,
Boies,	Fullerton,	Levy,	Royer,
Bonawitz,	Garber,	Leydic,	Salus,
Boorse,	Gardner,	Lichtenwalter,	Sarge,
Boory,	Gates,	Livingstone,	Sarraf,
Bower,	Gillan,	Longo,	Scanlon,
Boyd,	Goodling,	Lovett,	Schuster,
Bradley,	Goodwin,	Lyons,	Serrill,
Bretherick,	Gorman,	Madigan,	Simons,
Brice,	Grant,	Mahany,	Skale,
Brigerman,	Green,	Maxwell,	Smith,
Brown,	Greenwood,	McAtee,	Snider,
Brunner, C. H.,	Gross,	McClester,	Sollenberger,
Brunner, P. A.,	Gyger,	McKinney,	Sorg,
Burns,	Haberlen,	McSurdy,	Stank,
Cadwalader,	Hall,	Menna,	Stockham,
Calvin,	Hamilton,	Mihm,	Stonier,
Campbell,	Hannon,	Miller,	Tahl,
Chervenak,	Hare,	Mintess,	Tate,
Chudoff,	Harris,	Mock,	Taylor,
Cohen,	Haudenshield,	Modell,	Thompson,
Coleman,	Heatherington,	Mooney,	Thrasher,
Cook,	Helm,	Moore,	Tiemann,
Cooper,	Herman,	Moran,	Trent,
Cordier,	Hersch,	Moser,	Trout,
Corrigan,	Hewitt,	Muir,	Turbett,

Costa,	Hocke,	Munley,	Van Allsburg,
Coulson,	Hoffman,	Murray,	Verona,
Croop,	Hoggard,	Nowak,	Wachhaus,
Cullen,	Holmes,	O'Brien,	Wagner, K. H.,
Dague,	Hoopes,	O'Connor,	Wagner, P. L.,
Dalrymple,	Hunter, B. F.,	O'Dare,	Wallin,
Denman,	Hunter, W. M.,	O'Neill,	Walton,
Dennison,	Huntley,	Owens,	Watkins,
Depuy,	Imbrie,	Petrosky,	Weiss,
Dillon,	Irvin,	Pettit,	Welsh,
Dix,	James,	Polaski,	Winner,
Duffy,	Jones,	Powers,	Wood, L. H.,
Elder,	Kennedy,	Readinger,	Wood, N.,
Elliott,	Kirley,	Reagan,	Worley,
Ely,	Kitchen,	Reese, D. P.,	Wright,
Erb,	Kline,	Reese, R. E.,	Yeakel,
Ewing,	Kolankiewicz,	Regan,	Yester,
Figlock,	Kowalski,	Reilly,	Fiss,

Speaker.

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1039, as follows:

An Act to further amend section five hundred forty-seven of the act approved the first day of May one thousand nine hundred thirty-three (P. L. 103) entitled "An act concerning townships of the second class and amending revising consolidating and changing the law relating thereto" by further regulating publication of the auditors' report

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section five hundred forty-seven of the act approved the first day of May one thousand nine hundred thirty-three (P. L. 103) entitled "An act concerning townships of the second class and amending revising consolidating and changing the law relating thereto" as last amended by the act approved the fifth day of June one thousand nine hundred thirty-seven (P. L. 1738) is hereby further amended to read as follows

Section 537 Completion Publication and Filing of Auditors' Statement Filing of Report with Department of Internal Affairs The auditors shall complete their audit settlement and adjustment within as short a time as possible and in no case shall more than twenty days be expended on such audit They shall within ten days thereafter publish by advertisement in at least one newspaper of general circulation printed in the township or county [or] and by posting at least five copies in public places in the township a concise itemized statement of the receipts and expenditures of the several officers for the preceding fiscal year They shall also within ten days thereafter file a copy of such statement with the secretary and another copy of such statement with the clerk of the court of quarter sessions When any two offices are exercised by the same person only one statement shall be required.

The auditors shall also annually make a report of the financial condition of the township to the Department of Internal Affairs within sixty days after the close of the fiscal year signed by each auditor and duly verified by the oath of one of the auditors Any auditor refusing or wilfully neglecting to file such report shall upon conviction thereof in a summary proceeding brought at the instance of the Department of Internal Affairs be sentenced to pay a fine of five dollars for each day's delay beyond said sixty days and costs All fines recovered shall be for the use of the Commonwealth

The report to the Department of Internal Affairs shall be presented on a uniform form prepared and furnished as herein provided

Section 2 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—200

Alspach,	Flack,	Krise,	Riley,
Auker,	Fleming,	Lane,	Robertson,
Baker,	Flynn	Laughner,	Root,
Barrett,	Foor,	Lee,	Rose, S.
Barton,	Fox,	Leisey,	Rose, W. E.,
Bentley,	Freed,	Leonard,	Rowley,
Bentzel,	Fullerton,	Levy,	Royer,
Boies,	Garber,	Leydic,	Salus,
Bonawitz,	Gardner,	Lichtenwalter,	Sarge,
Boorse,	Gates,	Livingstone,	Sarraf,
Boory,	Gillan,	Longo,	Scanlon,
Bower,	Goodwin,	Lovett,	Schuster,
Boyd,	Gorman,	Lyons,	Serrill,
Bradley,	Grant,	Mahany,	Simons,
Bretherick,	Green,	Maxwell,	Skale,
Brice,	Greenwood,	McAtee,	Smith,
Brigerman,	Gross,	McClester,	Snider,
Brown,	Gyger,	McKinney,	Sollenberger,
Brunner, C. H.,	Haberlen,	McSurdy,	Sorg,
Brunner, P. A.,	Hall,	Menna,	Stank,
Burns,	Hamilton,	Mihm,	Stockham,
Cadwalader,	Hannon,	Miller,	Stonier,
Calvin,	Hare,	Mintess,	Tahl,
Campbell,	Harris,	Mock,	Tate,
Chudoff,	Haudenshield,	Modell,	Taylor,
Cohen,	Heatherington,	Mooney,	Thompson,
Coleman,	Helm,	Moore,	Thrasher,
Cook,	Herman,	Moran,	Tiemann,
Cooper,	Hersch,	Moser,	Trent,
Cordier,	Hewitt,	Muir,	Trout,
Corrigan,	Hocke,	Munley,	Turbett,
Costa,	Hoffman,	Murray,	Van Allsburg,
Coulson,	Hoggard,	Nowak,	Verona,
Croop,	Holmes,	O'Brien,	Wachhaus,
Cullen,	Hoopes,	O'Connor,	Wagner, K. H.,
Dague,	Hunter, B. F.,	O'Dare,	Wagner, P. L.,
Dalrymple,	Hunter, W. M.,	O'Neill,	Wallin,
Denman,	Huntley,	Owens,	Watkins,
Dennison,	Imbrie,	Petrosky,	Walton,
Depuy,	Irvin,	Pettit,	Weiss,
Dillon,	James,	Polaski,	Welsh,
Dix,	Jones,	Powers,	Winner,
Duffy,	Kennedy,	Readinger,	Wood, L. H.,
Elder,	Kirley,	Reagan,	Wood, N.,
Ely,	Kitchen,	Reese, D. P.,	Worley,
Erb,	Kline,	Reese, R. E.,	Wright,
Ewing,	Kolankiewicz,	Regan,	Yeakel,
Figlock,	Kowalski,	Reilly,	Yester,
Finnerty,	Krepps,	Reynolds,	Fiss,

Speaker.

NAYS—4

Chervenak,	Elliott,	Goodling,	Madigan,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 643, as follows:

An Act to amend clause (e) of section six and section seven of the act approved the twenty-fifth day of May one thousand nine hundred thirty-seven (P. L. 814) entitled "An act to provide for the permanent personal registration of electors in cities of the second

class as a condition of their right to vote at elections and primaries and their enrollment as members of political parties as a further condition of their right to vote at primaries prescribing certain procedure for the conduct of elections and primaries and for the challenge and proof of qualifications of electors and prescribing the powers and duties of citizens parties political bodies registration commissions commissioners registrars inspectors of registration and other appointees of registration commissions county election boards election officers municipal officers departments and bureaus police officers courts judges prothonotaries sheriffs county commissioners peace officers county treasurers county controllers registrars of vital statistics certain public utility corporations real estate brokers rental agents and boards of school directors and imposing penalties" by increasing the maximum compensation to be paid to the chief clerk and to counsel for the commission

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Clause (e) of section six and section seven of the act approved the twenty-fifth day of May one thousand nine hundred thirty-seven (P. L. 814) entitled "An act to provide for the permanent personal registration of electors in cities of the second class as a condition of their right to vote at elections and primaries and their enrollment as members of political parties as a further condition of their right to vote at primaries prescribing certain procedure for the conduct of elections and primaries and for the challenge and proof of qualifications of electors and prescribing the powers and duties of citizens parties political bodies registration commissions commissioners registrars inspectors of registration and other appointees of registration commissions county election boards election officers municipal officers departments and bureaus police officers courts judges prothonotaries sheriffs county commissioners peace officers county treasurers county controllers registrars of vital statistics certain public utility corporations real estate brokers rental agents and boards of school directors and imposing penalties" are hereby amended to read as follows

Section 6 Employes Registrars Inspectors of Registration Duties Appointment Incompatible Offices

* * * * *

(e) Each commission may appoint a chief clerk at a compensation not exceeding [three thousand dollars ($3000)] four thousand dollars ($4000) per annum who shall have authority to administer oaths and to sign vouchers

Section 7 Counsel Compensation Duties The commission may employ special counsel at a compensation not exceeding three thousand [(3000)] six hundred ($3600) dollars per annum Such counsel shall advise the commission from time to time regarding its powers and duties and the rights of electors and concerning the best methods of legal procedure for carrying out the various provisions of this act and shall appear for and represent the commission on all appeals taken from its decisions or orders to a court of common pleas as herein provided

Section 2 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—126

Alspach,	Fox,	Krepps,	Rose, W. E.,
Auker,	Freed,	Krise,	Rowley,
Barton,	Fullerton,	Laughner,	Royer,
Bonawitz,	Garber,	Lee,	Salus,
Boorse,	Gardner,	Leisey,	Sarge,
Bower,	Gates,	Leydic,	Serrill,
Boyd,	Gillan,	Lichtenwalter,	Simons,
Bretherick,	Goodling,	Livingstone,	Smith,
Brice,	Gorman,	Lyons,	Sollenberger,
Brunner, C. H.,	Greenwood,	Madigan,	Sorg,
Cadwalader,	Gross,	Mahany,	Stockham,
Calvin,	Gyger,	McAtee,	Stonier,
Campbell,	Hall,	McClester,	Tahl,
Cook,	Hannon,	McKinney,	Taylor,
Cooper,	Hare,	McSurdy,	Thrasher,
Cordier,	Haudenshield,	Menna,	Tiemann,
Costa,	Helm,	Miller,	Trout,
Coulson,	Hewitt,	Mintess,	Turbett,
Dague,	Hocke,	Mock,	Van Allsburg,
Dalrymple,	Hoffman,	Mooney,	Wachhaus,
Denman,	Holmes,	Moore,	Wagner, K. H.,
Dennison,	Hoopes,	Moser,	Wagner, P. L.,
Depuy,	Hunter, W. M.,	Muir,	Wallin,
Dix,	Huntley,	Murray,	Walton,
Elder,	Imbrie,	Nowak,	Watkins,
Ely,	Irvin,	O'Dare,	Winner,
Erb,	James,	Reagan,	Wood, L. H.,
Ewing,	Jones,	Reese, D. P.,	Wood, N.,
Figlock,	Kennedy,	Reilly,	Worley,
Flack,	Kitchen,	Riley,	Yeakel,
Fleming,	Kline,	Robertson,	Fiss,
Foor,	Kowalski,	Root,	Speaker.

NAYS—74

Baker,	Duffy,	Leonard,	Reese, R. E.,
Barrett,	Elliott,	Levy,	Regan,
Bentley,	Finnerty,	Longo,	Reynolds,
Bentzel,	Flynn,	Lovett,	Rose, S.,
Boies,	Goodwin,	Maxwell,	Sarraf,
Boory,	Grant,	Mihm,	Scanlon,
Bradley,	Green,	Modell,	Schuster,
Brigerman,	Haberlen,	Moran,	Skale,
Brown,	Hamilton,	Munley,	Snider,
Brunner, P. A.,	Harris,	O'Brien,	Stank,
Burns,	Heatherington,	O'Connor,	Tate,
Chervenak,	Herman,	O'Neill,	Thompson,
Chudoff,	Hersch,	Owens,	Trent,
Cohen,	Hoggard,	Petrosky,	Verona,
Coleman,	Hunter, B. F.,	Pettit,	Weiss,
Corrigan,	Kirley,	Polaski,	Welsh,
Croop,	Kolankiewicz,	Powers,	Wright,
Cullen,	Lane,	Readinger,	Yester,
Dillon,			

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

BILL PASSED OVER

There being no objection House Bill No. 700, Printer's No. 421, was passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 929, as follows:

An Act creating a commission to study the method of participation by the Commonwealth and local school districts in the maintenance of a thorough and efficient system of public schools prescribing its powers and duties and making an appropriation

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The Constitution of the Commonwealth of Pennsylvania provides in Article X Section 1 that the General Assembly shall provide for the maintenance and support of a thorough and efficient system of public schools In discharging this constitutional responsibility the General Assembly should have for its guidance data and findings relative to the method and amount of participation by the Commonwealth and the local school districts in support of the public schools

Section 2 A commission is hereby created for the purpose of making a complete study of the methods of main-

taining and supporting the public schools and the amount of participation by the Commonwealth and local school districts and making a report thereon to the next session of the General Assembly embodying the commission's recommendations The commission shall consist of a special committee of fourteen members of the General Assembly eight of whom shall be appointed by the Speaker of the House six of whom shall be appointed by the President Pro Tempore of the Senate in each instance with due consideration for representation of the minority party The chairman of said committee shall be named by the Governor

Section 3 The commission shall have the power to elect such officers in addition to the chairman as it shall deem advisable Such investigations experts assistants and employes as may be necessary to enable the commission properly to perform its work shall be appointed by the commission which shall fix their compensation

Section 4 All members of the commission shall serve without pay but shall be reimbursed for their necessary traveling expenses

Section 5 The commission shall have the power to issue subpoenas and subpoenas duces tecum under the hand and seal of its chairman requesting and commanding any proper person to appear before it and to answer such questions touching matters with respect to the subject of this act inquired into by the commission for and on behalf of the General Assembly and to procure such books papers records and documents as the commission may deem necessary Such subpoenas or subpoenas duces tecum may be served upon any proper person and shall have the force and effect of subpoenas issued out of the courts of this Commonwealth or by the General Assembly itself Each member of the commission shall have the power to administer oaths and affirmations to witnesses appearing before the commission

Section 6 The sum of Twenty-five thousand dollars ($25,000) or so much thereof as may be necessary is hereby specifically appropriated to the commission for the payment of the expenses of the members and for the payment of the compensation and expenses of such investigators experts assistants and employes for witness fees allowed by the commission for supplies and printing and for all other expenses deemed necessary and proper by the commission

Section 7 This act shall become effective immediately upon final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—200

Alspach,	Finnerty,	Krepps,	Reynolds,
Auker,	Flack,	Krise,	Riley,
Baker,	Fleming,	Lane,	Robertson,
Barrett,	Flynn,	Laughner,	Root,
Barton,	Foor,	Lee,	Rose, S.
Bentley,	Fox,	Leisey,	Rose, W. E.,
Bentzel,	Freed,	Leonard,	Rowley,
Boies,	Fullerton,	Levy,	Royer,
Bonawitz,	Garber,	Leydic,	Salus,
Boorse,	Gardner,	Lichtenwalter,	Sarge,
Boory,	Gates,	Livingstone,	Sarraf,
Bower,	Gillan,	Longo,	Scanlon,
Boyd,	Goodling,	Lovett,	Schuster,
Bradley,	Goodwin,	Lyons,	Serrill,
Bretherick,	Gorman,	Madigan,	Simons,
Brice,	Grant,	Mahany,	Skale,
Brigerman,	Green,	Maxwell,	Smith,
Brown,	Greenwood,	McAtee,	Snider,
Brunner, C. H.,	Gross,	McClester,	Sollenberger,
Brunner, P. A.,	Gyger,	McKinney,	Sorg,
Burns,	Haberlen,	McSurdy,	Stank,
Cadwalader,	Hall,	Menna,	Stockham,
Calvin,	Hamilton,	Mihm,	Stonier,
Campbell,	Hannon,	Miller,	Tahl,
Chervenak,	Hare,	Mintess,	Tate,
Chudoff,	Harris,	Mock,	Taylor,
Cohen,	Haudenshield,	Modell,	Thompson,
Coleman,	Heatherington,	Mooney,	Thrasher,
Cook,	Helm,	Moore,	Tiemann,
Cooper,	Herman,	Moran,	Trent,
Cordier,	Hersch,	Moser,	Trout,
Corrigan,	Hewitt,	Muir,	Turbett,
Costa,	Hocke,	Munley,	Van Allsburg
Coulson,	Hoffman,	Murray,	Verona,
Croop,	Hoggard,	Nowak,	Wachhaus,
Cullen,	Holmes,	O'Brien,	Wagner, K. H
Dague,	Hoopes,	O'Connor,	Wagner, P.
Dalrymple,	Hunter, B. F.,	O'Dare,	Wallin,
Denman,	Hunter, W. M.,	O'Neill,	Walton,
Dennison,	Huntley,	Owens,	Watkins,
Depuy,	Imbrie,	Petrosky,	Weiss,
Dillon,	Irvin,	Pettit,	Welsh,
Dix,	James,	Polaski,	Winner,
Duffy,	Jones,	Powers,	Wood, L. H.
Elder,	Kennedy,	Readinger,	Wood, N.,
Elliott,	Kirley,	Reagan,	Worley,
Ely,	Kitchen,	Reese, D. P.,	Wright,
Erb,	Kline,	Reese, R. E.,	Yeakel,
Ewing,	Kolankiewicz,	Regan,	Yeste'r,
Figlock,	Kowalski,	Reilly,	Fiss,

Speake

NAYS—0

The majority required by the Constitution having vo in the affirmative, the question was determined in affirmative.

Ordered, That the Clerk present the same to the Sen for concurrence.

Agreeably to order,

The House proceeded to the third reading and consid ation of House Bill No. 341, entitled:

An Act abating the penalties and interest on cert unpaid delinquent county city borough town towns school district poor district and county institution dist taxes and on municipal liens and provding for the pu cation at the cost of the county of a notice of the pro sions of this act

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. READINGER. Mr. Speaker, I desire to interrog the gentleman from Northampton, Mr. Kitchen.

The SPEAKER. Will the gentleman from Northamp permit himself to be interrogated?

Mr. KITCHEN. I shall, Mr. Speaker.

Mr. READINGER. I desire to ask the gentleman whet Mr. Cook had anything to do with this bill?

Mr. KITCHEN. Mr. Cook is in another part of House. I am the kitchen.

Mr. READINGER. I desire to ask the gentleman what way this bill differs from a similar bill which House passed about a month ago?

Mr. KITCHEN. Well, the other bill provides for a s of final installment, this bill does not.

Mr. READINGER. Mr. Speaker, it is not true t under the Cordier bill, I believe it was, relating to tax penalty effacement, the entire amount could be p in one lump sum and all penalties evaded?

Mr. KITCHEN. It could be, Mr. Speaker.

Mr. READINGER. May I ask whether this bill is m datory on the taxing units? Must they accept this?

Mr. KITCHEN. No, Mr. Speaker.

Mr. READINGER. Is it necessary for them to reject this bill?

Mr. KITCHEN. No, Mr. Speaker.

Mr. READINGER. In what way does this become operative if it should pass the House and Senate and be signed by the Governor?

Mr. KITCHEN. Well, those who want it can accept, and those who do not want it can reject it thirty days after the enactment of the bill, Mr. Speaker.

Mr. READINGER. What I would like to know, Mr. Speaker, is whether it is necessary for the County Commissioners, if they wanted to evade penalties, to notify the county treasurer that they accept this; is that right?

Mr. KITCHEN. That is right, Mr. Speaker.

Mr. READINGER. Is it not necessary for them to notify anybody that they reject it?

Mr. KITCHEN. No, it is not, Mr. Speaker.

Mr. READINGER. That is all. I thank the gentleman.

Mr. Speaker, I do not remember all the details of the act similar to this one that we passed some time ago, but inasmuch as under that bill it is possible for an individual to obtain penalty and interest abatement by paying all of his delinquent taxes in a lump sum it seems to me that there is absolutely no need for this bill. This does not add anything to what is already passed, and I therefore think the Members should vote against it.

Mr. KITCHEN. Mr. Speaker, I took this up with our county commissioners, and we have a lot of property in our county that we have had to put up for sale. A lot of the boys when they come out of the war started to buy these properties. Of course things went bad and they went back in their payments. We are trying to help these boys out. They are now working and they can afford to pay off the debt on this property if we allow them to drop the interest and penalties. If the properties are sold the county doesn't get nearly as much money out of it and the boys will lose their properties. So we are trying to help the boys out. I ask the whole membership of the House to vote "aye" on this bill.

Mr. READINGER. Mr. Speaker, I desire to further interrogate the gentleman from Northampton, Mr. Kitchen.

The SPEAKER. Will the gentleman from Northampton permit himself to be interrogated?

Mr. KITCHEN. I shall, Mr. Speaker.

Mr. READINGER. Mr. Speaker, I desire to ask the gentleman whether or not in his opinion this bill would clarify the provisions of the bill we passed before allowing payments to be made in installments?

Mr. KITCHEN. No, that other bill has not passed yet, Mr. Speaker.

Mr. READINGER. The bill has passed the House, has it not?

Mr. KITCHEN. That is right, Mr. Speaker.

Mr. READINGER. And if it passes in the Senate would that not provide that individual would have to pay all his taxes at one time to get the abatement?

Mr. KITCHEN. No, he has the privilege of taking either course.

Mr. READINGER. Would the gentleman have any objecton to this bill being passed over until tomorrow?

Mr. KITCHEN. No, Mr. Speaker, no objection, if that is all the time it takes. Sure we will pass it over.

On the question recurring.

Shall the bill pass finally?

BILL POSTPONED

Mr. KITCHEN. Mr. Speaker, I move that this bill be placed on the final passage postponed calendar.

The motion was agreed to.

BILL PASSED OVER

There being no objection

Senate Bill No. 347, Printer's No. 301
Senate Bill No. 211, Printer's No. 302,

were passed over at the request of Mr. LICHTENWALTER.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 173, as follows:

An Act to amend the act approved the eleventh day of June one thousand nine hundred thirty-five (P. L. 326) entitled "An act relating to counties of the first class defining deceased service persons providing for contributions by the county to the funeral expenses for such persons and their widows providing for the erection and care of markers headstones and flags and for the compilation of war records" further clarifying the term "deceased service persons" and changing the provisions for the burial of deceased service persons and their widows and for markers and headstones on their graves and changing the name of the veterans' grave registrar to director of veterans' affairs

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Sections one two three and five of the act approved the eleventh day of June one thousand nine hundred thirty-five (P. L. 326) entitled "An act relating to counties of the first class defining deceased service persons providing for contributions by the county to the funeral expenses for such persons and their wdows providing for the erection and care of markers headstones and flags and for the compilation of war records" are hereby amended to read as follows

Section 1 Be it enacted &c [That "Deceased Service Persons" Defined] Definition The term "deceased service persons" as used in this act shall be defined and construed to mean and include [any soldier sailor marine yeoman (f) of either service or member of the enlisted nurse corps having a legal resdence within any county within this Commonwealth who has died or shall hereafter die anywhere within or without the United States while in the service of the United States in the military naval or other branch of the combative forces of said United States during any war or campaign in which the United States has been or shall hereafter be engaged or where a state or condition of war has existed or shall hereafter exist in which the United States was or shall be a participant according to the records of the War or Naval Departments of the Federal Government or of any soldier sailor marine yeoman (f) of either service or member of the enlisted nurse corps who served or who shall hereafter serve in any such combative force of the United States during any war or campaign in which the United States has been or shall hereafter be engaged or who has served or shall hereafter serve in any such combative force of the United States where a state or condition of war existed or shall hereafter exist in which the United States was or shall be a participant according to the records of the War or Naval Departments of the Federal Government whose separation from such active service was honorable whether by discharge or otherwise who has died or may hereafter die in any county of this Commonwealth or]

(1) Any deceased person who at the time of his or her death was serving (whether or not in a combat zone) in the Army Navy Marine Corps or Coast Guard during any war in which the United States has been is now or shall hereafter be engaged or who at the time of his or

her death was serving in a zone where a campaign or state or condition of war then existed in which the United States was is or shall be a participant The existence of a campaign or state or condition of war and the participation of the United States therein as well as the fact that the deceased person served in a zone where such campaign or state or condition of war existed shall in each case be established by the records of the War or Naval Departments of the Federal Government or

(2) Any deceased person who had so served at any time during his or her life and whose separation from such service was honorable whether by discharge or otherwise or who at the time of his or her death was continuing in such service after the cessation of the war campaign or state or condition of war during or in which he or she served or

(3) Any deceased person who was in active service in the militia of the State of Pennsylvania under and in pursuance of any proclamation issued by the Governor during the Civil War and not duly mustered into the service of the United States and has been honorably discharged or relieved from such service [and who shall have a legal residence in any county of this Commonwealth and shall hereafter die either within or without the county of his legal residence]

The term "legal residence" as used in this act shall be construed as synonymous with "domicile" and is hereby defined as actual residence coupled with intention that it shall be permanent or a residence presently fixed with no definite intention of changing it or of returning to a former residence at some future period Legal residence is to be determined by abode of person and his or her intention to abandon his or her former domicile and establish a new one The legal residence of a deceased service person shall be prima facie in the county where he or she made his or her abode at the time of his or her death

Section 2 Sum to Be Spent The county commissioners of any county of the first class of this State [within which a deceased service person as hereinabove defined had a legal residence at the date of his death or the county commissioners of such county within which a deceased service person died in case he or she had no legal residence in any county of this Commonwealth upon notice in writing by any organization of veterans that the body is unclaimed by relatives or friends and who upon investigation shall find such condition to exist are hereby authorized and directed to contribute the sum of seventy-five dollars ($75.00) toward the funeral expenses of such deceased service person] are hereby authorized and directed to contribute the sum of seventy-five dollars ($75.00) towards the funeral expenses of each deceased service person in the cases enumerated below where in each case application therefor is made within one year after the date of his or her death and where the total expenses of the funeral does not exceed four hundred dollars ($400.00) Provided That in the case of any deceased service person who died while in the service application need not be made within one year after the date of his or her death but may be made at any time thereafter if the reason for the delay is satisfactory to the county commissioners Payment shall be made under the following circumstances

(1) Where the deceased service person at the time of his or her death had his or her legal residence in the county whether or not he or she died in the county and whether or not he or she was buried in the county It is hereby declared to be the intent of the General Assembly that every deceased service person having a lgal residence in any county of the first class in this Commonwealth at the time of his or her death shall be entitled to the benefits of this section regardless of where he or she may have died or where he or she may be buried and that the liability therefore shall be on the county where such deceased service person shall have had his or her legal residence at the time of his or her death

(2) Where the deceased service person died and was buried in the county but at the time of his death did not have a legal residence within this Commonwealth if the county commissioners of the county where he shall be notified in writing by any organization of erans that the body is unclaimed by relatives or fr and upon investigation shall find such condition to

(3) When a deceased service person has died a member of the Pennsylvania Soldiers' and S Home at Erie Pennsylvania and such home incur funeral expenses and buries such person in a cem in the city of Erie Pennsylvania or the home furn clothing casket and shipping case and ships the bo the county from which he was admitted to the the county from which he was admitted shall reim and pay to the Pennsylvania Soldiers' and Sailors' the amount of seventy-five dollars ($75.00) or so thereof as was actually expended by such home vided however That such county commissioners not contribute any moneys toward the funeral exp of such deceased service person where the total exp of his or her funeral shall exceed four hundred d ($400.00) nor unless application for the payment of moneys shall be made within one year after the of the death of such deceased service man]

Section 3 Burial of Widows of Deceased Service sons [The] Upon due application and proof the c commissioners of such county are hereby authorized directed to contribute the sum of seventy-five d ($75.00) from the county funds towards the funera penses of any widow of any male deceased service upon due application and proof] person who at the of her death had a legal residence in the county wh or not she died in the county and whether or no was buried in the county Provided however That county commissioners shall not contribute any m toward the funeral expenses of any such widow of ceased service person who had remarried after the of such deceased service person nor where the tota pense of any such funeral shall exceed four hun dollars ($400.00) nor unless application for the pay of such moneys shall be made within one year afte date of the death of such widow of a deceased se person

Section 5 Markers for Graves Headstones The c commissioners of any such county of this State shall time to time as is considered expedient by the com sioners procure appropriate markers for the [gra each and every deceased service person buried w the limits of such county] graves of deceased se persons Such markers shall be of cast bronze term shall mean a proper composition of the follo metals in the following proportions Copper eight per centum tin five per centum zinc five per centum lead five per centum Provided however That no of commissioners shall be required to discard any ers of other materials already purchased by such missioners whether or not already installed but no markers shall in the future be purchased of metal than cast bronze as herein defined except that d periods of national emergency so proclaimed by President of the United States when all available is required for war materials suitable non-metal stitutes for cast bronze may be used

[Upon the petition of any five reputable freeh of the county a marker shall be placed upon the of such deceased service person for the purpose of manently marking and designating such grave for morial purposes] The county commissioners of county of the first class are hereby authorized an rected to place a marker upon the grave of eac ceased service person who at the time of his o death had his or her legal residence in the c whether or not he or she died in the county and wh or not he or she was buried in the county and upo grave of each deceased service person buried i county who at the time of his or her death did not a legal residence within this Commonwealth When deceased service person shall have been a veter any war for which the Government of the United issued discharge buttons the markers designated for graves shall include a facsimile of said discharge b [The county commissioners may upon the petition o

reputable freeholders of the county of which any eased service person may have been a resident place n marker upon his or her grave when he or she is ied without the limits of said county]

shall also be the duty of the county commissioners such county upon or at any time subsequent to the th of any deceased service person who [shall be ied within their counties on the application which lication in all cases shall be on forms prescribed by Department of Military Affairs of any relative or on application of any friends of such deceased service son if such application by friends has been approved any organization of veterans of any war in which the ted States was engaged and provided that there be objection by the nearest relative] at the time of his her death had his or her legal residence in the nty on application as hereinafter provided to cause eadstone or bronze memorial tablet to be placed at head of or on the grave of each such deceased vice person containing his or her name and the rank organization to which he or she belonged or in ch he or she served in letters raised or cut in at t three-sixteenths of an inch deep on such headstones oe of either marble or granite and to be placed or in a concrete base at least three feet deep or if a dstone has been provided for such grave by the ted States Government the county commissioners ll provide such concrete base therefor [and the exse for the same shall be paid out of the funds of the nty in which such deceased service man died or shall e had his legal residence] or if lettering only on an ting memorial is desired by the family the county missioners shall provide such lettering Application refor shall in each case be made on forms prescribed the Department of Military Affairs and may be made any relative of the deceased service person or by a nd provided in the latter case there is no objection the nearest relative and the application is approved an organization of veterans of any war in which the ted States has been is now or shall hereafter be aged The expense in each case shall be borne by county in which the deceased service person had his ner legal residence at the time of his or her death ther or not he or she died in the county and whether not he or she was buried in the county Provided vever That the expense shall not exceed the sum of dollars ($50) for each headstone or concrete base ettering or bronze [marker] memorial tablet and the nty commissioners of each such county acting under section shall draw a warrant on the treasurer of r county for the payment of said expense in favor he party or parties furnishing such headstone or cone base or lettering or bronze [marker] memorial et No such payment or payments shall be made un- the application therefor shall be approved before commencement of the project by the county comioners [Such application shall be accompanied by a h certificate if procurable]

ction 2 Said act is hereby amended by adding imiately after section five thereof a new section to read llows

ction 5.1 Proof of Service Et Cetera In each case re application is made for a contribution towards the ral expenses of a deceased service person or the w of a deceased service person or for a headstone oncrete base or lettering or bronze memorial tablet county commissioners shall before expending any ey therefor require proof of the following facts

) The service of the decreased service person which les him or his widow to the benefits of this act h proof shall be by the production of an honorable harge or other official record showing service during war in which the United States is or was engaged by the records of the War or Naval Departments he Federal Government or by copies thereof filed in Department of Military Affairs showing the existence campaign or state or condition of war the paration of the United States therein and the service he deceased service person in a zone where such paign or state or condition of war existed

(2) The death of the deceased service person

(3) In the case of the burial of the widow of a deceased service person the death of such widow and the fact that she was married to the deceased service person at the time of his death and that she has not since remarried The proofs required by clause (1) and (2) of this section shall also be required in such cases

(4) Except in cases where persons not having a legal residence within this Commonwealth are entitled to any of the benefits of this act the legal residence within the county of the deceased service person or of the widow of a deceased service person as the case may be

Death shall in all cases be proved by death certificate where the same is procurable otherwise by affidavit of one or more persons personally acquainted with the deceased and the fact of his or her death or by proof of the record of death kept by the attending physician or the record of burial kept by the undertaker by whom he or she was buried or by the church burial association or cemetery company maintaining the graveyard burial ground or cemetery in which he or she was buried

Where any proof required by this section has been furnished to the county commissioners no further proof of the same facts shall be required in order to obtain any other benefit under the provisions of this act

Section 3 The last paragraph of section eight of said act is hereby amended to read as follows

Section 8 Compilation of War Records

* * * * *

For the purpose of locating the burial places of deceased service persons the Grand Army of the Republic the United Spanish War Veterans the Veterans of Foreign Wars of the United States the American Legion and the Disabled American Veterans [of the World War] through their local camps posts and branches in this State are authorized without expense to the county to collect the required data and prepare and file with the county commissioners certificates embodying the information provided for in this section For the purpose of carrying into effect the provisions of this section the county commissioners shall appoint a [veterans' grave registrar] director of veterans' affairs who shall receive such compensation as the salary board may fix

Section 4 The provisions of this act shall become effective ten days after its final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—200

Alspach,	Finnerty,	Krepps,	Reynolds,
Auker,	Flack,	Krise,	Riley,
Baker,	Fleming,	Lane,	Robertson,
Barrett,	Flynn,	Laughner,	Root,
Barton,	Foor,	Lee,	Rose, S.,
Bentley,	Fox,	Levy,	Rose, W. E.,
Bentzel,	Freed,	Leydic,	Rowley,
Boies,	Fullerton,	Leisey,	Royer,
Bonawitz,	Garber,	Leonard,	Salus,
Boorse,	Gardner,	Lichtenwalter,	Sarge,
Boory,	Gates,	Livingstone,	Sarraf,
Bower,	Gillan,	Longo,	Scanlon,
Boyd,	Goodling,	Lovett,	Schuster,
Bradley,	Goodwin,	Lyons,	Serrill,
Bretherick,	Gorman,	Madigan,	Simons,
Brice,	Grant,	Mahany,	Skale,
Brigerman,	Green,	Maxwell,	Smith,
Brown,	Greenwood,	McAtee,	Snider,
Brunner, C. H.,	Gross,	McClester,	Sollenberger,
Brunner, P. A.,	Gyger,	McKinney,	Sorg,
Burns,	Haberlen,	McSurdy,	Stank,
Cadwalader,	Hall,	Menna,	Stockham,
Calvin,	Hamilton,	Mihm,	Stonier,
Campbell,	Hannon,	Miller,	Tahl,
Chervenak,	Hare,	Mintess,	Tate,
Chudoff,	Harris,	Mock,	Taylor,

Cohen,	Haudenshield,	Modell,	Thompson,
Coleman,	Heatherington,	Mooney,	Thrasher,
Cook,	Helm,	Moore,	Tiemann,
Cooper,	Herman,	Moran,	Trent,
Cordier,	Hersch,	Moser,	Trout,
Corrigan,	Hewitt,	Muir,	Turbett,
Costa,	Hocke,	Munley,	Van Allsburg,
Coulson,	Hoffman,	Murray,	Verona,
Croop,	Hoggard,	Nowak,	Wachhaus,
Cullen,	Holmes,	O'Brien,	Wagner, K. H.,
Dague,	Hoopes,	O'Connor,	Wagner, P. L.,
Dalrymple,	Hunter, B. F.,	O'Dare,	Wallin,
Denman,	Hunter, W. M.,	O'Neill,	Walton,
Dennison,	Huntley,	Owens,	Watkins,
Depuy,	Imbrie,	Petrosky,	Weiss,
Dillon,	Irvin,	Pettit,	Welsh,
Dix,	James,	Polaski,	Winner,
Duffy,	Jones,	Powers,	Wood, L. H.,
Elder,	Kennedy,	Readinger,	Wood, N.,
Elliott,	Kirley,	Reagan,	Worley,
Ely,	Kitchen,	Reese, D. P.,	Wright,
Erb,	Kline,	Reese, R. E.,	Yeakel,
Ewing,	Kolankiewicz,	Regan,	Yester,
Figlock,	Kowalski,	Reilly,	Fiss,
			Speaker.

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 57, as follows:

An Act to amend section three hundred ten of the act approved the twenty second day of June one thousand nine hundred thirty-seven (P. L. 1987) entitled "An act to preserve and improve the purity of the waters of the Commonwealth for the protection of public health animal and aquatic life and for industrial consumption and recreation empowering and directing the creation of indebtedness or the issuing of non-debt revenue bonds by political sub-divisions to provide works to abate pollution providing protection of water supply providing for the jurisdiction of courts magistrates aldermen and justices of the peace in the enforcement thereof and providing additional remedies for abating pollution of waters imposing certain penalties and repealing certain acts" by including the drainage of silt in the provisions of article three thereof and suspending the enforcement of the act in certain cases

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section three hundred ten of the act approved the twenty-second day of June one thousand nine hundred thirty-seven (P. L. 1987) entitled "An act to preserve and improve the purity of the waters of the Commonwealth for the protection of public health animal and aquatic life and for industrial consumption and recreation empowering and directing the creation of indebtedness or the issuing of non-debt revenue bonds by political subdivisions to provide works to abate pollution providing protection of water supply providing for the jurisdiction of courts magistrates aldermen and justices of the peace in the enforcement thereof and providing additional remedies for abating pollution of waters imposing certain penalties and repealing certain acts" is hereby amended to read as follows

Section 310 Acid Mine Drainage [and Silt] The provisions of this article shall not apply to acid mine drainage [and silt] from coal mines until such time as in the opinion of the Sanitary Water Board practical means for the removal of the polluting properties of such drainage shall become known Provided That for the duration of the war no prosecution nor any action to abate the discharge of unclarified mine silt drainage shall be maintained in any case where the United States District Engineer of the district in which mine breaker or washery discharging the same is located shall certify that adequate means to abate such discharge cannot be construed or erected because of war conditions

Section 2 This act shall become effective immediately upon final enactment

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. SALUS. Mr. Speaker and members of the House, this bill is a very important bill for the city for Philadelphia, and I ask permission to read a communication from the Director of Public Works who has sent this communication at the instance of Mayor Samuel of Philadelphia. I want to read this communication in support of this bill. The communication reads as follows: "

City of Philadelphia,
Department of Public Works,
Office of the Director, April 24, 1943.

Samuel W. Salus, Esq.,
Heymann Building, "
213 S. Broad St.,
Philadelphia.

The amendment to House Bill No. 57, which was reported out by the Committee on Public Health and Sanitation on March 30, is, I understand, on the House calendar.

So that you may have the provision immediately before you, I am quoting it:

"PROVIDED that for the duration of the war no prosecution, nor any action to abate the discharge of unclarified mine silt drainage shall be maintained in any case where the United States District Engineer of the District in which mine, breaker or washery discharging the same is located, shall certify that adequate means to abate such discharge cannot be constructed or erected because of war conditions."

For twenty years and longer the mine owners and operators have been discharging unclarified mine silt drainage directly into the Schuylkill River and its tributaries. Since the mining of the smaller sizes of coal has been found to be commercially profitable by the operators, the discharge of silt has become intensified, with the result that a conservative estimate places the figure of discharge at 1,000,000 tons annually. Checks by the Engineers, U. S. District Engineer's Office, War Department, Philadelphia, at Fairmount Dam, verify this estimate. There are 12,000,000 tons of silt in the Schuylkill River between Norristown and Fairmount Dam, most of it concentrated in the river as it flows through Philadelphia.

The menace to Philadelphia's water supply from the Schuylkill River, as a result of accumulations in front of our intake at Belmont, Queen Lane and Shawmont Pumping Stations, cannot be too seriously stressed. We are constantly threatened with a shut-off of our raw water supply at these sources and we are compelled to keep dredges cutting the channel open to the intake at a cost to the taxpayers that is prohibitive and should be unnecessary. Since 1935, the City has maintained a WPA project, furnishing all equipment, materials and supplies, at a cost of over $500,000., with the Federal Government contributing the labor—or the equivalent of at least an additional $2,000,000. All WPA projects were ordered terminated as of April 1, and the full expense of removal of this silt will fall upon the City. The tonnage that can be removed annually is almost infinitesimal as compared with the new tonnage of silt in the river.

In addition to this, it is going to cost approximately $200,000 a year to keep our sand filter beds at Belmont and at Queen Lane in such condition as to insure a safe supply of water for domestic, commercial and industrial uses, solely because of the intrusion of silt. After the raw water settles in the sedimentation basin it is diverted to the sand filter bed, still carrying in suspension black silt. It congeals in these beds and huge quantities of it must be removed and the polluted sand replaced by new, clean sand. The City of Philadelphia should not be compelled to bear the dual cost solely because the mine operators have consistently refused to control the discharge of unclarified mine silt drainage at the source. They have declined to take the steps that are necessary to protect this city's water supply and to prevent the destruction of the Schuylkill River for all purposes, and the inclusion of this amendment in the Pure Streams Act is the only recourse the City of Philadelphia can have to safeguard the interests of two million people.

From the engineering standpoint, I can assure you that the cross section of the Schuylkill River has already been so seriously reduced by these accumulated deposits as to threaten its complete closing unless these discharges are immediately stopped. In other words, the islands which now are built up above water, in many places, will shortly become a solid mass from the East to the West River banks. That day is not remote. When it occurs, the water from up-State, which must find an outlet, will unquestionably overflow the river banks, putting our raw water pumping plant out of commission and otherwise causing hundreds of thousands of dollars' worth of damage to structures along both banks of the river. Such a catastrophe, imperilling the lives of the people of this city, must not be permitted to occur—and I repeat that the passage of this amendment by the House and the Senate is imperative to prevent its occurrence.

No project of Public Works, either in engineering design or construction, could be erected on the Schuylkill River at Philadelphia to control the constant flow of silt deposit. That can be done only at the source—at the mine—and this has been repeatedly pointed out both to the operators and the State Sanitary Water Board, notably in the 1937 Report of the U. S. Army Engineers. This report is complete in detail down to estimates of the cost, step by step, to completion. The preliminary stages of the work, consisting of impounding and sedimentation basins at the mine site, were to be followed by other heavier construction for assuming control in the river. It is fair to state that a few of the operators have accepted their responsibility and have endeavored to set up impounding basins on their properties, but the majority, by far, have done nothing.

To further emphasize the seriousness of the situation, there remains the problem of removal of twenty-four million tons of silt and mine waste in the Schuylkill River, even if the discharges were completely stopped today. The removal of this silt, and the restoration of the river to its proper cross section, would cost not less than $15,000,000, by the most economical devices and practices known to the engineering profession. Any kind of shovel dredging operation requires double handling and costly transportation charges to fill sites far removed. There are none available along the banks of the Schuylkill River above Fairmount Dam. Hydraulic dredging operations would likewise be costly because of double handling. This material would have to be deposited downstream and again removed from the channels of the Schuylkill River, which is a navigable stream below Fairmount Dam and subject to the jurisdiction of the U. S. War Department. And who is to bear this expense? Certainly, the people of Philadelphia do not intend to be saddled with exorbitant costs for neglect not of their own making.

The recreational facilities of the Schuylkill River, to which our people have had the right of enjoyment a century and longer, are virtually non-existent today. The aesthetic value of the river as it flows through Philadelphia down to Fairmount Dam has been lost. This river, which has been the scene of National and International Boat Races for years, faces extinction for these purposes. Numerous Inter-Collegiate Regattas which are scheduled this year, and the National Championship, may have to be abandoned because of lack of sufficient depth of water along the famous Henley Course.

The Schuylkill River today is a mass of islands projecting above the surface of the water and covered with a jungle growth in summer. This hardly needs factual demonstration; it is obvious to anyone who will walk along the banks of the river. The people of Philadelphia are greatly concerned with the condition of the river; its menace to their lives through the threatened cut-off of their water supply; the destruction of their properties by freshets and floods; destruction of aesthetic value, and the virtual elimination of the recreational facilities of the river.

It cannot be too strongly impressed on the members of the House and of the Senate that this amendment to House Bill No. 57 of the Pure Streams Act is the only protective measure that the people of this city can look forward to, to insure at least a semblance of security to life and property.

Sincerely,

JOHN H. NEESON, Director

This has been a long letter, and I appreciate your patience.

I think it is a very important measure insofar as the people of Philadelphia are concerned. We have for many years had a condition in the Schuylkill River whereby it has been impossible to supply the citizens of Philadelphia with pure water, and that is the condition to this day. It is now becoming impossible for the water department of the city of Philadelphia to remove this silt. It is also hampering the war effort, and unless something is done these defense plants will not be able to operate. The citizens will not be able to get pure water, and it is high time that something be done to benefit the health of the people of the city of Philadelphia. I am appealing to the Members to support this bill for the health and well-being of both Republicans and Democrats.

Mr. CHARLES H. BRUNNER, Jr. Mr. Speaker, as sponsor of this measure I listened with great interest and in complete agreement to the remarks read into the record by the gentleman from Philadelphia Mr. Salus. Of course I realize that this is a nonpartisan matter. I realize that everybody but the President and Mr. Salus has been in Harrisburg against it, for it in a few instances, but in all seriousness this is a problem that not only faces the city of Philadelphia but numerous other large industrial centers, residential centers and recreational centers throughout the Commonwealth of Pennsylvania. It so happens that we who reside in the Schuylkill river valley, after forty years are making greater and greater efforts to combat the ravages of this foreign silt in the Schuylkill river and its bad effects on the citizens. It is now for the first time in the history of this legislature in position on third reading calendar for final passage before this House.

I realize that there are some who will argue that this measure will put the coal mines out of business. At the public hearing held on this measure the United States District Engineer, Colonel Boyne, the only man who testified at that hearing from a nonpartisan standpoint, testified

that such a measure would not put the coal mines out of business, but the silt could be taken out of the wash water at the mines. He is a man who has made a study of this problem for years.

I would like the membership of this House to realize just how serious this silt has been to the localities along the Schuylkill River and other rivers in this state. It may interest you to know that in the Schuylkill River alone there are thirty million tons of this stuff, and that there are many industries along the banks of this river from Reading all the way down to Philadelphia that are doing a tremendous job in the interest of our national effort and are being deprived of water at times because their intake valves cannot get it into the plant because of the silt. There are others, because the Schuylkill River valley bed has been filled up by this culm, that have been flooded by mere rainstorms which the river formerly took away with safety.

I think I would be remiss were I not to tell you that last summer some of the citizens of Norristown, myself included, were called to a waterfront mill after a day's heavy rain, to go down into the cellar of the mill manufacturing army equipment, and as a result of the individual efforts of those people, the raw material was carried up to the second and third floors of the factory just in time to avoid being ruined by the water which came in the windows and raised rapidly to the ceiling in that cellar.

I need not go further than tell you of an instance at the new National Veterans' Hospital at Phoenixville which now has some eighteen beds which are occupied now by men being brought from various fronts. The borough manager of Phoenixville appeared before the committee at the public hearing and informed us in no uncertain terms that the Borough of Phoenixville, drawing some million and a half gallons from the Schuylkill River every day of the week was perilously close to being denied water in any event from the Schuylkill River due to this silt, and he stressed to the committee the importance of what would happen were this water to be denied citizens of the Borough of Phoenixville and the hospital patients.

From any way you look at it, Members of the House, this a calamity to those who enjoy the streams of Pennsylvania. The Schuylkill River in its present state is nothing more than a trough of filth. No self-respecting fish will even swim in it. We who drink the water more or less put up with it, but many people have spring water brought into their homes in five gallon jugs and pay for the privilege of drinking something other than Schuylkill River water. Recreational facilities are gone, there is no more boating and no more bathing. This House passed a bill over a month ago whereby fifteen hundred acres were laid out for a part in Norristown. Where is it? And for what reason? Because the Borough of Norristown intends to build a swimming pool at considerable expense. Why? Because, as I said before, no one can swim in the river because it is a pool of filth.

You may not agree with me on this measure; it is natural that you will not, but you will have to realize that the day is not far off when this legislation will be enacted in this state. The people who are behind a measure of this type are the sportsmen, anti-pollutionists, conservationists and Mr. John Q. Public. They are not represented by any powerful interests; they are represented here by the peoples' representatives who listen to them. I ask the membership of this House to support this measure.

Mr. PAUL L. WAGNER. Mr. Speaker, I had not intended to speak on this bill since it has been declared noncontroversial, but there has been considerable harangue about it under the circumstances. I have gone through my file and I have some material here on which I would like to speak about an hour or two, but I will confine it to ten or twelve minutes, if you will give me your attention for that length of time.

About the only thing that the gentleman from Montgomery and I have in common on it are that we use the same microphone. I have heard this discussion start with the effect that it has, and the great importance of it to the people of Philadelphia.

Particularly I remember forty or fifty occasions when the people of Philadelphia became alarmed about the pollution and about their health, but we have heard the wolf cry so often that we have looked back to see how important those complaints were, and we sometimes wondered how the people could be living if the conditions were that bad.

This bill is important to us in the anthracite region, important enough that we are willing to oppose it without being drafted by any vested interests, but simply in the interests of our neighbors and families and friends who realize what it would mean if this bill were passed.

In the first place, the bill pretends to do nothing at all but add to the things that we consider the polluting factors in the stream, the acid mine drainage, and then it goes on to make provision that this silt not be removed, provided the United States engineers say there is any way to stop it, during the war.

If it is not going to mean anything, why waste the time to pass it? If it is going to mean something, then it is likely going to affect eighty thousand people in a depressed industry, which has already shrunk from one hundred sixty thousand people, and it is going to put them out of employment. It is going to destroy the coal field for all practical purposes, and when I say that, I mean it, because the anthracite coal companies have spent hundreds of thousands more dollars than the city of Philadelphia in an effort to keep as far as possible this silt from their mines out of the streams. They are paying increased amounts every day, they are spending money for this purpose, they are trying to keep this thing at its very minimum.

I know the story that has been told about silt and about fish and about swimming. I know that the gentleman from Schuylkill, Mr. McSurdy, has caught some pretty good sized fish, and I know that you can swim in these waters, because I have done it once or twice as a boy, but I say that even if there were some way of keeping the silt out of the river it would be impossible to keep the water in which you want to swim from seeking its own level, and you are going to say to the miners that they must keep sulphur water from seeking its own level. There is no way anybody can tell me, no way I could find out that you can keep out silt and no way that you can keep the water discharged from anthracite breakers from being black. There are other things that cause a sediment or deposit in the rivers, but yet a lot of people are led to believe that something is silt that is not silt at all. It is nice to go fishing, but

it is essential to mine coal, and I am reminded, in thinking of the sportsmen and fishermen, of a saying of Marie Antoinette, "If they don't have bread let them eat cake." I would paraphrase that "If they can't work let them eat fish." That is what they would probably have to do if this saying were carried out to its fullest extent.

If the United States engineers were to decide it is not necessary to enforce this bill for the time being, then of course nothing has been accomplished. The United States engineers are no more considerate of the anthracite region than the Federal government has been all during these years when powerful influences and both political parties have been striving diligently to destroy an industry that is so important to the other parts of the nation.

I have seen a lot about this bill in the Philadelphia Inquirer. I won't read more than a paragraph or two of it. I have in my hand the Philadelphia Inquirer of the tenth of January, 1943, and I am quoting this to substantiate my claim that a lot of this sediment is not silt that has been colored by mine water. The Philadelphia Inquirer says:

> "If the fertile topsoil of Bucks county farm land had not been washing away with every hard rain for the past 25 years, the taypayers of Philadelphia would not be called on now to spend a quarter of a million dollars at the Torresdale water plant in preparation for next summer's contemplated record demand for water. So say technical men who test the secrets of soil and water for the United States Department of Agriculture. So says Martin McLoughlin, chief of the Philadelphia water bureau, and Fred Bidlingmaier, superintendent of the Torresdale water plant on the Delaware.

Further on in the article it goes on to say,

> For proof, they point out that most of the land drained by the Schuylkill is farmland, not coal country. If soil and water conservation methods were universally adopted on farmlands there, they say, there would not only be less silt washed downstream but more important, there would be a more even flow of water in the Schuylkill.

It says further on:

> Erosion has cut the useful life of over 20 per cent of the water supply reservoirs in the United States to less than 50 years. Another 25 per cent will be lost in 50 to 100 years.

Inasmuch as the Anthracite coal is mined in just a few counties of the state, surely you are not going to blame this condition which existed throughout the length and breadth of the land upon the particular industry upon which we depend for our livelihood. We believe that because the water discharged from anthracite breakers is black and discolors material eroded from other sources, the casual observer has an exaggerated impression of the amount of coal in our river beds.

I would like to say this, lest the idea get out that there is no concern in Schuylkill, Luzerne, Carbon and Lackawanna counties, about this matter, I would like to read you something which will indicate just how much progress has been made on the removal of this so-called silt which, of course, must come from coal. In sizes smaller than barley, back in 1939, not to take you too far back in history, there were mined 135,000 tons of sizes smaller than barley; in 1940, 151,000 tons, in 1941, 197,000 tons and in 1942, 275,000 tons. All of this has been done because of the cooperation between the Sanitary Water Board and the operators of the Anthracite mines. In the most prosperous years, particularly in the southern field, the mines have never enjoyed a profit margin of more than a few cents per ton. The closing of these mines has reduced the number of men employed in the industry from 160,000 to 80,000.

The Legislature of 1937 very wisely provided that mine silt should not be considered a polluting property until such time as practical means for its removal should become available. We now know more about how to remove it than we did in 1937, and considerable progress has been made since then in reducing the quantities discharged into the streams there. There is, however, no practical method known to the industry of completely removing all of the solids from the water. We expect that further progress will be made. In fact, certain new plants now under construction will substantially alleviate the condition complained of.

At a time when the Government is crying for more coal, when the hard coal region has just emerged from a very, very serious and devastating depression, and when the miners and operators have recently amended their wage agreement to permit operation of the mines six days per week, I wish you would stop and consider that if you pass this bill, and these requirements are carried out the time is not far distant when it will not be possible for the Anthracite mines to operate at all.

Mr. COHEN. Mr. Speaker, I would like to clarify one of the statements made by the gentleman from Schuylkill. This is an unusual bill in one respect. The gentle- has complained and rightfully complained that Philadelphia legislation is always with us, and every sort of adjective has been used in describing Philadelphia legislation, like the newspaper referred to in its article on the pollution of streams.

Something new has happened today. Mr. Speaker, we want something clean in Philadelphia for a change, and even the Republican organization in Philadelphia can agree on that. The problem is, are two million three hundred thousand people going to get clean water? Are they going to get the water they need to run the war industries? Are they going to have water that they can fish and swim in? That is what concerns me. We have what we call in Philadelphia Schuylkill sludge.

I remember reading an article in 1941 and a cartoon on the floor of this House that appeared in 1898 in the Philadelphia Inquirer. We had Schuylkill sludge then and we have it now, more than ever, two hundred thousand tons additional each year. It is coming to the point, Mr. Speaker, that we will have to stop buying coal upstate, but will go down to the river and take it out by the bucketful.

I can join with the gentleman in his remarks about the hardships of the coal industry. Let me go back to the year 1941 and recall that in that year there was a lot of legislation that the coal people said affected them, and I remember attending four different public hearings in successive weeks. The first public hearing was on a bill which I do not remember now, but the representative of the coal companies came down and said "You can't pass this bill because if you pass this bill you are going to wreck our business." Then the next week the same representatives came before another meeting of the

committee and said "We have managed to get along up until now, but if you pass this bill we are going to be put out of business." And then the following week we had another meeting and another public hearing, and the same representatives of the coal operators came down and said "For God's sake, do everything else, but don't pass this bill. This bill is going to break our backs." I notice that their backs have not been broken yet.

I believe with the gentleman from Schuylkill that they are in a bad economic condition, but I think that those people who own the coal properties owe a duty to everybody else in the Commonwealth to so regulate their efforts and their business and so put their house in order that in the use of these God-given resources which they take out of the ground and give to the rest of the country, that they do it in such a way that they do not hurt anybody else. The man who owns a piece of land on a stream or river should not put anything in the river that will kill the cows. The mere fact that you have a pawn shop where you sell guns doesn't mean that you can take them out and shoot promiscuously. I believe the gentleman is off base, because you have got to use what you have without hurting anybody else. We are trying to take care of one river at a time; we want clean water. Is that asking too much? We want water that we can drink, we want water to bathe in that is not too dirty to bathe in. Is that asking too much? I would ask the Members of the House to come to Philadelphia where they can enjoy one of our Schuylkill cocktails, as we call them. I would ask them to come into our homes there and get all the water you want to drink, but ask you not to spit it out on the rug because while we don't want to penalize anybody we don't want to be penalized ourselves any more. All we want is that you use what you have upstate so that it won't hurt us downstate. We want our water fresh and sparkling; we don't want it out of the bottle. We want it to come into our intake pipes. We want to do a decent job of living respectfully with clean water. Now all that we have got, running through Philadelphia and through Norristown and the other cities and towns along the river, is a mud puddle. We have got to muddle, so please don't piddle in our puddle. Give us a break and pass this bill, and we won't complain about a lot of other things.

Mr. WATKINS. Mr. Speaker, I have listened with interest to both sides of this particular question. This is perhaps a question that comes up in every session of the legislature in some form or other regarding the Schuylkill bed. I want to ask the people of Philadelphia whether they know any other large city that has the facilities to get good fresh water from other streams that are not somewhat like the Schuylkill river. I have examined the Schuylkill river on different occasions. It is not all silt coming down there. As my colleague from Schuylkill has said, the engineers have examined the water far beyond the Schuylkill region, and they found impurities right and left, and I of course would not be one to bathe in the water down there. I have come to this comprehension of the Schuylkill river, that it is no longer a river; not fit to be called a river, and I don't think this bill can cure the proposition. I think that any city or any locality has a right to clean the stream, but I think they start out on the wrong angle when they try to make a pure stream out of a river that has received all this refuse, if you must call it so, for centuries.

We in Schuylkill County depend entirely on one business, the business of mining anthracite coal. We have made some arrangements to get rid of the silt, but how can we make any arrangement if you stop our industry? Therefore, I just want to add to the words of my colleague, Mr. Wagner, who explained this proposition in a very able manner. This bill means as I said before, and as Mr. Cohen has said, that we need the help of Philadelphia for the anthracite region, and we need that help more than ever before. We too are in the war industries and we are going to do the best we can under the conditions in the anthracite field. I tell you gentlemen of the House you are doing us an injustice in the anthracite field by voting for this bill. Therefore I say at this particular time above all others during war time, vote against this bill.

Mr. FLACK. Mr. Speaker, I would like to interrogate the gentleman from Montgomery, Mr. Brunner.

The SPEAKER. Will the gentleman from Montgomery permit himself to be interrogated?

Mr. CHARLES H. BRUNNER, Jr. I shall, Mr. Speaker.

Mr. FLACK. Mr. Speaker, how long has this silt or refuse from the anthracite region been rolling down the Schuylkill river?

Mr. CHARLES H. BRUNNER, Jr. Mr. Speaker, in answer to the gentleman from Luzerne, Mr. Flack, I inquired of a man on Sunday who has resided along the Schuylkill river for over sixty years in the vicinity of Norristown, and he informed me that about forty years ago the banks on both sides of the Schuylkill river at Norristown, which I would say is between a half and a quarter of a mile in width at least, began to be lined by this silt. However, I might add, if I may, that there is an island called Barbadoes Island, and at the other end of that island there was a sandy beach where I, not too long ago, some twenty years ago, was able to walk at least a half mile from shore on a gradually inclined beach until the water got around my shoulders, and it afforded recreational facilities to even the youngest child. That has gone long since, and for the past fifteen years no one can put his foot in that stuff without going up over his knees.

Mr. FLACK. Mr. Speaker, is it not true that the anthracite operators are endeavoring to remove this silt and the smaller sizes of coal that run into the Schuylkill and various other tributaries? What percentage of that goes into the river today?

Mr. CHARLES H. BRUNNER, Jr. Mr. Speaker, I am not an expert on the subject, but I quite recently took a trip up to Schuylkill county and Carbon county and was shown a device whereby the people who are using it intend to take out of the water the silt. As to what percentage goes into the river I am unable to tell you because the various operators differ in their efforts to remove this pollution. I do believe though that the army engineers as the result of two and a half years of tests, estimated that the silt coming over the dam at Flat Rock near Philadelphia the content, I believe, was forty-five per cent, as well as I can remember.

Mr. FLACK. Mr. Speaker, was not the statement made in the hearing within the past two weeks that approximately twenty per cent was coming down now compared to what it was prior to this time?

Mr. CHARLES H. BRUNNER, Jr. Mr. Speaker, I don't want to be unfair to the gentleman, but I am unable to give a true answer to that, therefore, I would ask to be excused.

Mr. FLACK. Furthermore, Mr. Speaker, if the coal companies stop their operations in the upper field, how long is it going to be before you get clear water in the lower tributaries?

Mr. CHARLES H. BRUNNER, Jr. Some years ago, Mr. Speaker, the United States engineers compiled a solution for that, and the solution was this: the first step was to eliminate the sources, mainly by eliminating it from the wash water. There was also a dam project called an elimination project whereby erosion would be prevented. If that had been accomplished a dam would be erected at Auburn, where the river makes a long meandering turn. It is estimated that if no silt was introduced into the stream, that the silt in the bed above would wash down and fill up the large U and it would act as a huge settling basin. When that U was filled up the river would be by-passed and allowed to flow down past this U. At that time the Federal government was willing to come in at Norristown with dredges and dredge on up the Schuylkill river, and it was contemplated that the further they dredged up the river, the more silt would run downstream and eventually out to sea.

Mr. FLACK. Does the gentleman really believe that by this elimination you can clear up the water in the next fifty years, with the freshets from year to year?

The SPEAKER. The Chair requests the gentleman from Cambria, Mr. Rose, to preside.

MR. WALTER E. ROSE IN THE CHAIR

Mr. CHARLES H. BRUNNER, Jr. I do, Mr. Speaker, and what is more I certainly hope so.

Mr. FLACK. Does not the gentleman think it might be possible to take some of this sales tax that you get in Philadelphia to help us eliminate that?

Mr. CHARLES H. BRUNNER, Jr. Mr. Speaker, I don't know whether the gentleman is trying to prejudice me about a tax with which I do not agree, but I refuse to answer.

Mr. READINGER. Mr. Speaker, I admit the hour is late and I regret taking any more time at this late hour. However, the city of Reading is vitally interested in the passage of this bill, and it certainly is my duty to speak briefly on the measure. When I was a boy I swam in this Schuylkill River that we talked about, and the water was nice and clean, clean enough to swim in. It is not important that I cannot swim in it any longer, it is not important that my children will not be able to swim in it, but it is important to Reading, and it has nothing to do with drinking water, that is the matter of floods that we have had costing millions of dollars to the city of Reading. Oh, I know we all have floods, all of us who live along streams, but this coal dirt has so filled up the bed of the river that when we have floods it flows out and covers more ground than it should. The river bed is no longer free to run the water away and Reading has suffeerd a loss of millions of dollars.

I attended a public hearing that was held a while ago on this measure, and I heard it said, and I don't believe it can be disputed, that the people of the coal industry themselves, their own engineers have admitted that they can remove eighty percent of this coal silt, but we know that they haven't done so. We know that it will cost money to do so.

In regard to one of the arguments that Mr. Wagner made about the great cost of this thing, I would like to say that if the coal operators cannot afford it now, how are they going to afford it later on when their revenues are curtailed? We don't want to put the coal region out of business, nor do we want the people of Reading to pay millions of dollars to have it eliminated, but we certainly intend to see that it is eliminated as far as it can be done. The bill in its original form before the last amendment was put in probably would cost the coal companies a great deal, but with that amendment that the United States engineers can certify that the means of eliminating the silt are not available I don't think it is going to hurt the coal region. I certainly hope the House will pass this bill tonight and eliminate an evil, not only an evil that has been growing year after year, not only taking drinking water from Reading and Phoenixville for many years, but causing all the river towns and villages a great deal of damage.

Mr. FIGLOCK. Mr. Speaker, I desire to interrogate the gentleman from Philadelphia, Mr. Cohen.

The SPEAKER Pro Tempore. Will the gentleman from hiladelphia permit himself to be interrogated?

Mr. COHEN. I shall, Mr. Speaker.

Mr. FIGLOCK. Mr. Speaker, is it not so that a few years ago the city of Philadelphia had an opportunity to get what I consider the finest water in the world, and they turned it down?

Mr. COHEN. Mr. Speaker. I think the gentleman is referring, if I am not mistaken, to a proposed plan that was suggested by the late Mayor Samuel Davis Wilson, who suggested a possible expenditure of some eighty to ninety million dollars to go up into the Pocono area and tap the mountain water there for a supply for the City of Philadelphia. That is true. The plan was opposed by many people who frankly I consider shortsighted, because my first love in the world was the Poconos and its clean water. I spent my summers there for the past eighteen years. However, it was opposed as an excessive expenditure of money and it was turned down by the persons in power because they believed that eighty million dollars was a prohibitive cost.

Mr. FIGLOCK. Mr. Speaker, we have heard a lot about the silt coming into the river, but it is a well known fact that we receive in the anthracite field from up in New York floating and other refuse that comes down our river and goes to Philadelphia. This condition can hardly be remedied, due to the sulphur water and the culm banks that we have had in the past few years, and the floods that we cannot control.

I spoke to a coal operator, and I am not holding up for the coal operators, but they are doing their utmost to remedy this situation, because there is a market for it and it has a profitable sale. I want to say further, gentlemen, that this problem will not be eradicated by any legislation here. It will take a hundred years before the silt can be cleaned out and eliminated from these rivers.

Mr. FLYNN. Mr. Speaker, I do not want to take up a lot of the time of the House, but I have listened to this argument, and I come from the coal fields myself. I would ask the gentleman from Philadelphia Mr. Cohen and also

the gentleman from Montgomery Mr. Brunner about the purity of their water down at Philadelphia. The only mistake I think the gentlemen make is this, they attack us in the coal fields where we give employment to thousands of people. It is their lifeline. They talk about impurities in the water, but they don't say anything about taking out the other debris from the river. Up in the mountains where I come from we have streams going down through outcroppings of five feet of coal, some of the mountains being so steep that you have to go up almost on your hands and knees. The water is ice cold, and you see plenty of people stopping to take a drink. Regardless of how fatigued you were you would pass it up if you were going to die, and at this time I don't think it is a good time to bring up this solution. We had a little case up home four or five years ago during the depression, the only thing we have in our county is the little mines, employing all told six hundred men. The sportsmen came into our county and they had state representatives from Harrisburg coming to us who said our mines were polluting the stream. It employed six hundred men. You know how coal miners are, they are honest-to-God men. They aren't hard, they live right, that is most of the time, they have large families, and at the hearing there were five or six so-called sportsmen said that the main stream in our county was being polluted by coal dust, and they petitioned the Commonwealth of Pennsylvania to close down this mine and shut off the bread and butter of possibly two thousand people. At the hearing it finally developed that there hadn't been any trout in the stream for years. We have the finest trout streams in the state in our county, but the so-called sportsmen said they would have to park their automobiles and walk four or five miles to get to a stream where they could find fish. So the bill was ditched, and eventually everybody was happy. So at this time I ask every Member of this House to vote against this bill.

Mr. CORDIER. Mr. Speaker, I do not intend to take up too much time of the Members of the House. I think this subject has been pretty well covered. The paramount issue on this piece of legislation is the fact that the anthracite industry in Pennsylvania will be hurt pretty seriously, and many of the men will be put out of work. The tonnage mined in the anthracite field that has been used to spur the war effort will be reduced, and that is the paramount question that should be considered on this legislation. I know that the bill has an amendment which provides that the United States district engineers can decide whether or not this can be done during the war effort, but if the decision of those gentlemen is no different than it has been in the anthracite area, particularly in the city of Scranton on the flood condition, then we can look with fear in the passage of this legislation on the decision of those engineers. The same district engineers made a recommendation for the appropriation of seventy-five thousand dollars to clear the river bed of the Lackawanna river, and when the opportunity and the time came to spend this seventy-five thousand dollars the honorable W. P. A. workers came along and the money was withdrawn. We had a flood and many thousands of dollars of damage was done to the homes of the citizens of Scranton. So I say even with the amendments we in the anthracite field must look with suspicion upon any of the decisions of the United States engineers. The most impelling thought on this piece of legislation should be that you have in your hands an opportunity to save an industry and to save a section of this Commonwealth which the Lord knows has been very badly hit during the past decade.

Mr. PETROSKY. Mr. Speaker, I would like to interrogate the gentleman from Montgomery, Mr. Brunner.

The SEEAKER Pro Temport. Will the gentleman from Montgomery permit himself to be interrogated?

Mr. CHARLES H. BRUNNER, Jr. I will, Mr. Speaker.

Mr. PETROSKY. Mr. Speaker, I would like to know whether this amendment to the act would affect the entire state in regard to its proposed intent?

Mr. CHARLES H. BRUNNER, Jr. In my opinion it would, Mr. Speaker.

Mr. PETROSKY. I would like to know from the gentleman his interpretation of the word "silt," whether it would be just confined to the discussion that we had here on the floor or whether it would include other refuse as well, such as perhaps Philadelphia has in this measure.

Mr. CHARLES H. BRUNNER, Jr. I believe it would include any foreign substance other than coal, as well as coal.

Mr. PETROSKY. I thank the gentleman.

Mr. Speaker, I rise at this time to oppose this measure, inasmuch as it will certainly affect the coal properties throughout the state of Pennsylvania. This bill contains the fanatical ideas of certain proponents who desire the passage of this measure for recreational purposes, as well as all the purposes which can possibly be created in some other manner. I say to you that this can affect even Farmer Brown in regard to certain portions of his property being washed into the stream, so I feel that inasmuch as the scope and the object is so broad and the effect upon our industries would be so great as to multiply the claim for benefits that this bill proposes, I ask the members to vote down this measure.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—61

Barrett,	Elliott,	Mihm,	Sarraf,
Bentzel,	Finnerty,	Mintess,	Scanlon,
Boies,	Gorman,	Modell,	Schuster,
Boorse,	Gyger,	Moran,	Skale,
Boyd,	Hall,	Murray,	Swope,
Bretherick,	Hamilton,	O'Brien,	Tahl,
Brunner, C. H.,	Herman,	O'Dare,	Tate,
Brunner, P. A.,	Hoggard,	Powers,	Thompson,
Cadwalader,	Irvin,	Readinger,	Tiemann,
Campbell,	James,	Reagan,	Trent,
Cohen,	Kolankiewicz,	Root,	Walton,
Cooper,	Laughner,	Rose, S.,	Welsh,
Corrigan,	Lovett,	Rowley,	Winner,
Costa,	McAtee,	Royer,	Wood, L. H.,
Cullen,	Menna,	Salus,	Wood, N.,
Dillon,			Yester,

NAYS—91

Baker,	Garber,	Livingstone,	Rose, W. E.,
Barton,	Goodwin,	Longo,	Simons,
Bonawitz,	Grant,	Lyons,	Smith,
Bower,	Haberlen,	Madigan,	Snider,
Bradley,	Hare,	Maxwell,	Sollenberger,
Burns,	Harris,	McClester,	Sorg,
Coleman,	Heatherington,	McKinney,	Stank,
Cordier,	Helm,	McSurdy,	Stockham,
Coulson,	Hewitt,	Miller,	Stonier,
Croop,	Holmes,	Mock,	Taylor,
Dague,	Hoopes,	Mooney,	Thrasher,
Dennison,	Hunter, B. F.,	Moser,	Turbett,
Depuy,	Hunter, W. M.,	Muir,	Van Allsburg,
Ely,	Imbrie,	Munley,	Wachhaus,

Erb,	Jones,	O'Connor,	Wagner, K. H.,
Ewing,	Kirley,	O'Neill,	Wagner, P. L.,
Figlock,	Kline,	Petrosky,	Wallin,
Flack,	Kowalski,	Polaski,	Watkins,
Flynn,	Krepps,	Reese, D. P.,	Weiss,
Foor	Lane,	Regan,	Worley,
Fox,	Leonard,	Reynolds,	Wright,
Freed,	Leydic,	Riley,	Yeakel,
Fullerton,	Lichtenwalter,	Robertson,	Fiss,

Speaker.

Less than the majority required by the Constitution having voted in the affirmative, the question was determined in the negative and the bill falls.

THE SPEAKER (Ira T. Fiss) IN THE CHAIR

The SPEAKER. The Chair thanks the gentleman from Cambria, Mr. Rose, for presiding.

BILLS PASSED OVER

There being no objection

Senate Bill No. 48, Printer's No. 342;

Senate Bill No. 49, Printer's No. 164 and

House Bill No. 839, Printer's No. 253,

were passed over at the request of Mr. LICHTENWALTER.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 926, as follows:

An Act creating a commission to make a study of juvenile delinquency directing such commission to make a report and recommendations to the General Assembly conferring certain powers upon such commission including the power to issue subpoenas administer oaths and affirmations retain employes and expend funds and making an appropriation

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 There is hereby created a commission which shall be composed of three members of the Senate to be appointed by the President pro tempore thereof and three members of the House of Representatives to be appointed by the Speaker thereof to be known as the Commission for Investigation of Juvenile Delinquency

It shall be the duty of such commissions

(1) To investigate the alarming increase in juvenile delinquency throughout the Commonwealth since the outbreak of the present war

(2) To confer with agencies in other states concerned with the problem of juvenile delinquency

(3) To engage in research directed toward the development of a plan or plans to reduce and control juvenile delinquency

(4) To make appropriate recommendations to the General Assembly as to legislation which appears necessary in order to deal effectively with the problems of juvenile delinquency in Pennsylvania

The commission shall if possible make a preliminary report to the General Assembly during the present session It shall file its final report with the General Assembly not later than the first day of February one thousand nine hundred forty-five

Section 2 The persons appointed as members of said commission shall meet immediately after appointment and select one of their members to act as chairman of the commission The commission may employ and fix the compensation of a secretary and such counsel experts clerks stenographers and investigators as they deem necessary to perform the duties imposed by this act The members of the commission shall receive no compensation for their services but shall be reimbursed for living and traveling expenses necessarily incurred in the performance of their duties

Section 3 The said commission shall have power to issue subpoenas under the hand of its chairman requesting and commanding any person or persons to appear before them and to answer such questions touching matters properly being inquired into by the commission and to produce such books papers records and documents as the commission may deem necessary Such subpoenas may be served upon any person and shall have the force and effect of subpoenas issued out of the courts of this Commonwealth Each member of said commission shall have power to administer oaths and affirmations to witnesses appearing before the commission Any person who shall wilfully neglect or refuse to testify before said commission or to produce any books papers records or documents shall be subject to the penalties provided by the laws of the Commonwealth in such cases

Section 4 The sum of ten thousand dollars ($10,000) or so much thereof as may be necessary is hereby specifically appropriated to the commission for the payment of the expenses of its members in connection with the work required hereby and for the payment of the compensation and expenses of the secretary counsel experts clerks stenographers and investigators for postage telegraph and telephone charges for witness fees allowed by the commission for supplies and printing and for all other expenses deemed necessary and proper by the commission

Section 5 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—200

Alspach,	Finnerty,	Krepps,	Reynolds,
Auker,	Flack,	Krise,	Riley,
Baker,	Fleming,	Lane,	Robertson,
Barrett,	Flynn,	Laughner,	Root,
Barton,	Foor,	Lee,	Rose, S.
Bentley,	Fox,	Leisey,	Rose, W. E.,
Bentzel,	Freed,	Leonard,	Rowley,
Boies,	Fullerton,	Levy,	Royer,
Bonawitz,	Garber,	Leydic,	Salus,
Boorse,	Gardner,	Lichtenwalter,	Sarge,
Boory,	Gates,	Livingstone,	Sarraf,
Bower,	Gillan,	Longo,	Scanlon,
Boyd,	Goodling,	Lovett,	Schuster,
Bradley,	Goodwin,	Lyons,	Serrill,
Bretherick,	Gorman,	Madigan,	Simons,
Brice,	Grant,	Mahany,	Skale,
Brigerman,	Green,	Maxwell,	Smith,
Brown,	Greenwood,	McAtee,	Snider,
Brunner, C. H.,	Gross,	McClester,	Sollenberger,
Brunner, P. A.,	Gyger,	McKinney,	Sorg,
Burns,	Haberlen,	McSurdy,	Stank,
Cadwalader,	Hall,	Menna,	Stockham,
Calvin,	Hamilton,	Mihm,	Stonier,
Campbell,	Hannon,	Miller,	Tahl,
Chervenak,	Hare,	Mintess,	Tate,
Chudoff,	Harris,	Mock,	Taylor,
Cohen,	Haudenshield,	Modell,	Thompson,
Coleman,	Heatherington,	Mooney,	Thrasher,
Cook,	Helm,	Moore,	Tiemann,
Cooper,	Herman,	Moran,	Trent,
Cordier,	Hersch,	Moser,	Trout,
Corrigan,	Hewitt,	Muir,	Turbett,
Costa,	Hocke,	Murray,	Van Allsburg,
Coulson,	Hoffman,	Munley,	Verona,
Croop,	Hoggard,	Nowak,	Wachhaus,
Cullen,	Holmes,	O'Brien,	Wagner, K. H.,
Dague,	Hoopes,	O'Connor,	Wagner, P. L.,
Dalrymple,	Hunter, B. F.,	O'Dare,	Wallin,
Denman,	Hunter, W. M.,	O'Neill,	Walton,
Dennison,	Huntley,	Owens,	Watkins,
Depuy,	Imbrie,	Petrosky,	Weiss,
Dillon,	Irvin,	Pettit,	Welsh,
Dix,	James,	Polaski,	Winner,
Duffy,	Jones,	Powers,	Wood, L. H.,
Elder,	Kennedy,	Readinger,	Wood, N.,
Elliott,	Kirley,	Reagan,	Worley,
Ely,	Kitchen,	Reese, D. P.,	Wright,
Erb,	Kline,	Reese, R. E.,	Yeakel,

Ewing,	Kolankiewicz,	Regan,	Yester,
Figlock,	Kowalski,	Reilly,	Fiss,
			Speaker.

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1071, as follows:

An Act to further amend the act approved the twenty-fourth day of June one thousand nine hundred thirty-seven (P. L. 2051) entitled "An act relating to public assistance providing for and regulating assistance to certain classes of persons designated and defined as dependent children aged persons blind persons and other persons requiring relief providing for the administration of this act by the Department of Public Assistance and county boards of assistance hereby created for this purpose authorizing the Department of Public Assistance to cooperate with and to accept and disburse moneys received from the United States Government for assistance to such persons providing for the liquidation of the State Emergency Relief Board Boards of Trustees of the Mothers' Assistance Fund and Boards of Trustees of Pension Fund for the Blind and repealing laws relating to mothers' assistance pensions for the blind old age assistance and the State Emergency Relief Board" declaring the legislative intent restricting the powers of the Department of Public Assistance and the State Board of Public Assistance extending the powers of county boards of assistance [and] making provision reciprocal with other states for assistance to certain aged persons and prohibiting the requiring of a bond note or other obligation for repayment of old age assistance cancelling and providing for satisfaction of such bonds notes or other obligations heretofore given.

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section one of the act approved the twenty-fourth day of June one thousand nine hundred thirty-seven (P. L. 2051) entitled "An act relating to public assistance providing for and regulating assistance to certain classes of persons designated and defined as dependent children aged persons blind persons and other perons requiring relief providing for the administration of this act by the Department of Public Assistance and county boards of assistance hereby created for this purpose authorizing the Department of Public Assistance to cooperate with and to accept and disburse moneys received from the United States Government for assistance to such persons providing for the liquidation of the State Emergency Relief Board Boards of Trustees of the Mothers' Assistance Fund and Boards of Trustees of Pension Fund for the Blind and repealing laws relating to mothers' assistance pensions for the blind old age assistance and the State Emergency Relief Board" is hereby amended to read as follows

Section 1 Short Title and Legislative Intent This act shall be known and may be cited as the "Public Assistance Law"

It is hereby declared to be the legislative intent that the purpose of this act is to promote the welfare and happiness of all the people of the Commonwealth by providing public assistance to all of its needy and distressed that assistance shall be administered promptly and humanely with due regard for the preservation of family life and without discrimination on account of race religion or political affiliation and that assistance shall be administered in such a way and manner as to encourage self-respect self-dependency and the desire to be a good citizen and useful to society

Section 2 Section two of said act as last amended by section one of the act approved the twenty-fifth day of July one thousand nine hundred forty-one (P. L. 509) is hereby further amended to read as follows

Section 2 Definitions As used in this act unless otherwise indicated

"Assistance means assistance in money [milk] goods shelter medical care work relief or services provided from or with State or Federal funds for indigent persons who reside in Pennsylvania and need assistance to enable them to maintain for themselves and their dependents a decent and healthful standard of living and for indigent homeless or transient persons The word assistance shall be construed to include pensions for those blind persons who are entitled to pensions as provided in this act and to include also burial for those indigent persons who were receiving assistance at the time of their death

"General Assistance" means assistance provided from or with State funds only to persons entitled under this act to assistance other than dependent children aged persons and blind persons

"Local Board" means any county board of assistance established under the provisions of this act

The masculine pronoun includes the feminine

Section 3 Clauses (b) (c) and (l) of section four of said act clause (b) as last amended by the act approved the twenty-sixth day of June one thousand nine hundred thirty-nine (P. L. 1089) clause (c) as amended by section two of the act approved the twenty-sixth day of June one thousand nine hundred thirty-nine (P. L. 1091) and clause (l) as added by the act approved the twenty-fourth day of July one thousand nine hundred forty-one (P. L. 473) are hereby further amended to read as follows

Section 4 General Powers and Duties of Department of Public Assistance

The Department of Public Assistance shall have the power and its duties shall be

* * * *

(b) To establish with the approval of the State Board of Public Assistance rules regulations and standards consistent with the law as to eligibility for assistance and as to its nature and extent [Provided however That such rules and regulations shall provide that in any case in which the report of the investigating or interviewing employe shall disclose that there are dependent children of the applicant for assistance or when it shall appear from such report that any other person who is an applicant requires the use of milk for his physical welfare fresh fluid milk shall be provided through orders to milk dealers of the relief recipients' selection holding permits from the State Department of Health and the cost thereof shall be a charge against the allowance awarded to the applicant for assistance]

(c) To [supervise] exercise general supervision of the local boards and to establish for such boards rules regulations and standards [consistent with law] as to accounting and as to forms records and reports so as to effect reasonable uniformity

* * * *

[(l)] (k) To take measures not inconsistent with the purposes of this act and with the approval of the State Board of Public Assistance [to promote the rehabilitation of persons receiving assistance and to help them to become independent of public support including measures designed to effect the fullest cooperation] when other funds or facilities for such purposes are inadequate or unavailable to provide for special needs of individuals eligible for assistance to relieve suffering and distress arising from handicaps and infirmities to promote their rehabilitation to help them if possible to become self dependent and to cooperate to the fullest extent with other public agencies empowered by law to provide vocational training rehabilitative [and] or similar services

Section 4 Subsection (a) of section five and section six of said act are hereby amended to read as follows

Section 5 Establishment of County Boards of Assistance (a) For each county of the Commonwealth there is hereby established a county board of assistance to be known as the County Board of Assistance which shall be com-

posed of men and women to be appointed as hereinafter provided The board shall be composed as far as possible of persons engaged or interested in business social welfare labor industry education or public administration The members of the board shall serve without compensation but shall be reimbursed for necessary expenses No member of a board shall hold office in any political party Not all of the members of a board shall belong to the same political party

Section 6 [Rules and Regulations The State Board of Public Assistance shall have the power to promulgate rules and regulations concerning the administration of this act including the establishment of standards of eligibility for assistance and its nature and extent]

[The county boards shall determine the eligibility of an applicant under the standards so established subject to the right of appeal as provided under subsection (d) of section seven of this act] Powers and Duties of State Board of Public Assistance The powers and duties of the State Board of Public Assistance shall be regulatory and advisory and not administrative or executive It shall be a policy-making body determining the outlines and principles of administration upon which public assistance shall be administered by the local boards

Section 5 Section seven of the act as amended by section two of the act approved the twenty-sixth day of June one thousand nine hundred thirty-nine (P. L. 1091) is hereby amended by adding immediately after clause (a) thereof three new clauses to read as follows

Section 7 Powers and Duties of County Boards of Assistance Each county board of assistance shall have the power and its duty shall be

* * * * *

(b) To determine the number of its employes and to direct and supervise their services so as to attain the maximum degree of efficiency

(b.1) To administer public assistance in the county and determine the eligibility of applicants in accordance with law and the general principles and policies determined by the State Board of Public Assistance

(b.2) To take measures to promote the welfare and self-dependency of individuals and families eligible for assistance by helping them to secure rehabilitative remedial or other constructive aid through local community resources or in the absence or inadequacy of such resources through direct provision of such aid in accordance with rules regulations and standards adopted by the department with the approval of the state board

Section 6 Clause (b) of section nine of said act as amended by section three of the act approved the twenty-sixth day of June one thousand nine hundred thirty-nine (P. L. 1091) is hereby further amended to read as follows

Section 9 Eligibility for Assistance Except as hereinafter specifically otherwise provided in the case of pensions for the blind all persons of the following classes except those who hereafter advocate and actively participate by an overt act or acts in a movement proposing a change in the form of government of the United States by means not provided for in the Constitution of the United States shall be eligible to receive assistance in accordance with rules regulations and standards established by the Department of Public Assistance with the approval of the State Board of Assistance as to eligibility for assistance and as to its nature and extent

* * * *

(b) Aged Persons An aged person is defined as one who (1) is seventy years of age or more or who after December thirty-first one thousand nine hundred thirty-nine is sixty-five years of age or more (2) resides in this Commonwealth and has so resided therein for five years during the nine years immediately preceding the date of making application for assistance and has so resided continuously for one year immediately preceding the date of making such application except that in all cases where the state in which the applicant last had a legal settlement makes similar provision for persons whose last legal settlement was in this Commonwealth residence in this Commonwealth of one year immediately preceding the date of application shall be sufficient (3) is not at the time of receiving assistance an inmate of a public institution and (4) has not conveyed or transferred his real or personal property of the value of five hundred dollars ($500.00) or upwards without fair consideration within two years preceding the date of making such application

Absence in the service of the Commonwealth or of the United States shall not be deemed to interrupt residence of an aged person in the Commonwealth if a domicile has not been acquired outside the Commonwealth

No aged person shall be required in connection with the receipt of assistance for the aged under this clause to give any bond note or other obligation in any amount to secure the repayment of moneys received as assistance and any such bond note or other obligation heretofore given is hereby cancelled and shall hereafter be of no effect In any case where any such bond note or other obligation has heretofore been entered of record or judgment has been entered thereon such judgment or record shall be satisfied by the Department of Justice

Section 7 The provisions of this act shall become effective immediately upon its final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—200

Alspach,	Flack,	Krise,	Riley,
Auker,	Fleming,	Lane,	Robertson,
Baker,	Flynn,	Laughner,	Root,
Barrett,	Foor,	Lee,	Rose, S.,
Barton,	Fox,	Leisey,	Rose, W. E.,
Bentley,	Freed,	Leonard,	Rowley,
Bentzel,	Fullerton,	Levy,	Royer,
Boies,	Garber,	Leydic,	Salus,
Bonawitz,	Gardner,	Lichtenwalter,	Sarge,
Boorse,	Gates,	Livingstone,	Sarraf,
Boory,	Gillan,	Longo,	Scanlon,
Bower,	Goodling,	Lovett,	Schuster,
Boyd,	Goodwin,	Lyons,	Serrill,
Bradley,	Gorman,	Madigan,	Simons,
Bretherick,	Grant,	Mahany,	Skale,
Brice,	Green,	Maxwell,	Smith,
Brigerman,	Greenwood,	McAtee,	Snider,
Brown,	Gross,	McClester,	Sollenberger,
Brunner, C. H.,	Gyger,	McKinney,	Sorg,
Brunner, P. A.,	Haberlen,	McSurdy,	Stank,
Burns,	Hall,	Menna,	Stockham,
Cadwalader,	Hamilton,	Mihm,	Stonier,
Calvin,	Hannon,	Miller,	Tahl,
Campbell,	Hare,	Mintess,	Tate,
Chervenak,	Harris,	Mock,	Taylor,
Chudoff,	Haudenshield,	Modell,	Thompson,
Cohen,	Heatherington,	Mooney,	Thrasher,
Coleman,	Helm,	Moore,	Tiemann,
Cook,	Herman,	Moran,	Trent,
Cooper,	Hersch,	Moser,	Trout,
Cordier,	Hewitt,	Muir,	Turbett,
Corrigan,	Hocke,	Munley,	Van Allsburg,
Costa,	Hoffman,	Murray,	Verona,
Coulson,	Hoggard,	Nowak,	Wachhaus,
Croop,	Holmes,	O'Brien,	Wagner, K. H.,
Cullen,	Hoopes,	O'Connor,	Wagner, P. L.,
Dague,	Hunter, B. F.,	O'Dare,	Wallin,
Dalrymple,	Hunter, W. M.,	O'Neill,	Walton,
Denman,	Huntley,	Owens,	Watkins,
Dennison,	Imbrie,	Petrosky,	Weiss,
Depuy,	Irvin,	Pettit,	Welsh,
Dillon,	James,	Polaski,	Winner,
Dix,	Jones,	Powers,	Wood, L. H.,
Duffy,	Kennedy,	Readinger,	Wood, N.,
Elder,	Kirley,	Reagan,	Worley,
Elliott,	Kitchen,	Reese, D. P.,	Wright,
Ely,	Kline,	Reese, R. E.,	Yeakel,
Erb,	Kolankiewicz,	Regan,	Yester,
Ewing,	Kowalski,	Reilly,	Fiss,
Figlock,	Krepps,	Reynolds,	Speaker.
Finnerty,			

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

RESOLUTIONS

RECALLING HOUSE BILL No. 72 FROM THE GOVERNOR

Mr. ELY offered the following resolution which was twice read, considered and adopted:

In the House of Representatives, April 26, 1943.

Resolved (if the Senate concur), that House Bill No. 72, Printer's No. 134, entitled "An act to further amend subsection (a) of section four of the act approved the twenty-fourth day of June one thousand nine hundred thirty-seven (P. L. 2045) entitled 'An act relating to the support of indigent persons publicly cared for or assisted providing for the support of such persons by certain relatives and for the recovery of public moneys expended for care and assistance from the property and estates of such persons providing for guardians of the person and property of such persons providing for the arrest and seizure and sale of the property of deserters and providing procedure' providing for the divestiture of judgments obtained thereunder by tax sales heretofore or herafter made," be recalled from the Governor for the purpose of further consideration.

Ordered, That the Clerk present the same to the Senate for concurrence.

RECALLING HOUSE BILL No. 285 FROM THE GOVERNOR

Mr. DENNISON offered the following resolution which was twice read, considered and adopted:

In the House of Representatives, April 26, 1943.

Resolved (if the Senate concur), that House Bill No. 285, Printer's No. 124, entitled "An act to further amend section one of the act approved the second day of May one thousand nine hundred and twenty-nine (P. L. 1518) entitled as amended 'An act regulating the construction equipment maintenance operation and inspection of elevators granting certain authority to and imposing certain duties upon the Department of Labor and Industry providing fees for inspection of elevators certificates of operation and approval of plans providing penalties for violations of this act and repealing all acts or parts of acts inconsistent with this act' by exempting from the provisions of said act elevators used in the coal mines of this Commonwealth and plants connected therewith," be recalled from the Governor for the purpose of further consideration.

Ordered, That the Clerk present the same to the Senate for concurrence.

RECALLING HOUSE BILL No. 651 FROM THE GOVERNOR

Mr. JAMES offered the following resolution which was twice read, considered and adopted:

In the House of Representatives, April 26, 1943.

Resolved (if the Senate concur), that House Bill No. 651, Printer's No. 130, entitled "An act providing for the printing and distribution of Senate and House Bills and Senate and House Calendars" be recalled from the Governor for the purpose of further consideration and amendment.

Ordered, That the Clerk present the same to the Senate for concurrence.

BILL INTRODUCED AND REFERRED

By Messrs. LYONS and SIMONS. HOUSE BILL No. 1110.

An Act making an appropriation to the George Jr., Republic Association, Grove City, Pennsylvania.

Referred to the Committee on Appropriations.

BILL SIGNED BY SPEAKER

Bill numbered and entitled as follows having been prepared for presentation to the Governor, and the same being correct, the title was publicly read as follows:

HOUSE BILL No. 548.

An Act to reenact and amend the title and the act approved the ninth day of June one thousand nine hundred thirty-six (Special Session of one thousand nine hundred thirty-six P. L. 13) entitled "An act imposing an emergency State tax for a limited period of time on liquor as herein defined sold by the Pennsylvania Liquor Control Board providing for the collection and payment of such tax and imposing duties upon the Department of Revenue and the Pennsylvania Liquor Control Board" as previously reenacted and amended by extending the provisions thereof for a further limited period of time

Whereupon,

The SPEAKER, in the presence of the House, signed the same.

SENATE MESSAGES

The Clerk of the Senate, Mr. McGroerty being introduced, presented the following extracts from the Journal of the Senate:

For concurrence Senate Bill No. 164
House Bill returned without amendment No. 222
House Bill No. 440, recall from the Governor
Senate Bill No. 135

RESOLUTION FOR CONCURRENCE

The Clerk of the Senate being introduced, presented an extract from the Journal of the Senate, which was read as follows:

In the Senate, April 26, 1943

Resolved, (if the House of Representatives concur), T Senate Bill No. 272, Printer's No. 245, entitled:

An Act to apportion the Commonwealth of Pennsylvania into congressional districts.

be recalled from the Governor for the purpose of amendment.

Ordered, That the Clerk present the same to the House of Representatives for its concurrence.

On the question,

Will the House concur in the resolution of the Senate?

It was concurred in.

Ordered, That the Clerk inform the Senate accordingly.

RESOLUTION CONCURRED IN BY SENATE

The Clerk of the Senate being introduced, informed that the Senate has concurred in the resolution from the House of Representatives, as follows:

In the House of Representatives, April 22, 1943.

Resolved (if the Senate concur) That House Bill No. 421, Printer's No. 85, entitled:

An Act to add section ten to the act approved the first day of July one thousand nine hundred thirty-seven (P. L. 2624) entitled "An act authorizing townships of the second class to adopt and enforce zoning ordinances regulating the location construction and use of buildings the size of courts and open spaces the density of population and the use of land" authorizing townships to make appropriations for said purposes

be recalled from the Governor for the purpose of amendment.

Ordered, That the Clerk present the same to the Senate for concurrence.

ADDITIONAL SPONSORS OF RESOLUTION

Mr. PETROSKY asked and obtained unanimous consent for three sponsors to present a resolution.

Messrs. PETROSKY, STANK and BOWER offered a privileged resolution which was twice read, considered and adopted as follows:

In the House of Representatives, April 26, 1943.

Whereas, Our congenial colleague, the Honorable Joseph P. Bradley, in addition to his many other achievements, has today attained the distinction of being a grandfather; and

Whereas, This new status of "Joe's" was occasioned by reason of the birth of a son to his daughter, Mrs. Geraldine Heim, at the Shamokin Hospital; and

Whereas, The House is anxiously awaiting news as to whether this young man is to be named "Hard Coal" Heim, in honor of his illustrious grandparent; now therefore be it

Resolved, That this House congratulates the Honorable Joseph P. Bradley on the birth of his first grandchild, and hereby wish him many more of such occasions; and be it further

Resolved, That a copy of this resolution be transmitted by the chief clerk to the happy parents.

COMMITTEE MEETINGS

There will be meetings of the Committees on

Cities—Second Class, Tuesday, April 27, at 12 Noon. Room 522,

Cities—Third Class, Tuesday, April 27, at 12 Noon. Room 521,

Elections, Tuesday, April 27, at 12:30 p. m. Room 329.

Fisheries, Tuesday, April 27, at 11:30 a. m. Room 331.

Highways, Tuesday, April 27, at 10:30 a. m. Room 329.

Judiciary General, Tuesday, April 27, at 11 a. m. Room 325.

Public Utilities, Tuesday, April 27, at 12:30 p. m. Room 323.

Ways and Means, Tuesday, April 27, at 11 a. m. Room 327.

There will be a Public Hearing before the Committee on Mines and Mining on House Bill No. 483 on Tuesday, April 27, 1943 at 10 a. m. in the Senate Caucus Room.

A caucus of the Philadelphia Delegation will be held in Room 246 on Tuesday at 11:30 a. m.

ADJOURNMENT

Mr. LICHTENWALTER. Mr. Speaker, I move that this House do now adjourn until Tuesday, April 27, 1943, at 1 p. m.

The motion was agreed to, and (at 2:12 a. m.) the House adjourned.

COMMONWEALTH OF PENNSYLVANIA

Legislative Journal.

Session 1943. 135th of the General Assembly.

Vol. 27. HARRISBURG, PA., TUESDAY, APRIL 27, 1943. No. 49.

SENATE

TUESDAY, April 27, 1943.

The Senate met at 2:00 o'clock, p. m., Eastern War Time. The PRESIDENT (Lieutenant-Governor John C. Bell, Jr.) in the Chair.

PRAYER

The Chaplain, Rev. EDWIN S. WALLACE, D.D. offered the following prayer:

To Thee, O God, the author of our being and the giver of every good and perfect gift, we come at this time to offer our thanks, and to renew our allegiance. Each of us in this assembly can bear testimony to the goodness of God. We are the benficiaries of Thy providence. Life, with all that sustains it, is Thy gift to us. May we value the gift, recognize it as God's investment in us, and so employ it that it will return to Thee Thy due.

Today we pray that wisdom and grace be given us to magnify Thy name, and faithfully represent the people and interests of our Commonwealth. May the laws here enacted by Thy servants harmonize with God's eternal laws of righteousness.

We pray for our nation, that the Lord of Hosts may lead our armies to victory and peace. We pray for all soldiers on the battle front, and for all those preparing to go. We pray for all those in the home-land, working to produce arms and food for those giving their lives for freedom and justice.

May the day be hastened when men shall learn war no more, the day when the Prince of Peace shall reign over all the earth. In His Name. Amen.

JOURNAL APPROVED

The PRESIDENT. A quorum of the Senate being present the Clerk will read the Journal of the preceding session.

The Clerk proceeded to read the Journal of the preceding session, when, on motion of Mr. HEYBURN and Mr. FARRELL, the further reading was dispensed with, and the Journal was approved.

PERMISSION TO ADDRESS SENATE

Mr. SHAPIRO asked and obtained unanimous consent to address the Senate.

Mr. SHAPIRO. Mr. President, in connection with the Calendar, I ask unanimous consent to make a brief statement, in order to ask my colleagues to look at the Calendar for today, on the first page. I want to take advantage of this opportunity of saying to my colleagues that finally there has been public acknowledgment of a fact, which should have been acknowledged previously—I have been wondering, when I see this Calendar—

The PRESIDENT. Is there objection to the request of the Senator from Philadelphia to address the Senate.

POINT OF ORDER

Mr. WADE. Mr. President, I rise on a point of order.

The PRESIDENT. The gentleman from Cumberland will state his point of order.

Mr. WADE. Mr. President, I submit that the gentleman, Senator Shapiro, is out of order. The next order of business is leaves of absence.

Mr. SHAPIRO. Mr. President, I requested unanimous consent to address the Senate and I thought the Chair had advised me to proceed.

The PRESIDENT. The gentleman from Philadelphia, Senator Shapiro, asked unanimous consent to make a brief statement concerning the Calendar.

Mr. WADE. Mr. President, I would like to ask for leaves of absence for some members of the Senate who are unable to be here today, and we are now under that order of business.

Mr. SHAPIRO. Mr. President, I will not take up so much time that the gentleman from Cumberland will not be able to make application for leaves of absence.

Mr. WADE. I object, Mr. President, because the gentleman from Philadelphia, Senator Shapiro, is out of order, in my opinion.

The PRESIDENT. There being objection, the next order of business is leaves of absence.

LEAVE OF ABSENCE

Mr. Wade asked and obtained leave of absence for Mr. EDMONDS, who is ill.

He also asked and obtained leave of absence for Mr. ZIESENHEIM, who is in the United States Army.

He also asked and obtained leave of absence for Mr. SCARLETT.

PERMISSION TO ADDRESS SENATE

Mr. SHAPIRO asked and obtained unanimous consent to address the Senate.

Mr. SHAPIRO. Mr. President, in connection with the Calendar for today, I was wondering what all these bills are doing on the Calendar in this year of our Lord 1943. I have found that I was wrong, that is not according to

the Calendar for today, the year of our Lord 1943, but it is the year of our Lord 1493, one year after the discovery of America by Columbus.

HOUSE MESSAGES

The Clerk of the House of Representatives being introduced informed the Senate that the House has concurred in resolution from the Senate as follows:

RECALLING SENATE BILL NO. 272

In the Senate, April 26, 1943.

Resolved (if the House of Representatives concur), that Senate Bill No. 272, Printer's No. 245, entitled "An act to apportion the Commonwealth of Pennsylvania into congressional districts," be recalled from the Governor for the purpose of amendment.

SENATE BILL No. 37 RETURNED WITH AMENDMENTS

He also returned to the Senate, Senate Bill No. 37, entitled:

An Act to amend section five hundred forty of the act, approved the twenty-third day of June, one thousand nine hundred and thirty-one (P. L. 932), entitled "An act relating to cities of the third class; and amending, revising and consolidating the law relating thereto," further regulating the adjustment of indebtedness where part of a township is annexed to a city of the third class

with the information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

The PRESIDENT. The bill as amended will appear on tomorrow's Calendar.

SENATE BILL No. 39 RETURNED WITH AMENDMENTS

He also returned to the Senate, Senate Bill No. 39, entitled:

An Act to amend section seven hundred seventeen of the act, approved the fourth day of May, one thousand nine hundred and twenty-seven (P. L. 519), entitled "An act concerning boroughs, and revising, amending, and consolidating the law relating to boroughs," further regulating the adjustment of liabilities and property where part of a township is annexed to a borough

with the information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

The PRESIDENT. The bill as amended will appear on tomorrow's Calendar.

AMENDMENTS TO HOUSE BILL No. 462 RECALLED FROM THE GOVERNOR

He also presented for concurrence bill of the House of Representatives, as follows:

House Bill No. 462, entitled:

An Act authorizing in certain cases the renewal of old motor vehicles operators' licenses for persons honorably discharged from the armed forces of the United States, or from any women's organization officially connected therewith, without a learner's permit, examination, or additional fee, and the temporary suspension of existing laws requiring the same.

Said bill having been recalled from the Governor for amendment, the votes had on final passage and third reading were reconsidered in the House and the bill amended, in which amendments the concurrence of the Senate is requested.

The PRESIDENT. The bill as amended will appear on tomorrow's Calendar.

AMENDMENT TO HOUSE BILL No. 644 RECALLED FROM THE GOVERNOR

He also presented for concurrence bill of the House of Representatives, as follows:

House Bill No. 644, entitled:

An Act to further amend sections five hundred and eleven and six hundred and ten of the act, approved the first day of May, one thousand nine hundred and twenty-nine (P. L. 1005), entitled "Tractor Code," authorizing the issuance of special permits for the operation upon the highways of oversize and overweight quarry equipment and machinery; and fixing fees therefor.

Said bill having been recalled from the Governor for amendment, the votes had on final passage and third reading were reconsidered in the House and the bill amended, in which amendments the concurrence of the Senate is requested.

The PRESIDENT. The bill as amended will appear on tomorrow's Calendar.

AMENDMENT TO HOUSE BILL No. 694 RECALLED FROM THE GOVERNOR

He also presented for concurrence bill of the House of Representatives, as follows:

House Bill No. 694, entitled:

An Act to amend sections one, five, seven, nine and twelve, and to repeal section six of the act, approved the twenty-seventh day of May, one thousand nine hundred and thirty-seven (P. L. 901), entitled "An act for the protection of producers of farm produce; providing for the licensing, the bonding or holding collateral of and the regulation of certain dealers in farm produce, as herein defined within this Commonwealth; conferring powers, and imposing duties on the Department of Agriculture; providing for appeals and injunctions; and prescribing penalties," by changing definitions, the period of the license and the fee therefor, and the contents of records; eliminating the requirement for a bond, and adding to the reasons for refusing licenses.

Said bill having been recalled from the Governor for amendment, the votes had on final passage and third reading were reconsidered in the House and the bill amended, in which amendments the concurrence of the Senate is requested.

The PRESIDENT. The bill as amended will appear on tomorrow's Calendar.

RESOLUTION RECALLING FROM THE GOVERNOR HOUSE BILL No. 72

He also presented extract from the Journal of the House of Representatives, which was twice read as follows, considered and agreed to.

In the House of Representatives, April 26, 1943.

Resolved (if the Senate concur), That House Bill No. 72, Printer's No. 134, entitled:

An Act to further amend subsection (a) of section four of the act approved the twenty-fourth day of June, one thousand nine hundred thirty-seven (P. L. 2045), entitled "The Support Law," prescribing the effect on other liens against property of an indigent person when a judgment is recovered for care and maintenance thereof, providing for other judgments and local taxes

be recalled from the Governor for further consideration.

Ordered, That the Clerk inform the House of Representatives accordingly.

RESOLUTION RECALLING FROM THE GOVERNOR HOUSE BILL No. 285

He also presented extract from the Journal of the House of Representatives, which was twice read as follows, considered and agreed to:

In the House of Representatives, April 27, 1943.

Resolved (if the Senate concur), That House Bill No. 285 Printer's No. 124, entitled:

An Act to further amend section one of the act, approved the second day of May, one thousand nine hundred and twenty-nine (P. L. 1518), entitled, as amended, "Elevator Regulation Law," by exempting from the provisions of said act elevators used in the coal mines of this Commonwealth and plants connected therewith

be recalled from the Governor for the purpose of amendment.

Ordered, That the Clerk inform the House of Representatives accordingly.

RESOLUTION RECALLING FROM THE GOVERNOR HOUSE BILL No. 651

He also presented extract from the Journal of the House of Representatives, which was twice read as follows, considered and agreed to:

In the House of Representatives, April 27, 1943.

Resolved (if the Senate concur), That House Bill No. 651 Printer's No. 130, entitled:

An Act providing for the printing and distribution of Senate and House Bills and Senate and House Calendars

be recalled from the Governor for the purpose of amendment.

Ordered, That the Clerk inform the House of Representatives accordingly.

HOUSE BILLS FOR CONCURRENCE

He also presented for concurrence bills of the House, as follows:

House Bill No. 26, entitled:

An Act authorizing all counties, cities, boroughs, incorporated towns, townships and institution districts, to place their respective officers and employes in the state Employes' Retirement Association; prescribing the procedure to be followed; and authorizing a special tax to pay the expenses incident thereto; placing certain duties upon the State Treasurer, and the fiscal officers of the said municipal units; prohibiting the future establishment of local pension or retirement systems; and providing in certain cases for the discontinuance of existing ones.

Which was committed to the Committee on County Government.

House Bill No. 173.

An Act to amend the act, approved the eleventh day of June, one thousand nine hundred thirty-five (P. L. 326), entitled "An act relating to counties of the first class; defining deceased service persons; providing for contributions by the county to the funeral expenses for such persons and their widows; providing for the erection and care of markers, headstones, and flags, and for the compilation of war records," further clarifying the term "deceased service persons"; and changing the provisions for the burial of deceased service persons and their widows, and for markers and headstones on their graves, and changing the name of the veterans' grave registrar to director of veterans' affiairs.

Which was committed to the Committee on Military Affairs.

House Bill No. 302, entitled:

An Act to further amend section seven hundred seven, subsection (a) and (c) of section nine hundred two, subsection (e) of section nine hundred three, and to repeal section seven hundred eight and subsection (f) of section nine hundred two of the act, approved the first day of May, one thousand nine hundred twenty-nine (P. L. 905), entitled "Vehicle Code," changing the provisions of said act relating to the weight, length and width of motor buses and motor omnibuses and loads; and changing the registration fees of motor buses, motor omnibuses and other vehicles used for the transportation of passengers.

Which was committed to the Committee on Highways.

House Bill No. 578, entitled:

An Act relating to chattel mortgages on livestock, farm machinery, farm equipment and crops, grown, growing or to be grown.

Which was committed to the Committee on Judiciary Special.

House Bill No. 643, entitled:

An Act to amend clause (e) of section six and section seven of the act approved the twenty-fifth day of May, one thousand nine hundred thirty-seven (P. L. 814), entitled "The Permanent Registration Act in Cities of the Second Class," by increasing the maximum compensation to be paid to the chief clerk and to counsel for the commission.

Which was committed to the Committee on Municipal Government.

House Bill No. 665, entitled:

An Act to amend section three hundred sixteen of the act approved the seventeenth day of May one thousand nine hundred and twenty-one (P. L. 682), entitled "Insurance Company Law of 1921," by extending the provisions to include officers and employees.

Which was committed to the Committee on Insurance.

House Bill No. 679, entitled:

An Act to further amend the act approved the eighteenth day of May, one thousand nine hundred eleven (Pamphlet Laws 309), entitled "Public School Code," by increasing the term of the county, assistant county, district and assistant district superintendents.

Which was committed to the Committee on Education.

House Bill No. 835, entitled:

An Act to further amend section ten of the act, approved the twenty-first day of May, one thousand nine hundred and thirty-one (P. L. 149), entitled "Liquid Fuels Tax Law," appropriating one-half cent per gallon of said tax for the maintenance, construction, reconstruction, resurfacing and improvement of roads, streets and bridges in certain political subdivisions.

Which was committed to the Committee on Municipal

House Bill No. 875, entitled:

An Act to further amend section six hundred fourteen of the act, approved the first day of May, one thousand nine hundred and twenty-nine (P. L. 905), entitled "Vehicle Code," further regulating the revocation of operating privileges by the Secretary of Revenue.

Which was committed to the Committee on Highways.

House Bill No. 926, entitled:

An Act creating a commission to make a study of juvenile delinquency; directing such commission to make a report and recommendations to the General Assembly; conferring certain powers upon such commission, including the power to issue subpoenas, administer oaths and affirmations, retain employes and expend funds; and making an appropriation.

Which was committed to the Committee on Welfare, Public Assistance and Pensions.

House Bill No. 929, entitled:

An Act creating a commission to study the method of participation by the Commonwealth and local school districts in the maintenance of a thorough and efficient system of public school, prescribing its powers and duties, and making an appropriation.

Which was committed to the Committee on Education.

House Bill No. 1039, entitled:

An Act to further amend section five hundred forty-seven of the act, approved the first day of May, one thousand nine hundred thirty-three (P. L. 103), entitled "The Second Class Township Law," by further regulating publication of the auditors' report.

Which was committed to the Committee on County Government.

House Bill No. 1071, entitled:

An Act to further amend the act, approved the twenty-fourth day of June, one thousand nine hundred thirty-seven (P. L. 2051), entitled "Public Assistance Law" declaring the legislative intent restricting the powers of the Department of Public Assistance and the State Board of Public Assistance; extending the powers of county boards of assistance; changing the membership and power to appoint members of county boards of assistance; conferring powers and imposing duties on county commissioners and courts of common pleas; making provision, reciprocal with other states, for assistance to certain aged persons; and imposing a part of the cost of public assistance on the counties, and requiring the levy of taxes therefor.

Which was committed to the Committee on Welfare, Public Assistance and Pensions.

HOUSE CONCURS IN SENATE BILL No. 20

He also returned to the Senate, Senate Bill No. 20, entitled:

An Act to amend sections nine hundred twenty-two and nine hundred seventy-nine of the act, approved the third day of June, one thousand nine hundred and thirty-seven (P. L. 1333), entitled "An act concerning elections, including general, municipal, special and primary elections, the nomination of candidates, primary and election expenses and election contests; creating and defining membership of county boards of elections; imposing duties upon the Secretary of the Commonwealth, courts, county boards of elections, county commissioners; imposing penalties for violation of the act, and codifying, revising and consolidating the laws relating thereto; and repealing certain acts and parts of acts relating to elections," providing for nominations where successful candidates have died before or on the day of the primary

with the information that the House has passed the same without amendments.

HOUSE CONCURS IN SENATE BILL No. 202

He also returned to the Senate, Senate Bill No. 202, entitled:

An Act to further amend paragraph (a) of section four of the act approved the first day of June, one thousand nine hundred thirty-seven (P. L. 1168), entitled "An act to protect the right of employes to organize and bargain collectively; creating the Pennsylvania Labor Relations Board; conferring powers and imposing duties upon the Pennsylvania Labor Relations Board, officers of the State government, and courts providing for the right of employes to organize and bargain collectively; declaring certain labor practices by employers to be unfair; further providing that representatives of a majority of the employes be the exclusive representatives of all the employes; authorizing the board to conduct hearings and elections, and certify as to representatives of employes for purposes of collective bargaining; empowering the board to prevent any person from engaging in any unfair labor practice, and providing a procedure for such cases, including the issuance of a complaint, the conducting of a hearing, and the making of an order; empowering the board to petition a court of common pleas for the enforcement of its order, and providing a procedure for such cases; providing for the review of an order of the board by a court of common pleas on petition of any person aggrieved by such order, and establishing a procedure for such cases; providing for an appeal from the common pleas court to the Supreme Court; providing the board with investigatory powers, including the power to issue subpoenas and the compelling of obedience to them through application to the proper court; providing for service of papers and process of the board; prescribing certain penalties," by making further changes in the qualifications of members of the Pennsylvania Labor Relations Board

with the information that the House has passed the same without amendments.

HOUSE CONCURS IN SENATE BILL No. 240

He also returned to the Senate, Senate Bill No. 240, entitled:

An Act to further amend section eleven of the act, approved the thirteenth day of May, one thousand nine hundred and twenty-five (P. L. 644), entitled "An act relating to and regulating the solicitation of moneys and property for charitable, religious, benevolent, humane, and patriotic purposes," by exempting alumni or alumnae associations from the provisions of the act in certain cases

with the information that the House has passed the same without amendments.

HOUSE CONCURS IN SENATE BILL No. 281

He also returned to the Senate, Senate Bill No. 281, entitled:

An Act to amend section one of the act approved the eleventh day of May one thousand eight hundred ninety-three (P. L. 42) entitled "An act to authorize corporations organized for profit under the laws of Pennsylvania to make allowances or pensions to employes for faithful and long continued service who in such service have become old infirm or disabled" authorizing certain corporations to make allowances or pensions to officers or employes

with the information that the House has passed the same without amendments.

HOUSE CONCURS IN SENATE BILL No. 295

He also returned to the Senate, Senate Bill No. 295, entitled:

An Act to further amend section two hundred fifty-four of the act approved the second day of May, one thousand nine hundred twenty-five, (P. L. 448), entitled "An act relating to fish; and amending, revising, consolidating, and changing the law relating to fish in the inland waters and the boundary lakes and boundary rivers of the Commonwealth," by authorizing the Board of Fish Commissioners to close streams, or parts thereof, for a certain period after stocking the same

with the information that the House has passed the same without amendments.

HOUSE CONCURS IN SENATE BILL No. 298

He also returned to the Senate, Senate Bill No. 298, entitled:

An Act providing for and regulating the accumulation, investment and expenditure by counties, cities, boroughs, incorporated towns and townships, of funds for post war projects

with the information that the House has passed the same without amendments.

HOUSE CONCURS IN SENATE BILL No. 407

He also returned to the Senate, Senate Bill No. 407, entitled:

An Act to amend section three of the act, approved the seventeenth day of July, one thousand nine hundred thirty-five (P. L. 1092), entitled "An act defining fraternal benefit societies and their status; authorizing such societies to create subordinate lodges and to pay benefits to members and their beneficiaries from funds collected, and regulating such benefits and collections; providing for the organization and incorporation of such societies and for their supervision, regulation, and examination by the Insurance Commissioner, and for the admission of foreign societies; designating tables of mortality as a basis for rates of contribution; requiring all societies to make annual and other reports; and appointing the Insurance Commissioner as attorney for service of process; providing penalties for any violations of the act; exempting such societies from taxation and certain other societies from its provisions; and requiring beneficial associations, other than fraternal benefit societies, to report to and be supervised by the Insurance Commissioner; and repealing existing laws," providing for the waiving of the requirement for the holding of meetings by societies under certain conditions

with the information that the House has passed the same without amendments.

BILLS SIGNED

The PRESIDENT (Lieutenant-Governor John C. Bell, Jr.) announced that the Chief Clerk having reported that the following bills had passed both houses of the General Assembly and the same being correct, the titles were publicly read as follows:

House Bill No. 548, entitled:

An Act to reenact and amend the title and the act, approved the ninth day of June, one thousand nine hundred thirty-six (Special Session of one thousand nine hundred thirty-six P. L. 13), entitled, "An act imposing an emergency State tax for a limited period of time on liquor, as herein defined, sold by the Pennsylvania Liquor Control Board; providing for the collection and payment of such tax; and imposing duties upon the Department of Revenue and the Pennsylvania Liquor Control Board" as previously reenacted and amended, by extending the provisions thereof for a further limited period of time

Senate Bill No. 67, entitled:

An Act to amend the act, approved the second day of May, one thousand nine hundred twenty-nine (P. L. 1278), entitled "An act relating to counties of the second, third, fourth, fifth, sixth, seventh and eighth classes; and revising, amending and consolidating the laws relating thereto," establishing the method of appointing, promoting, reducing in rank, suspension, furloughing, discharging, and reinstating members of the police force of counties of the second class; creating and defining the powers and duties of a civil service commission; imposing certain duties and expenses on such counties; and prescribing penalties

Whereupon,

The PRESIDENT (Lieutenant-Governor John C. Bell, Jr.) in the presence of the Senate signed the same.

PERMISSION TO ADDRESS SENATE

Mr. STIEFEL asked and obtained unanimous consent to address the Senate.

Mr. STIEFEL. Mr. President, last week there were placed on the desks of the Senators copies of the final report filed by the Pennsylvania State Temporary Commission on the Condition of the Urban Colored Population. I have examined over the weekend the contents of this bulky report and discovered a few omissions which in my opinion are very important and I think they ought to be called to

the attention of the Senate and those members of the Senate who served on this Commission.

Page 294 of this report deals with boy offenders and, inter alia, concerns the boys in the twentieth ward of the city of Philadelphia, which is part of my senatorial district. What I am surprised about is the fact that while the members of the Commission have listed the darker side of the situation, they have omitted referring to one of the finest institutions which has been established in the city of Philadelphia and which has been very effective in the fight against delinquency. I refer to the institution known as the Youth City, which has been organized along the lines of Father Flannigan's Boys City.

At the present time, Mr. President, this unique institution has accomplished wonders and reduced considerably the number of delinquents under the leadership of a young educator by the name of Samuel Ellis; they have succeeded in gaining a membership of about three thousand people and at the present time at 717 North 12th Street they have a model Youth City.

I would appreciate if the membership of the Senate, as well as those Senators who served on this Committee, would give this matter their attention and help to foster institutions of this kind throughout the Commonwealth of Pennsylvania. This, in my opinion, is a proper step in ameliorating conditions of the kind described on page 294 of the report.

REPORTS FROM COMMITTEES

Mr. GOURLEY, from the Committee on County Government, reported as committed, Senate Bill No. 579, entitled:

An Act to further amend section one thousand one hundred forty-seven of the act, approved the first day of May, one thousand nine hundred thirty-three (P. L. 103), entitled "An act concerning townships of the second class; and amending, revising, consolidating, and changing the law relating thereto," by providing as to certain additional roads, streets, lanes and alleys which may be accepted as public highways by boards of supervisors of townships of the second class

Mr. COX, from the Committee on Law and Order, reported as amended, House Bill No. 871, entitled:

An Act to further amend sections two three hundred five paragraph (4) of section six hundred two and section six hundred three of the act approved the twenty-ninth day of November one thousand nine hundred thirty-three (P. L. 15 1933-34) entitled as amended "An act to regulate and restrain the sale manufacture possession transportation importation traffic in and use of alcohol and alcoholic and malt or brewed beverages conferring powers and imposing duties upon the Pennsylvania Liquor Control Board and its agents the Department of Public Instruction other officers of the State government courts and district attorneys authorizing the establishment and operation of State stores for the sale of such beverages not for consumption on the premises and the granting of licenses subject to local option to sell such beverages for consumption on and off the premises forbidding importation or bringing of such beverages into the State except as herein provided prohibiting certain sales or practices in connection with and transactions in such beverages by licensees and others providing for the forfeiture of certain property making disposition of the receipts from State stores and of fees and imposing penalties" by defining "Official Seal" and authorizing the designation of wholesale or retail stores and suspending for the duration of the present war and for a period of one year thereafter the holding of Local Option Referenda on the question of granting liquor licenses and malt and brewed beverage retail dispenser licenses by the Pennsylvania Liquor Control Board

Mr. THOMAS, from the Committee on Law and Order, reported as committed, House Bill No. 865, entitled:

An Act to amend section four hundred nine of the act approved the twenty-ninth day of November one thousand nine hundred thirty-three (P. L. 15 1933-34) entitled as amended "An act to regulate and restrain the sale manufacture possession transportation importation traffic in and use of alcohol and alcoholic and malt or brewed beverages conferring powers and imposing duties upon the Pennsylvania Liquor Control Board and its agents the Department of Public Instruction other officers of the State government courts and district attorneys authorizing the establishment and operation of State stores for the sale of such beverages not for consumption on the premises and the granting of licenses subject to local option to sell such beverages for consumption on and off the premises forbidding importation or bringing of such beverages into the State except as herein provided prohibiting certain sales or practices in connection with and transactions in such beverages by licensees and other providing for the forfeiture of certain property making disposition of the receipts from State stores and of fees and imposing penalties" by providing for the surrendering by persons in military service of licenses granted to them the removal thereof by the board during licensee's continuance in such service and the renewal thereof thereafter

He also, from the Committee on Law and Order, reported as committed, House Bill No. 736, entitled:

An Act to further amend section sixteen of the act approved the third day of May one thousand nine hundred thirty-three (P. L. 252) entitled as amended "An act to regulate and restrain the traffic in malt and brewed beverages as herein defined providing for the licensing of the manufacture transportation sale and distribution of such beverages imposing license and permit fees and providing for collection and distribution thereof restricting ownership and interest in licensed places permitting municipalities and townships by vote of the electors to prevent the licensing therein of places where such beverages may be sold for consumption on the premises and regulating elections for this purpose imposing duties upon the Pennsylvania Liquor Control Board quarter sessions courts district attorneys the Department of Justice proper authorities of political subdivisions of the State and election officers providing penalties and repealing existing acts" by providing for the surrendering by persons in military service of licenses granted to them the renewal thereof by the board during the licensee's continuance in such service and the renewal thereof thereafter

He also, from the Committee on County Government, reported as amended, House Bill No. 862, entitled:

An Act providing for the creation maintenance and operation of a county employes retirement system in counties of the sixth and seventh class imposing certain charges on counties and prescribing penalties.

He also, from the Committee on County Government, reported as committed, House Bill No. 519, entitled:

An Act to amend the act approved the eighth day of July one thousand nine hundred forty-one (P. L. 298) entitled "An act authorizing the creation of and providing for and regulating the maintenance and operation of a county employes' retirement system in counties of the fourth class imposing certain charges on counties and fixing penalties" further regulating such retirement systems

He also, from the Committee on County Government, reported as amended, House Bill No. 805, entitled:

An Act authorizing the appointment of a clerk to the jury commissioners in counties of the third class by the court of common pleas the fixing of his salary by the salary board and the payment thereof by the county

He also, from the Committee on County Government, reported as committed, House Bill No. 509, entitled:

An Act to amend section three hundred and six of the act approved the twenty-fourth day of June one thousand nine hundred and thirty-seven (P. L. 2017) entitled "An act creating in each county (except of the first class) as a separate corporation and in each city of the first and second class as a part of the city government and institution district for the care and maintenance of certain indigent persons and children prescribing the powers and duties of county commissioners county treasurers city departments of public welfare the State Department of Welfare and the State Department of Public Assistance in respect thereto abolishing certain poor districts and terminating the terms of directors overseers guardians and managers of the poor and poor district auditors and providing for the temporary employment of certain of them providing for the transfer vesting sale and disposition of the property of poor districts and the payment of their obligations imposing certain existing obligations on institution districts and on the Commonwealth regulating the affairs of poor districts until abolished revising amending changing and consolidating the law relating to the care of the poor and repealing existing laws" providing for fixing the number and compensation of employes of institution districts and conferring powers and imposing duties on county officers

He also, from the Committee on County Government, reported as committed, House Bill No. 198, entitled:

An Act to amend section nine hundred fifteen of the act approved the first day of May one thousand nine hundred thirty-three (P. L. 103) entitled "An act concerning townships of the second class and amending revising consolidating and changing the law relating thereto" continuing the liability of taxpayers after the tax collector has been exonerated

He also, from the Committee on County Government, reported as committed, House Bill No. 537, entitled:

An Act to amend section one thousand five hundred and two by adding thereto clause XLVII of the act approved the twenty-fourth day of June one thousand nine hundred and thirty-one (P. L. 1206) entitled "An act concerning townships of the first class amending revising consolidating and changing the law relating thereto" authorizing certain townships of the first class to appropriate moneys for the support of hospitals

He also, from the Committee on County Government, reported as committed, House Bill No. 143, entitled:

An Act validating certain expenditures heretofore made by county commissioners in order to furnish filing cabinets or other office equipment to rationing boards

He also, from the Committee on County Government, reported as committed, House Bill No. 922, entitled:

An Act to add Clause XLVII to section one thousand five hundred two of the act approved the twenty-fourth day of June one thousand nine hundred thirty-one (P. L. 1206) entitled "An act concerning townships of the first class amending revising consolidating and changing the law relating thereto" authorizing the townships of the first class to make appropriations to Veterans' Home Associations

He also, from the Committee on County Government, reported as committed, House Bill No. 845, entitled:

An Act to amend sections six hundred seventeen and six hundred twenty-one of the act approved the second day of May one thousand nine hundred twenty-nine (P. L. 1278) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto" by removing certain restrictions as to the location of contagious disease hospitals and authorizing counties to join with any other municipality or hospital in establishing a joint contagious disease hospital

He also, from the Committee on County Government, reported as committed, House Bill No. 650, entitled:

An Act to further amend section three hundred forty-eight of the act approved the second day fo May one thousand nine hundred twenty-nine (P. L. 1278) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto" authorizing counties of the third fourth and fifth classes during the war period to enter into contracts up to five hundred dollars without advertising for bids

He also, from the Committee on County Government, reported as committed, House Bill No. 372, entitled:

An Act to amend clause eight of section seven hundred and two of the act approved the first day of May one thousand nine hundred and thirty-three (P. L. 103) entitled "An act concerning townships of the second class and amending revising consolidating and changing the law relating thereto" by empowering townships of the second class to levy a tax under certain circumstances for the purpose of paying for the removal and disposal of ashes garbage and other refuse material

He also, from the Committee on County Government, re-reported as committed, House Bill No. 629, entitled:

An Act to amend section four hundred thirty-seven of the act approved the second day of May one thousand nine hundred twenty-nine (P. L. 1278) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto" by authorizing the making of appropriations to more than one historical society

He also, from the Committee on County Government, reported as committed, House Bill No. 514, entitled:

An Act to amend the act approved the fifth day of August one thousand nine hundred forty-one (P. L. 803) entitled "An act providing for the creation maintenance and operation of a county employes retirement system in counties of the fifth class imposing certain charges on counties and prescribing penalties" further regulating such retirement systems

He also, from the Committee on County Government, reported as committed, House Bill No. 511, entitled:

An Act to further amend the act approved the fourth day of June one thousand nine hundred and thirty-seven (P. L. 1625) entitled "An act providing for the creation maintenance and operation of a county employes' retirement system in counties of the third class and imposing certain charges on counties" extending and further regulating such retirements systems

Mr. CARR, from the Committee on Law and Order, reported as committed, Senate Bill No. 276, entitled:

An Act further restricting, for the continuance of the present war, the hours during which certain licensees under the "Beverage License Law," approved the third day of May, one thousand nine hundred thirty-three (P. L. 252), as reenacted and amended, and the "Pennsylvania Liquor Control Act," approved the twenty-ninth day of November, one thousand nine hundred thirty-three (P. L. 15, 1933-34), as reenacted and amended, or their servants, agents or employes may sell liquor or malt or brewed beverages; and prescribing penalties

Mr. TYLER, from the Committee on County Government, reported as committed, House Bill No. 787, entitled:

An Act to further amend section one hundred thirty-six of the act approved the second day of May one thousand nine hundred twenty-nine (P. L. 1278) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto" changing the requirements for creating the office of county controller by court decree in counties of the sixth seventh and eighth classes and authorizing the establishment of such office by referendum

He also, from the Committee on County Government, reported as committed, Senate Bill No. 523, entitled:

An Act to amend sections six hundred three of the act, approved the second day of May, one thousand nine hundred twenty-nine (P. L. 1278) entitled "An act relating to counties of the second, third, fourth, fifth, sixth, seventh and eighth classes; and revising, amending and consolidating the laws relating thereto," by providing for the completion of public monuments

He also, from the Committee on County Government, reported as committed, Senate Bill No. 531, entitled:

An Act authorizing counties of the second class to enter into contracts with any city within the county for the hospitalization of persons suffering from infectious diseases, and to make appropriations therefor

Mr. McCREESH, from the Committee on Law and Order, re-reported as amended, Senate Bill No. 127, entitled:

An Act permitting certain organizations to conduct the playing of the game of bingo under certain circumstances providing for the issuance suspension and revocation of licenses therefor and for payment of a registration fee and providing penalties

Mr. BOWERS, from the Committee on Public Health, reported as committed, House Bill No. 668, entitled:

An Act to further amend the act approved the fifth day of May one thousand nine hundred and thirty-three (P. L. 289) entitled "An act relating to nonprofit corporations defining and providing for the organization merger consolidation and dissolution of such corporations conferring certain rights powers duties and immunities upon them and their officers and members prescribing the conditions on which such corporations may exercise their powers providing for the inclusion of certain existing corporations of the first class within the provisions of this act prescribing the terms and conditions upon which foreign nonprofit corporations may be admitted or may continue to do business within the Commonwealth conferring powers and imposing duties on the courts of common pleas prothonotaries of such courts recorders of deeds and certain State departments commissions and officers authorizing certain local public officers and State departments to collect fees for services required to be rendered by this act imposing penalties and repealing certain acts and parts of acts relating to corporations" by authorizing nonprofit medical service corporations to provide limited medical service benefits to subscribers of over-income

He also, from the Committee on Public Health, reported as committed, House Bill No. 669, entitled:

An Act to amend sections three four nine and nineteen of the act approved the twenty-seventh day of June one thousand nine hundred and thirty-nine (P. L. 1125) entitled "An act providing for the regulation and supervision of nonprofit medical service corporations organized to provide medical services to subscribers of low income by the Department of Health and the Insurance Department and defining the functions of such departments with respect thereto authorizing certain departments commissions officers and other agencies of the State and its political subdivisions to subscribe under certain circumstances to the medical service plan of such corporations on behalf of persons of low income prescribing legal investments for the funds of such corporations and the rights of doctors of medicine to register with such corporations conferring authority on the Department of Health and on the Insurance Commissioner each within its own sphere of lawful activity to regulate and supervise such corporations conferring certain rights powers duties and immunities upon such corporations and their officers and members prescribing the conditions on which such corporations may exercise their powers exempting such corporations from taxation prohibiting any person copartnership association common law trust or corporation except a nonprofit medical service corporation from providing medical services on a nonprofit plan in return for prepayment periodical or lump sum payments providing penalties for the violation of and mandatory and injunctive relief for the enforcement of the provisions of this act" by authorizing nonprofit medical service corporations to provide limited medical service benefits to subscribers of over-income

RESOLUTION

TO DISCHARGE COMMITTEE ON ELECTIONS

Mr. HOLLAND offered the following resolution which was twice read as follows:

Resolved, That the Committee on Election be discharged from further consideration of Senate Bill No. 122 entitled "An act to add section sixteen hundred fourteen to the act approved the third day of June, one thousand nine hundred thirty-seven (P. L. 1333), entitled 'An act concerning elections, including general, municipal, special and primary elections, the nomination of candidates, primary and election expenses and election contests; creating and defining membership of the county boards of elections; imposing duties upon the Secretary of the Commonwealth, courts, county boards of elections, county commissioners; imposing penalties for violation of the act, and codifying, revising and consolidating the laws relating thereto; and repealing certain acts and parts of act relating to elections,' requiring reports as to how money to pay off indebtedness of political parties was raised," said bill having been in the hands of said committee more than ten calendar days from the date of its reference thereto.

SUSPENSION OF RULE 39

Mr. HOLLAND. Mr. President, I ask unanimous consent that rule 39, which requires resolutions be referred to an appropriate committee, be dispensed with and the Senate proceed to the consideration of the foregoing resolution.

Which was agreed to.

On the question,

Will the Senate agree to the resolution?

Mr. HOLLAND. On February 9, Mr. President, I introduced Senate Bill No. 122 to amend the election laws so that all parties, whether they be Democrat or Republican would be compelled to give an accounting of how they received donations or contributions to pay off political debts. Unfortunately, in the election laws there has been the loophole by which the intent concerning contributions has not been carried out.

I believe that the people of Pennsylvania have a right to know whether or not a political party pays off any debt which is incurred before an election.

Yesterday this Senate passed a bill and in the course of the discussion some members of the Senate brought out the fact that back in 1936, the United Mine Workers loaned to the Democratic party the sum of $500,000, and many political orators since 1936 have stated on public platforms as it was stated in this Senate, that this debt was not paid off.

I agree with those orators that there should be an accounting to the people of any debt, whether it be incurred by my party or by the Republican party. I believe the people have a right to know whether or not any political party is in hock or out of hock. I believe that the people of Pennsylvania should know how this money was collected to pay off a political debt, who were the contributors, and whether or not the debt was paid off in full.

There always has been in the minds of people a doubt in government when either party accepts a large loan and then does not account for that loan. People begin to think that the loan so made was paid off not in actual money but paid of by legislative acts or by political favors. I think it is fair that a bill of this type should be passed so that there should be no doubt in the minds of any people how a party stands when acts are passed whether in this Senate or in the Congress of the United States.

Mr. HOLLAND. Mr. President, I ask for a roll call.

The yeas and nays were required by Mr. HOLLAND and were as follows, viz:

YEAS—16

Barr,	DiSilvestro,	Jaspan,	Ruth.
Coleman,	Gourley,	McCreesh,	Shapiro,
Cox,	Haluska,	McGinnis,	Stiefel,
Dent,	Holland,	McQuiddy,	Woodring,

NAYS—28

Becker,	Ealy,	Kephart,	Thomas,
Bowers,	Farrell,	Letzler,	Tyler,
Carr,	Geltz,	Mallery,	Wade,
Chapman,	Heyburn,	Snowden,	Walker,
Crider,	Homsher,	Stevenson,	Wilson, H. I.,
Crowe,	James,	Tallman,	Wilson, T. B.,
Deitrick,	Jones,	Taylor,	Woodward,

So the question was determined in the negative.

RESOLUTION

TO DISCHARGE COMMITTEE ON CONSTITUTIONAL CHANGES

Mr. COLEMAN offered the following resolution which was twice read as follows:

In the Senate, April 27, 1943.

Resolved, That the Committee on Constitutional Changes be discharged from further consideration of Senate Bill No. 19 entitled "A Joint Resolution proposing an amendment to article eight, section one of the Constitution of the Commonwealth of Pennsylvania, reducing the age limit of electors," said bill having been in the hands of said committee more than ten calendar days from the date of its reference thereto.

SUSPENSION OF RULE 39

Mr. COLEMAN. Mr. President, I ask unanimous consent that rule 39, which requires resolutions be referred to an appropriate committee, be dispensed with and the Senate proceed to the consideration of the foregoing resolution.

Which was agreed to.

On the question,

Will the Senate agree to the resolution?

Mr. COLEMAN. Mr. President and members of the Senate, last Saturday morning I stood on the platform of the Laurel Line Railroad Station in the city of Scranton, as I have on many mornings, watching a train on its sad departure, taking friends and neighbors of mine to far off places to defend the security of their country and its sacred honor. None of the consequences of war are more tragically portrayed than the scenes that meet the eye as the train pulls out and the all-aboard signal is given. The band strikes up a martial air and little family groups that have gathered around the son or the father or the brother, begin to break up. The lonliness that creeps up into the hearts of the father and mother will never again be duplicated. The father walks away and the mother begins to cry; one can even discern tears on the cheeks of the father, tears that are not a sign of weakness but rather they are the marks of power, even when seen on the cheeks of a strong man. The only word uttered is spoken through the raised window as the train pulls away when the youngster says, "take good care of Mom, Dad"—words that speak more eloquently than any oratory, because they come from the heart, the fountain of unbounded love.

My motion to discharge this committee, Mr. President, comes as the result of events that led up to the scenes I have just described.

Last year when you and every other man and woman in the Commonwealth of Pennsylvania walked into the polling booth and exercised your right of franchise, you were not alone, one of those boys was standing at your side; he may have been in the fox-holes of Guadalcanal, he may have been zoning through the clouds, the treacherous clouds, in search of an equally treacherous enemy, he may have been riding the seas where lurks danger, but he was there, nevertheless, and now he is asking the men in the Senate of Pennsylvania to give him the right to vote.

Mr. President, E. Ray Scott, the president of the March of Youth, Incorporated, in Washington, D. C., has sent a letter to all the governors of the states of America, including our own Governor Martin, pleading for the passage of this constitutional amendment. I would like to read brief extracts from this particular letter, I quote:

"Our boys of 18, 19, and 20 are fighting beside more mature brothers in the decisive battles which will end the world's greatest and most tragic war.

"Youth has become Atlas, sturdily assisting in upholding the whole globe on broad and uncomplaining shoulders.

"The Nation should and must grant suffrage to the boys and girls of 18, 19 and 20 who are working and fighting for their country and to the thousands and millions as they become 18 tomorrow and in the future. If they are old enough to fight and die for democracy, to fly combat planes and fortress bombers, to parachute from the skies and dive in submarines beneath the seas, to sustain gruelling marches and bloody campaigns in the freezing temperatures of the north or the sweltering, merciless heat of the tropics, to work day and night manufacturing guns, tanks and planes and ships, to till the soil and bring in the harvests—they also are old enough to have a voice in the affairs of state and national government.

"The boy and girl of 18 today are far more mature than the teen-agers of the passing generation. Their college education has been compressed into three years. Their high school years have been accelerated and intensified by night training courses and practical experience in producing armaments, goods and farm produce.

"Every state should at once change the age of suffrage from 21 to 18 in token of its appreciation for the service and sacrifice being made today in behalf of a better world tomorrow."

Mr. President, these young men of today are the builders of the world and the conservers of civilization tomorrow. I honestly and sincerely believe that when the framers of the Constitution of America met back in the old days, little did they realize when they established the voting age that a boy of eighteen of today would be the mental equal of a boy of twenty-one.

I ask my colleagues to join in this tribute to these men who have given their fresh strength to the ranks of freedom and who in the final analysis will, I think, be responsible for the preservation of democracy.

Mr. HOLLAND. I just want to add a very brief statement to what has been said. The Secretary of War has just given out statistics of the ages of the boys who won that glorious victory for us at Guadalcanal; the average age was nineteen plus. I believe the greatest tribute we could pay to those boys would be at least to start the ball rolling to permit them to vote.

Mr. SHAPIRO. Mr. President, I do not know whether boys eighteen years old are entitled to vote—I think maybe they are, if we have advanced far enough to believe they are entitled to fight or should fight.

I am going to vote for this resolution irrespective of the answer to that question, for one definite reason. This is an amendment to the Constitution; it is not a law to be enacted by this Legislature giving these boys the right to vote. This is a bill which will permit all of the people in the Commonwealth of Pennsylvania to decide that question. After all, it is the people who decide whether those boys should go to war, and it is the people who ought to decide whether they should be entitled to vote. This bill, if it is enacted into law, will then be presented to the people of the Commonwealth of Pennsylvania, for them to say whether or not these boys are entitled to vote. It can then become the subject of debate in public forum, so that the question may be aired and discussed and voted upon in an intelligent manner.

To keep this bill in committee, and not allow the people to vote on it, is to say to the people that we, the fifty men of this Senate, are the ones who will decide that question, that we are so all-powerful, so all-wise, that we can say that there shall be no such law.

It is because I feel that the passage of this bill will bring about a discussion of this question, so that it may be properly considered and properly decided, and it is because I feel that we fifty men have no right to confine the decision on the question to ourselves, that I think the bill ought to be brought out on the floor to be discussed, and it ought to be a matter for the public to discuss, and, therefore, I shall vote "aye" on this motion.

Mr. CARR. Mr. President, as Chairman of the Committee on Constitutional Changes, I simply want to call to the attention of the Senate the fact that this bill was considered by the Committee on Constitutional Changes and by vote of the members of that committee was postponed indefinitely. I say this in order to alleviate any thought that might be in the minds of any one that the Committee on Constitutional Changes has been sitting on this bill. We have not.

And the question recurring,

Will the Senate agree to the motion?

Mr. COLEMAN. Mr. President, I ask for a roll call.

The yeas and nays were required by Mr. COLEMAN and were as follows, viz:

YEAS—16

Barr,	DiSilvestro,	Jaspan,	Ruth,
Coleman,	Gourley,	McCreesh,	Shapiro,
Cox,	Haluska,	McGinnis,	Stiefel,
Dent,	Holland,	McQuiddy,	Woodring,

NAYS—29

Becker,	Farrell,	Letzler,	Tyler,
Bowers,	Geltz,	Mallery,	Wade,
Carr,	Heyburn,	Snowden,	Walker,
Chapman,	Homsher,	Stevenson,	Watkins,
Crider,	James,	Tallman,	Wilson, H. I.,
Crowe,	Jones,	Taylor,	Wilson, T. B.,
Deitrick,	Kephart,	Thomas,	Woodward,
Ealy,			

So the question was determined in the negative.

NOMINATIONS BY THE GOVERNOR

NOTARIES PUBLIC

The Secretary to the Governor being introduced, presented in writing from His Excellency, the Governor of the Commonwealth, nominations for appointment, as Notaries Public.

CONSIDERATION OF NOTARIES PUBLIC

Mr. WATKINS. Mr. President, I move that the Senate do now proceed to the consideration of nominations for appointment as Notaries Public, sent to the Senate, by His Excellency, the Governor of the Commonwealth, on April 27, 1943.

Mr. LETZLER. Mr. President, I second the motion.

The motion was agreed to.

The nominations were read as follows:

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, April 27, 1943.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for appointment as Notaries Public, for terms of four years to compute from the date of confirmation:

ALLEGHENY COUNTY

Chester E. Walters, Pittsburgh, St. Francis Hospital.

ARMSTRONG COUNTY

Harry I. McGregor, Rayburn Twp., R. D. No. 2, Kittanning.

CAMBRIA COUNTY

Miss Helen M. Hoffman, Johnstown.

CARBON COUNTY

Horace D. Obert, Lehighton.

DAUPHIN COUNTY

Miss Alma M. Rhinehart, Harrisburg.

LUZERNE COUNTY

Herbert P. Gregory, West Pittston.

PHILADELPHIA COUNTY

Harold S. Allen, Phila., 741 South 19th St.
N. Stuart Bell, Phila., Lincoln-Liberty Bldg., Broad and Chestnut Sts.
Pasquale Ciliberti, Phila., 1004 Ellsworth St.
Miss Carolyn M. Davenport, Phila., Keystone Bldg., 16th and Lombard Sts.
Miss Pauline V. Grasso, Phila., 2027 South 10th St.
Miss Ruth R. Manko, Phila., 31st and Jefferson Sts.
Franklin H. Norley, Jr., Phila., 6001 Castor Ave.

EDWARD MARTIN.

NOMINATIONS FOR NOTARIES PUBLIC

A motion was made by Mr. WATKINS and Mr. LETZLER,

That the Senate do advise and consent to said nominations.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—44

Barr,	DiSilvestro,	Jones,	Stiefel,
Becker,	Ealy,	Kephart,	Tallman,
Bowers,	Farrell,	Letzler,	Taylor,
Carr,	Geltz,	Mallery,	Thomas,
Chapman,	Gourley,	McCreesh,	Tyler,
Coleman,	Haluska,	McGinnis,	Wade,
Cox,	Heyburn,	McQuiddy,	Watkins,
Crider,	Holland,	Ruth,	Wilson, H. I.,
Crowe,	Homsher,	Shapiro,	Wilson, T. B.,
Deitrick,	James,	Snowden,	Woodring,
Dent,	Jaspan,	Stevenson,	Woodward,

NAYS—0

Two-thirds of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Governor be informed accordingly.

EXECUTIVE NOMINATIONS

A motion was made by Mr. WATKINS and Mr. EALY,

That the Senate do now resolve itself into Executive Session, for the purpose of considering the nominations of His Excellency, the Governor of the Commonwealth of Pennsylvania, just taken from the table, which were read by the Clerk as follows:

The motion was agreed to.

MEMBERS OF THE LAWRENCE COUNTY BOARD OF ASSISTANCE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, April 21, 1943.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for reappointment as members of the Lawrence County Board of Assistance:

Ivor M. Richards (Republican), 306 Englewood Avenue, New Castle, to serve until December 31, 1945, and until his sucessor is duly appointed and qualified.

Samuel H. Taylor (Republican), 608 North Ashland Avenue, New Castle, to serve until December 31, 1945, and until his successor is duly appointed and qualified.

Lloyd W. Strayer (Republican), 426 Winter Avenue, New Castle, to serve until December 31, 1944, and until his successor is duly appointed and qualified.

Mrs. Rose Fazzone (Republican), 903 Moravia Street, New Castle, to serve until December 31, 1944, and until her successor is duly appointed and qualified.

EDWARD MARTIN.

JUSTICES OF THE PEACE AND ALDERMAN

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, April 21, 1943.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following:

William L. Moyer, 43 North Church Street, Mohnton, Berks County, for appointment as Justice of the Peace in and for the Borough of Mohnton, Berks County, until the first Monday in January, 1944, vice H. J. Bigony, deceased.

Charles Henry Baum, 1336 Schuylkill Avenue, Reading, Berks County, for appointment as Alderman in and for the Nineteenth Ward of the City of Reading, Berks County, until the first Monday in January, 1944, to fill a vacancy.

Thomas M. Uttley, R. D. No. 3, Huntingdon, Huntingdon County, for appointment as Justice of the Peace in and for the Township of Henderson, Huntingdon County, until the first Monday in January, 1944, to fill a vacancy.

EDWARD MARTIN.

Whereupon,

A motion was made by Mr. WATKINS and Mr. TAYLOR,

That the Senate do advise and consent to the nominations reported.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—45

Barr,	Ealy,	Kephart,	Tallman,
Becker,	Farrell,	Letzler,	Taylor,
Bowers,	Geltz,	Mallery,	Thomas,
Carr,	Gourley,	McCreesh,	Tyler,
Chapman,	Haluska,	McGinnis,	Wade,
Coleman,	Heyburn,	McQuiddy,	Walker,
Cox,	Holland,	Ruth,	Watkins,
Crider,	Homsher,	Shapiro,	Wilson, H. I.,
Crowe,	James,	Snowden,	Wilson, T. B.,
Deitrick,	Jaspan,	Stevenson,	Woodring,
Dent,	Jones,	Stiefel,	Woodward,
DiSilvestro,			

NAYS—0

Two-thirds of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Governor be informed accordingly.

EXECUTIVE SESSION RISES

Mr. WATKINS. Mr. President, I move that the Executive Session do now rise.

Mr. LETZLER. Mr. President, I second the motion.

The motion was agreed to.

PERMISSION TO ADDRESS SENATE

Mr. SHAPIRO asked and obtained unanimous consent to address the Senate.

Mr. SHAPIRO. Mr. President, I desire to interrogate the Chairman of the Committee on Executive Nominations, Senator Watkins.

The PRESIDENT. Will the gentleman from Schuylkill permit himself to be interrogated?

Mr. WATKINS. I will, Mr. President.

Mr. SHAPIRO. Mr. President, in this Senate I have been accustomed to find on my desk long before the close of the Session, a list of nominations which the Governor makes in connection with all boards and commissions. I have not found such nominations on my desk this session and I want to inquire of the gentleman from Schuylkill whether the Governor has made such nominations, generally, as yet?

Mr. WATKINS. Mr. President, all nominations which have been received in the Committee on Executive Nominations are now either confirmed or laid on the table.

SENATE BILL No. 361, PRINTER'S NO. 145, CALLED UP

Mr. HEYBURN. Mr. President, I call up from the Final Passage Postponed Calendar at this time Senate Bill No. 361, Printer's No. 145.

Agreeably to order,

The Senate resumed the consideration of Senate Bill No. 361, entitled:

An Act regulating commercial strip mining imposing requirements to engage therein including the planting or sowing of certain lands giving powers and duties to the Secretary of the Department of Forests and Waters including issuing permits providing for appeals to the Court of Common Pleas of Dauphin County and prescribing penalties

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 This act shall be deemed to be an exercise of the police powers of the Commonwealth for the protection of the property and for the general welfare of the people of the Commonwealth by providing for the conservation and improvement of areas of land subjected to "strip mining" to aid thereby in the protection of game birds and wildlife to enhance the value of such land for taxation to decrease soil erosion and the pollution of lakes and streams and generally to restore the use and enjoyment of such lands

Section 2. The following terms shall be construed in this act to have the following meanings except in those instances where the context clearly indicates otherwise

"Strip mining" shall mean the mining or recovery of coal by removing the material or overburden which is above the coal deposits or seams.

"Commercial strip mining" shall mean the practice of strip mining for the purpose of producing or selling the coal removed by strip mining but shall not include any operation carried on by one who produces or intends to produce and recover less than two hundred fifty tons of coal in any period of twelve successive calendar months

"Operator" shall mean a person firm corporation or partnership engaged in carrying on commercial strip mining

"Strip pit" shall mean a tract of land from which the material or overburned above the coal has been removed or is being removed or is proposed to be removed by mechanical means for the recovery of the coal

"Secretary" shall mean the Secretary of the Department of Forests and Waters

Section 3 It shall hereafter, be unlawful for any operator to engage in commercial strip mining as defined in this act without first obtaining from the Secretary of the Department of Forests and Waters a permit to do so in the form hereinafter provided and complying thereafter with all the other requirements of this act

Section 4 Any operator desiring to engage in commercial strip mining shall make written application to the Secretary of the Department of Forests and Waters for a separate permit for each strip pit wherein such operator proposes so to engage Application for the permit shall be made in such form as shall be prescribed by the secretary which form shall require a statement showing the township and county or other municipal subdivision in which the strip pit is located the approximate number of acres of coal that it is proposed to recover annually and the approximate date upon which strip mining shall commence Such application shall be accompanied by an annual fee which shall be payable to the Commonwealth of Pennsylvania as follows For less than twenty-five acres of land to be operated by strip mining in one year an annual fee of one hundred dollars ($100.00) for more than twenty-five acres but less than fifty acres to be operated by strip mining in one year an annual fee of two hundred fifty dollars ($250.00) for fifty acres and over to be operated by strip mining in one year an annual fee of five hundred dollars ($500.00) These fees shall be placed in a special fund to be used by the secretary to rehabilitate strip pit lands which were in this condition prior to this act Such application together with the proper fee shall also be accompanied by a bond provided for in section seven of this act Upon receipt of such application fee and bond the secretary shall issue a permit to the applicant beginning either the first day of January or the first day of July of each year which shall entitle the operator to engage for one year thereafter in commercial strip mining at the general location of the strip pit described in said permit Such permit shall be renewed annually by the secretary upon receipt by him of the required annual fee so long as the operator complies with the provisions of this act

The permit aforesaid when issued shall remain in effect until revoked by the secretary because of failure of the operator to perform any of the secretary's requirements or because of violation by the operator of any of the provisions of the act or because of failure of the operator to pay the proper annual renewal fee within thirty days after written notice and demand therefor by the secretary

Section 5 Said operator shall annually submit to the secretary on or before the first day of September dupli-

cate copies of a map in form approved by the secretary setting forth the location by township and county or other municipal subdivision with such other description as will identify the land from which the operator removed coal by the strip mining method during the preceding permit year with a legend upon such map showing the number of acres affected by such mining operations and said operator shall annually submit to the secretary on or before the first day of September duplicate copies of a map in form approved by the secretary setting forth the location by township and county or other municipal subdivision with such other description as will identify the land whereon operator's strip pits were located prior to the effective date of this act, which land the operator is required to plant in the amount and at such time as in this act provided The accuracy of the acreage shown upon the map may be checked by the secretary and if found to be erroneous it shall be corrected by the operator and a new map furnished as required by the secretary

Section 6 (a) Said operator shall sow set out or plant upon such land described in said map first described in section five or upon an equal number of acres of other land previously strip mined by the operator and approved by the secretary the quantity of seed plants tree seedlings shrubs or grasses which shall be recommended or approved in writing by the secretary In addition to planting lands herein above described said operator shall annually sow set out or plant any unplanted strip pit land owned or held under lease by the operator and strip mined by such operator prior to the effective date of this act the number of acres equal to ten per centum of the number of acres that said operator strip mined as indicated by said map first described in section five In making such recommendations as to the planting the secretary shall consult the advice of foresters of the Department of Forests and Waters to the end that the land may be in part covered by forests and in part provide shelter and ground cover for wildlife Where forest planting is recommended the operator may elect the purposes for which the forest is to be planted whether the forest is to be hard-wood or conifers and whether its future use is to be for lumber pulp wood or otherwise In making his recommendation to the operator the secretary shall indicate the approximate number of trees to be planted per acre basing his requirements on the standard practices used in forestry for the production of commercial forests He shall not include the use of trees which are not ordinarily used in commercial forest practice nor shall the trees be required to be greater in size or age than are planted generally in commercial forest projects

(b) All planting required by the secretary shall be done in the following planting season and shall be prosecuted by the operator to completion with reasonable diligence

(c) All plantings of seedling trees or shrubs under this act may be made with planting stock furnished by the State nurseries in proper size for commercial planting and at standard prices promulgated for the general public However the opportunity shall be given to the operator to purchase or secure suitable trees plants or shrubs from commercial nurseries or elsewhere if the operator so elects The secretary or his accredited representatives may enter upon the lands of the operator at all times for the purpose of inspection to determine whether the provisions of this act have been complied with

(d) In the event that any operator for causes beyond his control or if any operator is unable to acquire sufficient planting stock from the State nurseries or from private nurseries at a price equal to or less than the price charged by the State nurseries the secretary may grant an extension of time to plant such land from year to year

Section 7 Contemporaneously with and as a condition precedent to the issuance of the permit there shall be filed by the operator with the secretary a bond payable to the Commonwealth of Pennsylvania conditioned that the operator shall faithfully perform all requirements of the secretary in accordance with the provisions of this act Such bond shall have a corporate or individual surety approved by the secretary Such bond shall not be for less than one hundred twenty-five dollars ($125.00) and such additional amount as will equal twenty-five dollars ($25.00) for each acre or portion thereof of land in excess of five acres proposed thereafter by the operator to be subjected to commercial strip mining for the ensuing year The bond shall from time to time be increased or reduced by the secretary in accordance with the number of acres added to the land for strip mining operations or in accordance with the operator's withdrawal of acreage or by reason of his performance of his obligations subsequent to the issuance of the permit Any operator may execute the bond without surety if he shall deposit with the secretary cash in the amount of twenty-five dollars ($25.00) for each acre of land proposed by him to be strip mined within the period covered by the permit or the renewal thereof Such bond or deposit shall be retained by the secretary as a guarantee by the operator for faithful performance by the operator Should the operator fail to carry out the requirements the secretary may proceed against the bond and the money recovered therefrom shall be placed in a special fund to be used by the secretary to rehabilitate strip pit lands in accordance with the provisions of this act The secretary shall release any bond and shall repay any deposits no longer necessary to be maintained for the purpose of this act upon showing by operator that the necessary provisions of this act have been complied with

Section 8 Any unexpired permit shall be effective so long only as the operator shall possess the legal right or estate to recover coal from the land described in said permit All right of the secretary to require improvements shall terminate within six years after the end of the permit year in which strip mining was completed upon said land unless he shall before the end of said period have served upon the operator written directions to make such improvements The secretary shall release from the effect of this act either by reason of compliance or limitation of time all or any part of the land affected by this act by filing with the recorder of deeds of the county in which the land is located a written release in form prepared by the secretary

Section 9 The secretary shall have authority to grant refuse modify revoke or cancel permits in accordance with the provisions of this act and generally shall have power and authority to carry out and administer the provisions of this act

Section 10 No permit shall be refused cancelled or revoked by the secretary until after a hearing on written charges has been had before the secretary after not less than fifteen days written notice fixing date and place of such hearing has been given to such operator

All testimony taken at any hearing before the secretary shall be reported stenographically and a full and complete record shall be kept of all proceedings before the secretary of any hearing and shall be available to the parties in interest

All decisions of the secretary shall be in writing and shall fully state the grounds therefor

Section 11 Any operator aggrieved by any decision of the secretary may file within thirty days thereafter in the Court of Common Pleas of Dauphin County a petition alleging therein the action or decision of the secretary complained of and praying for a reversal thereof Every such petition shall specify the petitioner's objections to the action and decision of the secretary and no objection not so specified shall be considered by the court The court shall thereupon issue a rule on the secretary to show cause why his action or decision should not be set aside Upon service of the rule upon the secretary returnable within ten days from its date the secretary shall on or before the return day file an answer in which he shall set forth the grounds for his decision He shall also on or before the return day of such rule certify to the Court of Common Pleas of Dauphin County the record of the proceedings to which the petition refers Such record shall include the testimony taken therein the findings of fact if any of the secretary based upon such testimony a copy of all orders

made by the secretary in the proceedings and a copy of the action or decision of the secretary which the petition calls upon the court to reverse

Upon filing of the secretary's answer the case before the Court of Common Pleas of Dauphin County shall be heard

The case shall be heard upon the record certified to the court by the secretary Additional testimony shall not be taken before the court but the court may in proper cases remit the record to the secretary for the taking of further testimony

From the decision of the Court of Common Pleas of Dauphin County an appeal may be taken by either party to the Superior Court of Pennsylvania as in other cases

A judgment sustaining the refusal of the secretary to grant or renew a permit shall not bar after one year a new application by the plaintiff for a permit nor shall a judgment in favor of the plaintiff prevent the secretary from thereafter revoking or refusing to renew such permit for any proper cause which may thereafter accrue or be discovered The court shall have full power to dispose of all costs

Section 12 The secretary may require by subpoena or summons issued by him the attendance and testimony of witnesses and the production of any books accounts records papers and correspondence relating to any matter which the secretary has authority under this act to consider or investigate and for this purpose he may sign subpoenas administer oaths and affirmations examine witnesses and receive evidence

Section 13 The secretary is hereby given authority to draft and promulgate rules and regulations respecting the administration of this act and such rules shall set forth the duties of operators applying for permits under this act

Section 14 Any person violating any of the provisions of this act shall be guilty of a misdemeanor and on conviction thereof shall be fined not less than two hundred fifty dollars ($250.00) nor more than five thousand dollars ($5,000.00)

Section 15 The provisions of this act shall be severable and if any of the provisions shall be held to be unconstitutional such decision shall not affect the validity of any of the remaining provisions of this act It is hereby declared as the legislative intent that this act would have been adopted had such unconstitutional provision not been included therein

Section 16 The act approved the eighteenth day of June one thousand nine hundred forty-one (Pamphlet Laws 133) entitled "An act relating to coal stripping operations providing for the health and safety of persons employed therein and for the inspection and regulation of such operations by the Department of Mines requiring certain information and reports and prescribing penalties" in so far as inconsistent herewith is hereby repealed

All other acts and parts of acts inconsistent with the provisions of this act are hereby repealed

Section 17 This act shall become effective sixty days after final enactment

On the question,

Shall the bill pass finally?

Mr. HENRY I. WILSON. Mr. President, before this bill is voted on I would like to have the attention of the Senate for a few minutes. I will endeavor to be as brief as I can under the circumstances.

I wish to say this, that I have to vote against this bill and I want to give my reasons for it. There are so many things in consideration of it that prove to me that while these young gentlemen who are behind it are, of course, anxious to put it across from their viewpoint, I am thinking that perhaps the Senator from Westmoreland is pretty close to some other state line and perhaps operators get over into Pennsylvania to the detriment of some of the people there, including the deep coal operators.

I may also assume that perhaps the Senators from up in the hard coal region might reap some benefit from the taxes paid in the license fees that would be paid in, in their region, for damages done for the last hundred years.

I want to call attention to the fact that this is a mining bill. This bill pertains to bituminous coal mining and it is what is known as a strip-mining bill. The words pretty nearly describe it and in the course of my remarks you will all understand what strip-mining means and you will wonder why this bill happened to be referred to the Forestry Committee.

Here is a bill that relates almost entirely to mining, regulates mininm, and touches forestry incidentally. I want to say here that I have been familiar with the Forestry Department and its workings since its creation. I was initimately acquainted with the first commissioner, who served for a length of time and then retired, but he served for many years.

I want to also say that it has made a very splendid record, and I believe, up to date, it is about the only department which has more than paid its way. I believe that to put it in the mining business and have it receive the criticism of many people who are against such bills as this and who would be adversely affected by this regulation, and put the responsibility on the Department of Forests and Waters would be unfair to that Department.

I want also to call to your attention, of course, that the bill is class legislation. The title does not give notice that it repeals the act which regulates strip-mining.

Do you know that Act No. 71, passed in the year 1941, regulates strip-mining and that this bill will repeal it and the title gives no notice that this repeal will take place?

I also want to say, too, just look at the bill and you will see that in section one it declares that "This Act shall be deemed to be an exercise of the police powers of the Commonwealth for the protection of the property and for the general welfare of the people of the Commonwealth, by providing for the conservation and improvement of areas of land subjected to 'strip-mining', to aid thereby in the protection of game birds and wild life, to enhance the value of such land for taxation, to decrease soil erosion and the pollution of lakes and streams and generally to restore the use and enjoyment of such lands."

Now it goes on and gives you the definition of various things, for instance, in section two, it tells you what strip mining is and then commercial strip mining, where you sell coal from strip mining, and it will only take place, however, and apply if you mine more than 250 tons of coal in any period of twelve successive calendar months.

It further states that "operator" shall mean a person, firm, corporation or partnership engaged in carrying on commercial trip mining, so if an individual owns land, his own land, or if an operator owned land or he had paid the farmer or the owner of the land for damages and had the right to take it out, why, he would still be regulated by this billl.

The bill also states that "strip pit" shall mean a tract of land, from which the material or overburn above the coal has been removed or is being removed or is proposed to be removed by mechanical means for the recovery of the coal.

Now, I am asking if this is not class legislation, when you consider what they do with limestone, when you

consider what they do in tile works, when you consider what they have done to land in every direction, the bituminous mines, the deep mines, and the anthracite mines. For years and years now the anthracite mines have thrown coal into the river, ever since I can remember.

The bill further states the the word "secretary" shall mean the Secretary of the Department of Forests and Waters—get that—and I ask why not the Secretary of Mines and Mining, the same as the 1941 Act, which regulates it and which they do not tell you they repeal in the title.

Now then, why should anybody want to say that the Secretary of Forests and Waters should have this to do? Why not the Secretary of Agriculture, if it relates to land? You are asking that every piece of land in which this kind of mining is being done should go back to the Department of Forests and Waters and nothing else—it may be out in a meadow, it may be in a pasture field, it may be where you have anything else, but immediately you have to do the things that they tell you to do.

Now, what do you do? You have to go ahead and straighten that out and you can not do it at all unless you go in and apply for a license to do it.

Now then, if less than twenty-five acres of land be operated by strip mining, in one year the annual fee is one hundred dollars. For more than twenty-five acres but less than fifty acres to be operated by strip mining, $250 a year. For fifty acres and over to be operated by strip-mining in one year the annual fee shall be $500 and these fees shall be placed in a special fund. Where? To be used by the Secretary to rehabilitate strip pit lands which were in this condition prior to this act. Get that. They are going to charge these fees, which are prohibitive, they are going to charge these fees every year in accordance with the way you apply for it and they are going to take the money and they are going to rehabilitate stripped lands that they have mined before.

There are same sections in the state where strip-mining has taken place for years and years but in the Senatorial District where I stay they are just nicely getting started. There is not much chance of this money coming back and even if there were what right would they have to apply it and what degree of efficiency has the Secretary of Forests and Waters over and above anybody else?

Now then, upon receipt of such application, fee and bond —you have to give a bond, buy a bond as provided in section 7 of this bill—the bill states that the Secretary shall issue a permit to the applicant beginning either the first day of January or the first day of July, and if I am too late in getting it in, so I can not get it the first day of January, several months of actual necessary work will be held up and I will have to wait until the first day of July.

Now then, Mr. President, this bill says "the permit aforesaid when issued shall remain in effect until revoked by the Secretary because of failure of the operator to perform any of the Secretary's requirements." Think of the power that is being given to the Secretary—any of the Secretary's requirements—the Secretary of the Department of Forests and Waters, without any previous experience or training in the mines, will be permitted to make an order "because of violation by the operator of any of the provisions of the act or because of failure of the operator to pay the proper annual renewal fee within thirty days after written notice and demand therefor by the Secretary."

If there is a dispute, where is there a chance for the operator? All of those things and many more are in this bill and I want to say to you that in my judgment it is not the thing to do.

I must take the time to tell you what some other people have said about this bill. One man said, "The bill imposes a serious burden upon the coal industry and it will cripple, if not wipe out, the open pit method of mining." I can not help but believe that the intention of this bill is to wipe out that particular industry and as for the reasons, you can get them for yourselves. This man also says "the open pit method of mining is becoming more and more important each year. The bill puts the open pit miners at the mercy of the Secretary of Forests and Waters in that it requires a permit before such operations can begin. The Secretary can refuse the permit and the operator must then appeal to the Dauphin County Court."

Now, why must he appeal to the Dauphin County Court, when his business is in the district where he proposes to mine? Who would be most likely to be able to handle this question? Where would you get your witnesses and where would you get your engineers and the people and all that sort of thing who are interested, if it would not be in the local courts where they have been hearing things about coal mining for year?

Now this man also says, "The permit fee required is excessive—$100 per year up to twenty-five acres; $250 up to fifty acres; and $500 up. This is not only an annual fee, but must be paid for each separate tract as a separate application must be made for each tract."

Now, Mr. President, in this western water shed, there are lots of hills, projections which make up small tracts. Maybe one man will own a thousand acres and he has several places that must be opened and he can not open any more than one without getting another right to do it, another license.

This letter goes on and says "The bill is unconstitutional in that it requires one person to improve the property of another; it compels one to plant and provide forests for others. The next step would be to require the farmer to plant trees in order to provide hunting for sportsmen or cover for game or beauty for tourists, and so on, who have no interest in the land and do not contribute to the cost; it is an unconstitutional discrimination between the open pit miner of coal and the open pit miner of clay, limestone, shale, and so on, as none of these are required to meet the terms of the bill; by compelling the open pit miner of coal to trespass upon land already stripped, which belongs to others, for the purpose of planting trees."

As an example, suppose a farmer does not want this done now—and I will suppose that he does not want it at all, and suppose he was well paid for this coal and he wants to use it for something else, some other purpose, he does not want a forest, there, he does not want the rabbits and the wild game and the birds and all that to run over it? What chance has he got, or what farmer, paying something or another, some taxes on the rest of his farm, wants his farm improved by levelling it off, for the purposes of raising his taxes? I am just asking.

Why, if a man is paid for that very right, he has sold

something, he has given it over to an operator, maybe, and if he has been paid for it, why should not he be the man that should be required, because he always get extra for the damage that is done.

The letter states further, "This bill would deprive the farmer of a source of income. The stripping industry pays off more farm mortgages and judgments and pays up more delinquent farm taxes than any other industry." The letter also says: "If the burden is imposed on the miner, the farmer's royalty will have to be cut and most of the older people will be dead before the trees mature. Many times the farmer gets enough money from a few acres of strip land to pay off the mortgage, buy stock, furniture and machinery. From the nature of coal seam croppings, most of the land stripped is subnormal and used only for pasture, and so on. Nearly always the poorest acres of the farm. From twenty per cent up of all coal is now mined in our district by this process. Then the letter says, to cripple that fraction of the coal supply will endanger the fuel supply of the nation. This is no time for niceties and esthetic ideals. We have a war to win. The coal mined by the open pit process is such that can not be recovered by deep mining as it has no roof and is near the crop. If it is not recovered by this process, it will be lost forever. The open pit mining branch of the industry is purely a boom baby, as it can not compete with deep mined coal in other times due to the quality. However, just now we need increased tonnage and the open pit method where machinery can be used can meet the demand. When the boom is over the shovels will go back building highways along with the bulldozers and the deep mines will supply the fuel needed. Open pit mining is a war industry and, therefore, must not be crippled now. When we have won the war we can afford to consider esthetic problems."

I have to say if it is not recovered during the time you have a demand for it, this particular coal, and if it is not recovered during the time when so much is needed as now, when under the heavens are you going to recover it?

And now, further, I say I wish you would look at the bill—I will not take the time to read it—but I say that by this bill you are repealing and leaving without regulation the strip-mining that was in charge of the Department of Mines and Mining.

And now, Mr. President, here is another man who says:

"One of the main objections I have at this time is the cost and uselessness of leveling off, as I have had some experience in this work.

"Two years ago, on a certain property, one of the conditions of my lease called for the leveling off of the spoil between the first and last cuts; this with the idea that trees would be planted by the property owner. This has been done, two years ago, and at this writing, not a weed is growing on this leveled piece, and it is doubtful if anything even trees will grow there. It can be seen, if my word is doubted.

"On another property, which happens to be within a borough limit, and right next to a cemetery and a school, one of the conditions of our lease was leveling and the filling of the last cut. This has been done, at a tremendous cost, and with labor and equipment that should have been used in the production of coal that is so vitally needed. Had we spent the same time in uncovering coal for market, that has been spent in leveling and backfilling the last cut, we can safely state that we would have produced at least 10,000 tons of coal that was sorely needed the past year.

"With manpower critical, and with machinery scarce and hard to get, it seems a shame, at this time, to waste both labor and machines on a sentimental bill of this kind.

"We recently had to go to Washington for authority to get new equipment, and if the War Production Board knew that machines of this kind, which are needed by the Army, Navy and Lend-Lease were to be used for such a thing as levelling off and backfilling last cuts, they would not grant any priorities for critical materials, such as iron and steel repair parts for these machines.

"By all means, this bill should be killed at this time."

Now, then, Mr. President, it is important to know what you are doing with strip-mining. Anything that is worth doing is worth doing well. I should like to read to you the following:

"In 1942 there were approximately 230 bituminous coal stripping operations in Pennsylvania having an approximate production of 10,190,000 tons, which is approximately seven per cent of the entire bituminous production of 144,678,000 tons. There are 103 of these operations located in Western Pennsylvania with a production of approximately 600,121,000 tons in 1942, and 127 located in Central Pennsylvania with a production of approximately 400,069,000 tons in 1942. About 545,000 tons were produced by the stripping method of mining in Indiana and Jefferson counties in 1942."

Many of these are in my Senatorial District and in my particular county itself, too. Previously we had those who lived on the coal business and when the coal business when out at least 10,000 population went out, as to what there was fifty years ago when I went there.

"Much of the land presently being stripped is submarignal for cultivation. Substantial areas have never been cultivated and consist of more or less barren top soil while other large areas consist of cut-over timber lands, which constitute a definite fire hazard.

"The surface land upon which these strip mines are located is, in most cases, owned by parties other than those owning the mineral or mining rights. When the mineral rights are leased by the strip operator, the royalties therefore cover any surface damage resulting from or coincident with the removal of the coal. Such royalties are much higher (in cases as much as 150%) than royalties for deep mined coal. The stripping operator thus has no jurisdiction over the surface land.

"In many cases, strip-mining is second mining. That is, the greater part of the coal has previously been removed by deep mining and all that remains is the coal along the crop line which, because of shallow cover and subsequent poor roof conditions, cannot be recovered by other than the stripping method. Otherwise substantial quantities of coal would be irreparably lost were it not for this method of recovery.

"Because of the nature of the overburden it consists of being chiefly shale and rock, a period of approximately 3 years must elapse before such soil would support natural, or permit artificial reforestration.

"Shortage of manpower at the mines would preclude any degree of reforestration at the present time without taking workmen from the mines, thus further curtailing production of coal at a time when the Coordinator for Solid Fuels for War is requesting an increase of 5,000,000 tons from Pennsylvania in 1943."

Now, Mr. President, I want to say just a few words in conclusion. Shortage of man power at the mines would preclude any degree of reforestration at the present time without taking workmen from the mines, thus further curtailing production of coal at a time when the Coordinator for Solid Fuels for War is requesting an increase of five million tons from Pennsylvania in 1943.

You know I am concerned in this matter. I feel it is not right. I feel if you plan to put this bill through and put it in the hands of the Department of Forests and Waters, this forestration, you will be doing an injury to his business, you will be doing an injustice to the entire bituminous coal district and particulary the Senatorial districts I represent.

I want to say this, that while I desire the Senators who are concerned in this matter to have full opportunity of discussion and give their reasons for it, I want to move here that this bill be re-referred to Committee on Mines and Mining so that they can read the law we already have and I want to say that the Act of 1941 protects the lives of the people and tells how this strip-mining shall be done with reference to the people who are doing it—they are laborers and surely these gentlemen, and particularly, the gentleman from Westmoreland—is concerned that any one who is engaged in mining should be protected.

MOTION TO RECOMMIT BILL

Mr. HENRY I. WILSON. Mr. President, I move that Senate Bill No. 361, the bill just read, be recommitted to the Committee on Mines and Mining.

Mr. LETZLER. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

A voice vote having been taken the question was determined in the negative.

And the question recurring,

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—37

Barr,	Dent,	James,	Stiefel,
Becker,	DiSilvestro,	Jaspan,	Tallman,
Bowers,	Ealy,	Jones,	Taylor,
Carr,	Farrell,	Kephart,	Tyler,
Chapman,	Geltz,	McCreesh,	Wade,
Coleman,	Gourley,	McGinnis,	Walker,
Cox,	Haluska,	Ruth,	Watkins,
Crider,	Holland,	Shapiro,	Woodring,
Crowe,	Homsher,	Stevenson,	Woodward,
Deitrick,			

NAYS—8

Heyburn,	Mallery,	Snowden,	Wilson, H. I.,
Letzler,	McQuiddy,	Thomas,	Wilson, T. B.,

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present the said bill to the House of Representatives for concurrence.

RECESS

Mr. HEYBURN. Mr. President, I move that the Senate do now take a recess in order that committee meetings may be held.

Mr. BECKER. Mr. President, I second the motion.

The motion was agreed to.

Mr. SHAPIRO. Mr. President, I am on four of the committees which are about to hold meetings, and I am wondering how I am going to be able to attend them all, if they are all going to be held simultaneously.

AFTER RECESS

The PRESIDENT. The time of recess having elapsed the Senate will be in order.

REPORTS FROM COMMITTEES

Mr. CARR. Mr. President, I move that the Senate do now return to the order of business of Reports of Committees at this time.

Mr. THOMAS B. WILSON. Mr. President, I second the motion.

The motion was agreed to.

Mr. FARRELL, from the Committee on Public Health reported as amended, Senate Bill No. 594, entitled:

An Act to amend section one of the act approved the twelfth day of May one thousand nine hundred and thirty-nine (P. L. 133) entitled "An act to regulate the sale and possession of sulfanilamide and its derivatives in the interest of public health" by excepting sulfathiazole-impregnated finger or small adhesive gauze bandages.

Mr. CHAPMAN, from the Committee on Appropriations, reported as amended, Senate Bill No. 236, entitled:

A Supplement to the act approved the twelfth day of June one thousand nine hundred and thirty-nine (P. L. 335) entitled "An act creating a temporary commission to examine report upon and recommended measures to improve the economic cultured health and living conditions of the urban colored population of the State and making an appropriation of the expenses of such commission" by extending the term of such commission until the next regular session of the General Assembly and making an appropriation.

Mr. TYLER, from the Committee on County Government, reported House Bill No. 825, entitled:

An Act to amend the title and section one of the act approved the twenty-seventh day of April one thousand-nine hundred twenty-seven (P. L. 403) entitled "An act fixing the salary of county commissioners in counties of the third fourth fifth and sixth classes" by increasing the salary of county commissioners in counties of the sixth seventh and eighth classes.

Mr. CARR, from the Committee on Labor and Industry, reported as committed, House Bill No. 873, entitled:

An Act to amend section one and further amend section four of the act approved the thirteenth day of May one thousand nine hundred fifteen (P. L. 286) entitled "An act to provide for the health safety and welfare of minors by forbidding their employment or work in certain establishments and occupations and under certain specified ages by restricting their hours of labor and regulating certain conditions of their employment by requiring employment certificates for certain minors and prescribing

the kinds thereof and the rules for the issuance reissuance filing return and recording of the same by providing that the Industrial Board shall under certain conditions determine and declare whether certain occupations are within the prohibitions of this act requiring that certain minors shall during the period of their employment attend certain schools to be established as therein provided and to be approved by the State Superintendent of Public Instruction and regulating the conditions of such attendance authorizing the State Board of Education in certain cases to appoint attendance officers to aid in enforcing the provisions of this act and creating the salary and expenses of such officers a charge against the school district wherein they are employed requiring certain abstracts and notices to be posted provding for the enforcement of this act by the Commissioner of Labor and Industry the attendance officers of school disricts and police officers and defining the procedure in prosecutions thereunder and establishing certain presumptions in relation thereto providing penalties for the violation of the provisions thereof and repealing all acts or parts of acts inconsistent therewith" by changing the definition of week and by increasing the working hours of minors between the ages of sixteen and eighteen.

He also, from the Committee on Labor and Industry, reported as amended, House Bill No. 828, entitled:

An Act to further amend section one and paragraphs (a) and (b) of section three and sections four and seven and amend section five of the act approved the twenty-fifth day of July one thousand nine hundred thirteen (P. L. 1024) entitled "An act to protect the public health and welfare by regulating the employment of females in certain establishments with respect to their hours of labor and the conditions of their employment by establishing certain sanitary regulations in the establishments in which they work by requiring certain abstracts and notices to be posted by providing for the enforcement of this act by the Commissioner of Labor and Industry and others by prescribing penalties for violations thereof by defining the procedure in prosecutions and by repealing all acts and parts of acts inconsistent with the provisions thereof" by changing the definition of "week" and "day" and by increasing the hours of labor and temporarily suspending certain restrictions on employment.

Mr. THOMAS B. WILSON, from Committee on State Government, reported as committed Senate Bill No. 603, entitled:

An Act authorizing the Department of Property and Supplies to establish, operate and maintain self-sustaining restaurants, as herein defined, in the State Capitol and adjacent buildings, creating a revolving fund for this purpose to be known as The State Restaurant Fund, providing additional duties for the State Treasurer and the Department of Health in connection therewith, and appropriating the necessary funds for these purposes.

Mr. THOMAS, from the Committee on County Government, reported as committed, House Bill No. 406, entitled:

An Act to further amend section three hundred eleven of the act approved the second day of May one thousand nine hundred and twenty-nine (P. L. 1278) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto" extending the retirement system of counties of the second class to additional employes.

Mr. WOODWARD, from the Committee on State Government, reported as committed, Senate Bill No. 590, entitled:

An Act to amend section six hundred four, section six hundred five, and to add section six hundred eight to the act, approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177), entitled "An act providing for and recoganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments, boards, commissions, and officers thereof, including the boards of trustees of State Normal Schools, or Teachers Colleges; abolishing, creating, reorganizing or authorizing the reorganization of certain administrative departments, boards, and commissions; defining the powers and duties of the Governor and other executive and administrative officers, and of the several administrative departments, boards, commissions, and officers; fixing the salaries of the Governor, Lieutenant-Governor, and certain other executive and administrative officers: providing for the appointment of certain administrative officers, and of all deputies and other assistants and employes in certain departments, boards, and commissions; and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments, boards and commissions shall be determined", by further defining the duties of the Auditor General, the State Treasurer and the Secretary of Internal Affairs, and requiring fiscal reports to be filed with the Governor by all administrative departments, boards, and commissions.

Mr. McQUIDDY, from the Committee on Labor and Industry, reported as committed, House Bill No. 150, entitled:

An Act to further amend clause (17) of subdivision (4) of subsection (j) of section four of the act approved the fifth day of December one thousand nine hundred thirty-six (1937 P. L. 2897) entitled "An act establishing a system of unemployment compensation to be administered by the Department of Labor and Industry and its existing and newly created agencies with personnel (with certain exceptions) selected on a civil service basis requiring employers to keep records and make reports and certain employers to pay contributions based on payrolls to provide moneys for the payment of compensation to certain unemployed persons providing procedure and administrative details for the determination payment and collection of such contributions and the payment of such compensation providing for cooperation with the Federal Government and its agencies creating certain special funds in the custody of the State Treasurer and prescribing penalties" excluding services of real estate salesmen real estate brokers and unsalaried newspaper correspondents from the definition of "employment".

Mr. WALKER, from the Committee on Appropriations, reported as amended, Senate Bill No. 182, entitled:

An Act making an appropriation to the Medical School of the University of Pittsburgh, Pittsburgh, Pennsylvania.

He also, from the Committee on Judiciary General, reported as committed, House Bill No. 735, entitled:

An Act to amend sections eleven and seventeen of the act approved the twenty-first day of June one thousand nine hundred thirty-nine (P. L. 626) entitled "An act providing for and regulating the assessment and valuation of all subjects of taxation in counties of the second class creating and prescribing the powers and duties of a Board of Property Assessment Appeals and Review imposing duties on certain county and city officers abolishing the board for the assessment and revision of taxes in such counties and prescribing penalties" further regulating appeals from assessments and exonerations and refunds of taxes effected thereby validating appeals heretofore taken and imposing additional duties upon the said board.

He also, from the Committee on Judiciary General, reported as committed, Senate Bill No. 598, entitled:

An Act to aid the Federal Government in the enforcement of its allocation and rationing program; making it unlawful to sell or buy commodities rationed by Federal authority without receiving or giving the required coupons, stamps, certificates, ration checks or other ration documents, or giving such documents that have been unlawfully obtained; empowering the Governor to designate commodities hereafter rationed to be subject to this act; and prescribing penalties.

He also, from the Committee on Judiciary General, reported as committed, Senate Bill No. 597, entitled:

An Act to add Section 699-7 to the act, approved the twenty-fourth day of June, one thousand nine hundred and thirty-nine (P. L. 872), entitled "An act to consolidate, amend and revise the penal laws of the Commonwealth," prohibiting the buying or selling of Federal ration stamps, coupons or other indicia or tokens necessary for the purchase of food, clothes, footwear, fuel or other commodities or articles; prohibiting the acceptance of such stamps, coupons or other indicia or tokens with knowledge that they have been bought or sold; and providing penalties.

He also, from the Committee on Judiciary General, reported as committed, Senate Bill No. 289, entitled:

An Act limiting the extent to which liability may be made retroactive in cases in which, upon the basis of court decision or administrative ruling, a liability to the Commonwealth for taxes or other moneys is asserted which had not theretofore been claimed.

He also, from the Committee on Judiciary General reported as amended, House Bill No. 476, entitled:

An Act to further amend section nine of the act approved the sixteenth day of May one thousand nine hundred and twenty-three (P. L. 207) entitled "An act providing when how upon what property and to what extent liens shall be allowed for taxes and for municipal improvements for the removal of nuisances and for water rents or rates sewer rates and lighting rates for the procedure upon claims filed therefor the methods for preserving such liens and enforcing payment of such claims the effect of judicial sales of the properties liened the distribution of the proceeds of such sales and the redemption of the property therefrom for the lien and collection of certain taxes heretofore assessed and of claims for municipal improvements made and nuisances removed within six months before the passage of this act and for the procedure on tax and municipal claims filed under other and prior acts of Assembly" making additional provision for and fixing the compensation for the filing and collecting of tax claims.

He also, from the Committee on Judiciary General, reported as committed, House Bill No. 607, entitled:

An Act to further amend sections four hundred twenty-six and four hundred twenty-seven of the act approved the second day of June one thousand nine hundred fifteen (P. L. 736) entitled as amended "An act defining the liability of an employer to pay damages for injuries received by an employe in the course of employment establishing an elective schedule of compensation providing procedure for the determination of liability and compensation thereunder and prescribing penalties" conferring exclusive jurisdiction on the county court of Allegheny County in cases of appeals from the Workmen's Compensation Board.

He also, from the Committee on Judiciary General, reported as committed, House Bill No. 641, entitled:

An Act providing for the validation and amendment of defective tax liens heretofore or hereafter entered of record repealing inconsistent legislation.

He also, from the Committee on Judiciary General, reported as committed, House Bill No. 726, entitled:

An Act to amend section twelve of the act approved the twelfth day of May one thousand nine hundred twenty-five (P. L. 603) entitled "An act concerning conditional sales and to make uniform the law relating thereto" making further provision for the satisfaction of conditional sales contracts filed in the office of the prothonotary.

He also, from the Committee on Judiciary General, reported as committed, House Bill No. 596, entitled:

An Act to further amend sections four hundred four and four hundred ten of the act approved the twenty-ninth day of November one thousand nine hundred thirty-three (P. L. 15 1933-34) entitled as amended "An act to regulate and restrain the sale manufacturing possession transportation importation traffic in and use of alcohol and alcoholic and malt or brewed beverages conferring powers and imposing duties upon the Pennsylvania Liquor Control Board and its agents the Department of Public Instruction other officers of the State government courts and district attorneys authorizing the establishment and operation of State stores for the sale of such beverages not for consumption on the premises and the granting of licenses subject to local option to sell such beverages for consumption on and off the premises forbidding importation or bringing of such beverages into the State except as herein provided prohibiting certain sales or practices in connection with and transactions in such beverages by licensees and others providing for the forfeiture of certain property making disposition of the receipts from State stores and of fees and imposing penalties" conferring jurisdiction on the county court of Allegheny County in cases of appeals from the Pennsylvania Liquor Control Board.

He also, from the Committee on Judiciary General, reported as committed, House Bill No. 742, entitled:

An Act to amend section one of the act approved the fifteenth day of June one thousand nine hundred and thirty-nine (P. L. 346) entitled "An act to promote uniformity in the assessment and taxation of properties and persons within the territorial limits of cities of the second class by providing that city taxes within such territorial limits shall be assessed levied and collected upon the basis of the county assessments imposing duties on county assessing authorities abolishing the department of assessors in cities of the second class and transferring certain property to county taxing authorities" by defining the effect upon appeals of the certification of tax duplicates to cities of the second class and to school districts coterminous therewith and providing for exonerations and refunds of taxes assessed against properties affected by such appeals.

He also, from the Committee on Judiciary General, reported as committed, House Bill No. 609, entitled:

An Act to further amend sections seven and thirteen of the act approved the third day of May one thousand nine hundred thirty-three (P. L. 252) entitled as amended "An act to regulate and restrain the traffic in malt and brewed beverages as herein defined providing for the licensing of the manufacture transportation sale and distribution of such beverages imposing license and permit fees and providing for collection and distribution thereof restrict-

ing ownership and interest in licensed places permitting municipalities and townships by vote of the electors to prevent the licensing therein of places where such beverages may be sold for consumption on the premises and regulating elections for this purpose imposing duties upon the Pennsylvania Liquor Control Board quarter sessions courts district attorneys the Department of Justice proper authorities of political subdivisions of the State and election officers providing penalties and repealing existing acts" conferring jurisdiction on the county court of Allegheny County in cases of appeals from the Pennsylvania Liquor Control Board.

He also, from the Committee on Judiciary General, reported as committed, Senate Bill No. 356, entitled:

An Act to amend sections twelve and seventeen of the act, approved the twenty-first day of June, one thousand nine hundred thirty-nine (P. L. 626), entitled "An act providing for and regulating the assessment and valuation of all subjects of taxation in counties of the second class; creating and prescribing the powers and duties of a Board of Property Assessment, Appeals and Review; imposing duties on certain county and city officers; abolishing the board for the assessment and revision of taxes in such counties; and prescribing penalties," by providing for appeals from the judgment order or decrees of the court of common pleas to the Supreme or Superior Court, and for exoneration and refund of taxes when any assessment has been reduced by the Board of Property Assessment, Appeals and Review or by any court.

He also, from the Committee on Judiciary General, reported as amended, House Bill No. 92, entitled:

An Act to amend the act approved the twenty-fourth day of June one thousand nine hundred thirty-nine (P. L. 872) entitled "An act to consolidate amend and revise the penal laws of the Commonwealth" changing and revising sections of said act relating to obstructing an officer in the execution of process fornication and bastardy lotteries firearms receiving stolen property trespass on posted property cheating by fraudulent pretenses principals in the second degree and accessories aiders and abettors and repealing certain sections relating to larceny and certain existing acts.

He also, from the Committee on Judiciary General, reported as committed, House Bill No. 750, entitled:

An Act to further amend subsection (a) of section twenty-five of the act approved the seventh day of June one thousand nine hundred seventeen (P. L. 447) entitled as amended "An act relating to the administration and distribution of the estates of decedents and of minors and of trust estates including the appointment bonds rights powers duties liabilities accounts discharge and removal of executors administrators guardians and trustees herein designated as fiduciaries the administration and distribution of the estates of presumed decedents widow's and children's exemptions debts of decedents rents of real estate as assets for payment thereof the lien thereof sales and mortgages of real estate for the payment thereof judgments and executions therefor and the discharge of real estate from the lien thereof contracts of decedents for the sale or purchase of real estate legacies including legacies charged on land the discharge of residuary estates and of real estate from the lien of legacies and other charges the appraisement of real estate devised at a valuation the ascertainment of the curtilage of dwelling houses or other buildings devised the abatement and survival of actions and the substitution of executors and administrators therein the survival of causes of action and suits thereupon by or against fiduciaries investments by fiduciaries the organization of corporations to carry on the business of decedents the audit and review of accounts of fiduciaries refunding bonds transcripts to the court of common pleas of balances due by fiduciaries the rights powers and liabilities of nonresident and foreign fiduciaries the appointment bonds rights powers duties and liabilities of trustees durante absentia the recording and registration of decrees reports and other proceedings and the fees therefor appeals in certain cases and also generally dealing with the jurisdiction powers and procedure of the orphans' court in all matters relating to fiduciaries concerned with the estates of decedents" by providing for the filing of petitions for the enforcement of payment of legacies charged upon real estate by executors administrators cum testamento annexo and administrators de bonis non cum testamento annexo.

He also, from the Committee on Judiciary General, reported as committed, Senate Bill No. 616, entitled:

An Act to further amend section seventeen of the act, approved the twenty-second day of June, one thousand nine hundred thirty-five (P. L. 414) entitled as amended "An act to provide revenue for State purposes; imposing taxes upon certain classes of personal property; providing for the assessment, collection, and lien of the same, and the distribution of the proceeds thereof; imposing duties on executors, administrators, registers of wills, recorders of deeds, prothonotaries, and court clerks, and on persons, copartnerships, associations, bands, national banks, trust companies, and other corporations receiving deposits of money, and on certain corporations and limited partnerships; conferring powers and imposing duties on certain State officers and departments; imposing penalties; and making an appropriation," by excluding from the provisions thereof personal property held in trust under the terms of a stock bonus, pension annuity, profit-sharing or deferred compensation plan as herein defined, maintained by an employer for the exclusive benefit of his employes or their beneficiaries.

Mr. SHAPIRO, from the Committee on Banking, reported as committed, Senate Bill No. 617, entitled:

An Act to repeal section twenty-three of the act, approved the twenty-sixth day of May, one thousand nine hundred and thirty-three (P. L. 1076), entitled "An act to provide for the organization, incorporation, operation, and supervision of cooperative savings and credit associations, to be termed credit unions; designating such credit unions as corporations, and defining their powers and duties; conferring certain powers and duties on the Department of Banking; and providing penalties," which section exempts credit unions organized under said act, and the shares thereof, from certain tax and bonus liability.

Mr. WATKINS, from the Committee on Judiciary General, reported as committed, House Bill No. 398, entitled:

An Act enabling city county poor institution district ward school borough and township tax collectors their executors and administrators if they are deceased or either surety or sureties to collect taxes for the payment of which they have become personally liable without having collected the same by the expiration of the authority of their respective warrants or by the expiration of their terms of office extending the time for the collection of the same and validating collections and proceedings for collections made or commenced without previous authority.

He also, from the Committee on Public Utilities, reported as committed, Senate Bill No. 626, entitled:

An Act to regulate persons, patnerships and corporations engaged in the business of renting motor vehicles; authorizing the Public Utility Commission to administer and enforce the provisions of this Act; and imposing penalties.

Mr. HOLLAND, from the Committee on Labor and Industry, reported as committed, House Bill No. 823, entitled:

An Act to further amend section fourteen of the act approved the thirteenth day of May one thousand nine hundred and fifteen (P. L. 286) entitled "An act to provide for the health safety and welfare of minors by forbidding their employment or work in certain establishments and occupations and under certain specified ages by restricting their hours of labor and regulating certain conditions of their employment by requiring employment certificates for certain minors and prescribing the kinds thereof and the rules for the issuance reissuance filing return and recording of the same by providing that the Industrial Board shall under certain conditions determine and declare whether certain occupations are within the prohibitions of this act requiring that certain minors shall during the period of their employment attend certain schools to be established as therein provided and to be approved by the State Superintendent of Public Instruction and regulating the conditions of such attendance authorizing the State Board of Education in certain cases to appoint attendance officers to aid in enforcing the provisions of this act and creating the salary and expenses of such officers a charge against the school district wherein they are employed requiring certain abstracts and notices to be posted providing for the enforcement of this act by the Commissioner of Labor and Industry the attendance officers of school districts and police officers and defining the procedure in prosecutions thereunder and establishing certain presumptions in relation thereto providing penalties for the violation of the provisions thereof and repealing all acts or parts of acts inconsistent therewith" by permitting examinations to be made by any licensed physician.

Mr. DEITRICK, from the Committee on Banking, reported as committed, Senate Bill No. 608, entitled:

An Act to validate and quiet the title to real estate in this Commonwealth heretofore conveyed to a citizen of the United States or a corporation authorized to hold such real estate by any building and loan association whose charter had expired.

Mr. BECKER, from the Committee on Banking, reported as committed, Senate Bill No. 373, entitled:

An Act providing for the creation and for the administration by a State Building and Loan Insurance Board created in this act, of a state fund for the insurance of shares in building and loan associations and savings and loan associations; and prescribing penalties.

He also, from the Committee on Banking, reported as committed, Senate Bill No. 374, entitled:

An Act to further amend section 402 of the act, approved the ninth day of April, one thousand nine hundred and twenty-nine (P. L. 343), entitled, "An act relating to the finances of the State government; providing for the settlement, assessment, collection, and lien of taxes, bonus, and all other accounts due the Commonwealth, the collection and recovery of fees and other money or property due or belonging to the Commonwealth, or any agency thereof, including escheated property and the proceeds of its sale, the custody and disbursement or other disposition of funds and securities belonging to or in the possession of the Commonwealth, and the settlement of claims against the Commonwealth, the resettlement of accounts and appeals to the courts, refunds of moneys erroneously paid to the Commonwealth, auditing the accounts of the Commonwealth and all agencies thereof of all public officers collecting moneys payable to the Commonwealth or any agency thereof, and all receipts of appropriations from the Commonwealth and imposing penalties; affecting every department, board, commission and officer of the State government, every political subdivision of the State, and certain officers of such subdivisions, every person, association, and corporation required to pay, assess, or collect taxes, or to make returns or reports under the laws imposing taxes for State purposes, or to pay license fees or other moneys to the Commonwealth, or any agency thereof, every State depository and every debtor or creditor of the Commonwealth," exempting the affairs of the State Building and Loan Insurance Board from audit by the Auditor General.

He also, from the Committee on Banking, reported as committed, Senate Bill No. 375, entitled:

An Act to amend sections 504A, 607 and 608A of the act, approved the fifteenth day of May, one thousand nine hundred and thirty-three, (P. L. 565), entitled "An act relating to the powers and duties of the Department of Banking and the Secretary of Banking in exercising supervision over, and taking possession of and conducting or liquidating the business and property of, corporations, associations, and persons receiving deposits or otherwise transacting a banking business, corporations acting as fiduciaries and building and loan associations; providing for the payment of the expenses of the Department of Banking by supervised corporations, associations, or persons, and appropriating the Banking Department Fund; authorizing the Department of Banking, under certain circumstances, to examine corporations, associations, or persons affiliated, or having business transactions with supervised corporations, associations or person; authorizing appeal to the Supreme Court and prescribing and limiting the powers and duties of certain other courts and their prothonotaries, registers of wills, recorders of deeds, and certain State departments, commissions, and officers; authorizing certain local public officers and State departments to collect fees for services rendered under this act; providing penalties; and repealing certain acts and parts of acts," by providing for the taking of possession of the business and property of building and loan associations and savings and loan associations the shares of which are insured in the State Building and Loan Fund.

Mr. McCREESH, from the Committee on Banking, reported as committed, Senate Bill No. 631, entitled:

An Act relating to the administration, liquidation and distribution of title insurance reserve funds in the possession of the Secretary of Banking as receiver and providing for the rights and powers of corporations in respect to the writing of policies of reinsurance in connection therewith.

Mr. DiSILVESTRO, from the Committee on Military Affairs, reported as amended, House Bill No. 171, entitled:

An Act to further amend the act approved the second day of May one thousand nine hundred twenty-nine (P. L. 1278) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto" further clarifying the term "deceased service persons" changing the provisions for the burial of deceased service persons and their widows and for markers and headstones on their graves changing the name of the veteran's grave registrar to director of veterans' affairs and prescribing his duties.

He also, from the Committee on Banking, reported as committed, Senate Bill No. 415, entitled:

An Act authorizing cemetery companies to accept certain gifts in trust, and to be appointed trustees or substi-

tuted trustees of certain funds; regulating their rights and duties in respect to trust funds, the income therefrom and the investment thereof, permitting them to give their own bonds; and validating certain actions.

Mr. GOURLEY, from the Committee on Law and Order, reported as committed, House Bill No. 541, entitled:

An Act to further amend subsection fourteen of section six hundred two of the act approved the twenty-ninth day of November one thousand nine hundred and thirty-three (P. L. 15 1933-34) entitled as amended "An act to regulate and restrain the sale manufacture possession transportation importation traffic in and use of alcohol and alcoholic and malt or brewed beverages conferring powers and imposing duties upon the Pennsylvania Liquor Control Board and its agents the Department of Public Instruction other officers of the State government courts and district attorneys authorizing the establishment and operation of State stores for the sale of such beverages not for consumption on the premises and the granting of licenses subject to local option to sell such beverages for consumption on and off the premises forbidding importation or bringing of such beverages into the State except as herein provided prohibiting certain sales or practices in connection with and transactions in such beverages by licensees and others providing for the forfeiture of certain property making disposition of the receipts from State stores and of fees and imposing penalties" exempting certain coin operated motion picture machines from provisions of the act requiring special permits.

Mr. WADE, from the Committee on Welfare, Public Assistance and Pensions, reported as committed, Senate Bill No. 492, entitled:

An Act to reenact and further amend the title of, and the act, approved the twenty-ninth day of September, one thousand nine hundred thirty-eight (P. L. 53) entitled "An act relating to institutions of counties, cities and institution districts for the care, maintenance and treatment of mental patients; providing for the transfer of such institutions to the Commonwealth; providing for the management and operation or closing and abandonment thereof, and the maintenance of mental patients therein, including the collection of maintenance in certain cases; providing for the retransfer of certain property to institution districts under certain circumstances; conferring and imposing upon the Governor, the Department of Welfare, the courts of common pleas and counties, cities and institution districts certain powers and duties; prohibiting cities, counties and institution districts from maintaining and operating institutions, in whole or in part, for the care and treatment of mental patients; and repealing inconsistent laws," including institutions of wards, boroughs, townships and other political subdivisions under the terms thereof; and providing for the retransfer of certain property to counties, cities, wards, boroughs, townships, institution districts and other political subdivisions.

Mr. WOODRING, from the Committee on Banking, reported as committed, Senate Bill No. 630, entitled:

An Act to further amend subsection B of section one thousand eleven of the act approved the fifteenth day of May, one thousand nine hundred thirty-three (P. L. 565), entitled "An act relating to the powers and duties of the Department of Banking and the Secretary of Banking in exercising supervision over, and taking possession of and conducting or liquidating the business and property of, corporations, associations, and persons receiving deposits or otherwise transacting a banking business, corporations acting as fiduciaries, and building and loan associations; providing for the payment of the expenses of the Department of Banking by supervised corporations, associations, or persons, and appropriating the banking Department Fund; authorizing the Department of Banking, under certain circumstances, to examine corporations, associations or persons affiliated, or having business transactions with supervised corporations, associations or persons; authorizing appeals to the Supreme Court, and prescribing and limiting the powers and duties of certain other courts and their prothonotaries, registers of wills, recorders of deeds, and certain State departments, commissions, and officers; authorizing certain local public officers and State departments to collect fees for services rendered under this act; providing penalties; and repealing certain acts and parts of acts," further regulating distribution of the assets of building and loan associations in liquidation by the Secretary of Banking.

Mr. JONES, from the Committee on Banking, reported as committed, Senate Bill No. 623, entitled:

An Act to further amend section six hundred three of the act, approved the seventeenth day of May, one thousand nine hundred and twenty-one (P. L. 789), entitled, as amended "An act relating to insurance, establishing an insurance department; and amending, revising, and consolidating the law relating to the licensing, qualification, regulation, examination, suspension, and dissolution of insurance companies, Lloyds associations, reciprocal and inter-insurance exchanges, and certain societies and orders, the examination and regulation of fire insurance rating bureaus, and the licensing and regulation of insurance agents and brokers; the service of legal process upon foreign insurance companies, associations or exchanges; providing penalties, and repealing existing laws," by providing that an attorney-at-law or a licensed real estate broker shall not be required to obtain a license to act as agent for a domestic title insurance company.

EXECUTIVE NOMINATIONS

Mr. WATKINS, from the Committee on Executive Nominations, reported with a favorable recommendation the following nominations, made by His Excellency, the Governor, which were laid over for one day under the rules.

MEMBER OF THE SCHUYKILL COUNTY BOARD OF ASSISTANCE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, April 26, 1943.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate James Redclift, Jr., (Republican) Maple Hill, Shenandoah, Schuylkill County, for appointment as a member of the Schuylkill County Board of Assistance, to serve until December 31, 1943, and until his successor is duly appointed and qualified, vice Andrew H. Riddle, deceased.

EDWARD MARTIN.

MEMBER OF THE BOARD OF TRUSTEES

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, April 26, 1943.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate William R. Miller, Park Place, Mahanoy City, Schuylkill County, for appointment as a member of the Board of Trustees of Locust Mountain State Hospital, for the term of four

years, and until his successor is qualified, vice William Becker, deceased.

EDWARD MARTIN.

LEAVE OF ABSENCE

Mr. SHAPIRO asked and obtained leave of absence for himself for the remainder of the day to keep an appointment made earlier in the week.

SENATE BILL No. 473 CALLED UP

Mr. BECKER. Mr. President, by reason of circumstances beyond his control, Senator Dent, co-sponsor on Senate Bill No. 473, Printer's No. 335, appearing on page 8 of the Calendar, shall have to leave the Senate Chamber just as soon as possible and, therefore, I would like to call up this bill for action at this time.

BILL ON THIRD READING

Agrreably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 473, entitled:

An Act to further amend sections four five and nine of the act approved the twenty-eighth day of June one thousand nine hundred thirty-five (P. L. 463) entitled as amended "An act providing for [a limited period of time for] the incorporation as bodies corporate and politic of 'Authorities' for municipalities counties and townships defining the same prescribing the rights powers and duties of such Authorities authorizing such Authorities to acquire construct improve maintain and operate projects and to borrow money and issue bonds therefor providing for the payment of such bonds and prescribing the rights of the holders thereof conferring the right of eminent domain on such Authorities authorizing such Authorities to enter into contracts with and to accept grants from the Federal Government or any agency thereof and for other purposes" by limiting the power of an Authority to acquire the title to projects subject to the jurisdiction of the Pennsylvania Public Utility Commission by requiring approval of said Commission

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1. Section four of the act approved the twenty-eighth day of June one thousand nine hundred thirty-five (P. L. 463) entitled as amended "An act providing for [a limited period of time for] the Incorporation as bodies corporate and politic of 'Authorities' for municipalities counties and townships defining the same prescribing the rights powers and duties of such Authorities authorizing such Authorities to acquire construct improve maintain and operate projects and to borrow money and issue bonds therefor providing for the payment of such bonds and prescribing the rights of the holders thereof conferring the right of eminent domain on such Authorities authorizing such Authorities to enter into contracts with and to accept grants from the Federal Government or any agency thereof and for other purposes" as last amended by the act approved the seventeenth day of May one thousand nine hundred thirty-nine (P. L. 167) is hereby further amended to read as follows

Section 4. Purposes and Powers General Every Authority incorporated under this act shall be a body corporate and politic and shall be for the purpose of acquiring holding constructing improving maintaining and operating owning leasing either in the capacity of lessor or lessee buildings to be devoted wholly or partially for public uses and for revenue-producing purposes transportation marketing shopping terminals bridges tunnels streets highways parkways traffic distribution centers traffic circles parking spaces airports hangers projects parks recreation grounds and facilities sewers systems or parts thereof sewage treatment works waterworks water supply works water distribution systems swimming pools playgrounds lakes low head dams hospitals motor buses for public use when such motor buses are to be used within any municipality and subways (any and all the foregoing being herein called "projects") The purpose and intent of this act being to benefit the people of the Commonwealth by among other things increasing their commerce and prosperity and not to unnecessarily burden or interfere with existing business by the establishment of competitive enterprises none of the powers granted by this act shall be exercised in the construction improvement maintenance extension or operation of any project or projects which in whole or in part shall duplicate or compete with existing enterprises serving substantially the same purposes Provided however That the municipality or municipalities organizing such an Authority may in the resolution or ordinance signifying their intention so as to do or from time to time by subsequent resolution or ordinance specify the project or projects to be undertaken by the said Authority and no other projects shall be undertaken by the said Authority than those so specified Every Authority is hereby granted and shall have and may exercise all powers necessary or convenient for the carrying out of the aforesaid purposes incluing but without limiting the generality of the foregoing the following rights and powers

(a) To have existence for a term of fifty years as a corporation

(b) To sue and be sued implead and be impleaded complain and defend in all courts

(c) To adopt use and alter at will a corporate seal

(d) To acquire purchase hold lease as lessee and use any franchise property real personal or mixed tangible or intangible or any interest therein necessaary or desirable for carrying out the purposes of the Authority and to sell lease as lessor transfer and dispose of any property or interest therein at any time acquired by it provided That no Authority shall acquire by any device or means whatsoever including a consolidation merger purchase or lease or through the purchase of stock bonds or other securities the title to or the possession or use of all or any substantial portion of any project as defined in this Act which said project is now or may hereafter be subject to the jurisdiction of the Pennsylvania Public Utility Commission without approval of the Commission evidenced by its certificate of public convenience first had and obtained in accordance with the procedure and investigations as to value as outlined in section two hundred three of the Act approved the 28th day of May one thousand nine hundred thirty-seven (P. L. 1053) known as the "Public Utility Law"

(1) The Authority shall first report to and advise the municipality or municipalities by which it was created of the agreement to acquire including all its terms and conditions

(2) The municipality which created the Authority and to which said report is made shall by a two-thirds majority approve the proposed action of the Authority and the proposed agreement to acquire

(e) To acquire by purchase lease or otherwise and to construct improve maintain repair and operate projects

(f) To make by-laws for the management and regulation of its affairs

(g) To appoint officers agents employes and servants to prescribe their duties and to fix their compensation

(h) To fix alter charge and collect rates and other charges for the use of the facilities of or for the services rendered by the Authority or projects thereof at reasonable rates to be determined by it for the purpose of providing for the payment of the expenses of the Authority the construction improvement repair maintenance and operation of its facilities and properties the payment of the principal of and interest on its obligations and to fulfill the

terms and provisions of any agreements made with the purchasers or holders of any such obligations

(i) To borrow money make and issue negotiable notes bonds and other evidences of indebtedness or obligations (herein called "bonds") of the Authority said bonds to have a maturity date not longer than forty years from the date of issue and to secure the payment of such bonds or any part thereof by pledge or deed of trust of all or any of its revenues and receipts and to make such agreements with the purchasers or holders of such bonds or with others in connection with any such bonds whether issued or to be issued as the Authority shall deem advisable and in general to provide for the security for said bonds and the rights of the holders thereof and in respect to any project constructed and operated under agreement with any public Authority of any adjoining state to borrow money and issue such notes bonds and other evidences of indebtedness and obligations jointly with any such Authority

(j) To make contracts of every name and nature and to execute all instruments necessary or convenient for the carrying on of its business

(k) Without limitation of the foregoing to borrow money and accept grants from and to enter linto contracts leases or other transactions with any Federal agency

(l) To have the power of eminent domain

(m) To pledge hypothecate or otherwise encumber all or any of the revenues or receipts of the Authority as security for all or any of the obligations of the Authority

(n) To do all acts and things necessary or convenient to carry out the powers granted to it by this act or any other acts

(o) To contract with any corporation or any public Authority of any adjoining state on such terms as the said Authority shall deem proper for the construction and operation of any project which is partly in this Commonwealth and partly in such adjoining state

Provided however that the Authority shall have no power at any time or in any manner to pledge the credits or taxing power of the Commonwealth of Pennsylvania or any political subdivisions nor shall any of its obligations be deemed to be obligations of the Commonwealth of Pennsylvania or of any of its political subdivisions nor shall the Commonwealth of Pennsylvania or any political subdivision thereof be liable for the payment of principal of or interest on such obligations

Section 2 Section five of said act as last amended by the act approved the seventeenth day of May one thousand nine hundred thirty-nine (P. L. 167) is hereby further amended to read as follows

Section 5 Purposes and Powers Bonds The bonds of any Authority hereinabove referred to and authorized to be issued shall be authorized by resolution of the board thereof and shall be of such series bear such date or dates mature at such time or times not exceeding forty years from their respective dates bear interest at such rate or rates not exceeding six per cent per annum payable semi-annually be in such denominations be in such form either coupon or fully registered without coupons carrying such registration exchangeability and interchangeability privileges be payable in such medium of payment and at such place or places be subject to such terms of redemption not exceeding one hundred five per cent of the principal amount thereof and be entitled to such priorities in the revenues or receipts of such Authority as such resolution or resolutions may provide The bonds shall be signed by such officers as the Authority shall determine and coupon bonds shall have attached thereto interest coupons bearing the facsimile signature of the treasurer of the Authority all as may be prescribed in such resolution or resolutions Any such bonds may be issued and delivered notwithstanding that one or more of the officers signing such bonds or the treasurer whose facsimile signature shall be upon the coupon or any thereof shall have ceased to be such officer or officers at the time when such bonds shall actually be delivered

Said bonds may be sold at public or private sale for such price or prices as the Authority shall determine provided that the interest cost to maturity of the money received for any issue of said bonds shall not exceed six per centum per annum

Pending the preparation of the definite bonds interim receipts may be issued to the purchaser or purchasers of such bonds and may contain such terms and conditions as the Authority may determine

Any resolution or resolutions authorizing any bonds may contain provisions which shall be part of the contract with the holders thereof as to (a) pledging the full faith and credit of the Authority (but not for the Commonwealth of Pennsylvania or any political subdivision thereof) for such obligations or restricting the same to all or any of the revenues of the Authority from all or any projects or properties (b) the construction improvement operation extension enlargement maintenance and repair of the project and the duties of the Authority with reference thereto (c) the terms and provisions of the bonds (d) limitations on the purposes to which the proceeds of the bonds then or thereafter to be issued or of any loan or grant by the United States may be applied (e) the rate of tolls and other charges for use of the facilities of or for the services rendered by the Authority (f) the setting aside of reserves or sinking funds and the regulation and disposition thereof (g) limitations on the issuance of additional bonds (h) the terms and provisions of any deed or trust or indenture security the bonds or under which the same may be issued and (i) any other or additional agreements with the holders of the bonds

Any Authority may enter into any deeds of trust indentures or other agreements with any bank or trust company or other person or persons in the United States having power to enter into the same including any Federal agency as security for such bonds and may assign and pledge all or any of the revenues or receipts of the Authority thereunder Such deeds of trust indenture or other agreement may contain such provisions as may be customary in such instruments or as the Authority may authorize including (but without limitation) provisions as to (1) the construction improvement operation maintenance and repair of any project and the duties of the Authority with reference thereto (2) the application of funds and the safeguarding of funds on hand or on deposit (3) the rights and remedies of said trustee and the holders of the bonds (which may include restrictions upon the individual right of action of such bondholders) and (4) the terms and provisions of the bonds or the resolutions authorizing the issuance of the same

Said bonds shall have all the qualities of negotiable instruments under the law merchant and the negotiable instruments law of the Commonwealth of Pennsylvania

Section 3 Section nine of said act as last amended by the act approved the seventeenth day of May one thousand nine hundred thirty-nine (P. L. 167) is hereby further amended to read as follows

Section 9 Transfer of existing facilities to Authority The Commonwealth the county or any city borough or township in the county or any owner may and they are hereby authorized to lease lend grant or convey to the Authority upon such terms and conditions as are mutually satisfactory to the Authority and the corporate authorities of the Commonwealth the county or any such city borough or township or owner any existing bridges tunnels streets highways parkways traffic distribution centers traffic circles parking spaces airports hangars parks recreation grounds and facilities swimming pools sewers sewer systems or parts thereof sewage treatment works water works water supply works water distribution systems lakes or any part or parts thereof or any interest in real or personal property which may be used by the Authority in the construction improvement maintenance or operation of any project The Commonwealth the county or any city borough or township are also authorized to transfer assign and set over to the Authority any contracts which may have been awarded by said Commonwealth county city borough or

township for the construction of projects not begun or if begun not completed

This section without reference to any other law shall be deemed complete for the acquisition by agreement of projects as defined in this act located wholly within or partially without the municipality or municipalities causing such Authority to be incorporated any provisions of other laws to the contrary notwithstanding and no proceedings or other action shall be required except [as herein prescribed] that no Authority shall acquire by any device or means whatsoever including a consolidation merger purchase or lease or through the purchase of stock bonds or other securities the title to or the possession or use of all or any substantial portion of any project as defined in this Act which said project is now or may hereafter be subject to the jurisdiction of the Commission without approval of the Commission evidenced by its Certificate of Public Convenience first had and obtained

Section 4 This act shall become effective immediately upon its final enactment

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—28

Becker,	Deitrick,	James,	Taylor,
Bowers,	Dent,	Jones,	Thomas,
Carr,	Ealy,	Kephart,	Tyler,
Chapman,	Farrell,	Letzler,	Wade
Coleman,	Geltz,	McGinnis,	Watkins,
Cox,	Gourley,	Stiefel,	Wilson, T. B.,
Crider,	Heyburn,	Tallman,	Woodward,

NAYS—11

Crowe,	Homsher,	McCreesh,	Walker,
DiSilvestro,	Jaspan,	McQuiddy,	Woodring,
Holland,	Mallery,	Ruth,	

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILLS ON THIRD READING POSTPONED

Mr. KEPHART. Mr. President, I move that the Senate do now proceed to the consideration of bills on Third Reading postponed, as there are several bills which it is desired be returned to committee for the purpose of amendment.

I first call up Senate Bill No. 419.

Mr. HEYBURN. Mr. President, I second the motion.

The motion was agreed to.

BILLS RECOMMITTED

Mr. KEPHART. Mr. President, I move that Senate Bill No. 419, on third reading, entitled:

An Act giving the consent of the Commonwealth of Pennsylvania to the acquisition by the United States of America of approximately twenty-one thousand acres of land in the County of Franklin, Commonwealth of Pennsylvania, knowns as the Letterkenny Ordnance Depot, and ceding jurisdiction to the United States

be recommitted to the Committee on Judiciary Special for the purpose of amendment.

Mr. HEYBURN. Mr. President, I second the motion.

The motion was agreed to.

Mr. KEPHART. Mr. President, I move that Senate Bill No. 420, on third reading, entitled:

An Act giving the consent of the Commonwealth of Pennsylvania to the acquisition by the United States of America of a tract of land in Lancaster County, Pennsylvania, known as the Marietta Holding and Reconsignment Point, and ceding jurisdiction to the United States

be recommitted to the Committee on Judiciary Special for the purpose of amendment.

Mr. HEYBURN. Mr. President, I second the motion.

The motion was agreed to.

Mr. KEPHART. Mr. President, I move that Senate Bill No. 425, on third reading, entitled:

An Act giving the consent of the Commonwealth of Pennsylvania to the acquisition by the United States of America of a tract of land in Crawford County, Pennsylvania, known as the Keystone Ordnance Plant, and ceding jurisdiction to the United States

be recommitted to the Committee on Judiciary Special for the purpose of amendment.

Mr. HEYBURN. Mr. President, I second the motion.

The motion was agreed to.

Mr. KEPHART. Mr. President, I move that Senate Bill No. 430, on third reading, entitled:

An Act giving the consent of the Commonwealth of Pennsylvania to the acquisition by the United States of America of a tract of land in the Thirty-eighth Ward, of the City of Philadelphia, Pennsylvania, known as the Philadelphia Signal Depot, and ceding jurisdiction to the United States

be recommitted to the Committee on Judiciary Special for the purpose of amendment.

Mr. HEYBURN. Mr. President, I second the motion.

The motion was agreed to.

Mr. KEPHART. Mr. President, I move that Senate Bill No. 445, on third reading, entitled:

An Act giving the consent of the Commonwealth of Pennsylvania to the acquisition by the United States of America of a tract of land in the City and County of Philadelphia, Pennsylvania, known as the Philadelphia Armor Plate Plant, and ceding jurisdiction to the United States

be recommitted to the Committee on Judiciary Special for the purpose of amendment.

Mr. HEYBURN. Mr. President, I second the motion.

The motion was agreed to.

Mr. KEPHART. Mr. President, I move that Senate Bill No. 452, on third reading, entitled:

An Act giving the consent of the Commonwealth of Pennsylvania to the acquisition by the United States of America of two tracts of land in Lycoming and Union Counties, Pennsylvania, known as Pennsylvania Ordnance Works, and ceding jurisdiction to the United States

be recommitted to the Committee on Judiciary Special for the purpose of amendment.

Mr. HEYBURN. Mr. President, I second the motion.

The motion was agreed to.

Mr. KEPHART. Mr. President, I move that Senate Bill No. 457, on third reading, entitled:

An Act giving the consent of the Commonwealth of Pennsylvania to the acquisition by the United States of America of two tracts of land in the Forty-eighth Ward of the City of Philadelphia, Pennsylvania, known as the Philadelphia Quartermaster Depot, and ceding jurisdiction to the United States

be recommitted to the Committee on Judiciary Special for the purpose of amendment.

Mr. HEYBURN. Mr. President, I second the motion.

The motion was agreed to.

Mr. KEPHART. Mr. President, I move that Senate Bill No. 500, on third reading, entitled:

An Act giving the consent of the Commonwealth of Pennsylvania to the acquisition by the United States of America of two tracts of land in the City and County of Philadelphia, Pennsylvania, known as the Frankford Arsenal, and ceding jurisdiction to the United States

be recommitted to the Committee on Judiciary Special for the purpose of amendment.

Mr. HEYBURN. Mr. President, I second the motion.

The motion was agreed to.

Mr. KEPHART. Mr. President, I move that Senate Bill No. 540, on third reading, entitled:

An Act giving the consent of the Commonwealth of Pennsylvania to the acquisition by the United States of America of a tract of land in Montgomery County, Pennsylvania, known as the United States Naval Air Station, Hatboro Willow Grove, Pennsylvania, and ceding jurisdiction to the United States

be recommitted to the Committee on Judiciary Special for the purpose of amendment.

Mr. HEYBURN. Mr. President, I second the motion.

The motion was agreed to.

Mr. KEPHART. Mr. President, I move that Senate Bill No. 545, on third reading, entitled:

An Act giving the consent of the Commonwealth of Pennsylvania to the acquisition by the United States of America of a tract of land in Cumberland County, Pennsylvania, for a supply depot, known as the United States Naval Supply Depot, Mechanicsburg, Pennsylvania, and ceding jurisdiction to the United States

be recommitted to the Committee on Judiciary Special for the purpose of amendment.

Mr. HEYBURN. Mr. President. I second the motion.

The motion was agreed to.

SENATE BILL No. 477, PRINTER'S No. 243 CALLED UP

Mr. JONES. Mr. President, I call up from the postponed calendar for consideration at this time Senate Bill No. 477, Printer's No. 243.

BILL ON FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 477, entitled:

An Act to amend the act approved the twenty-fifth day of May one thousand nine hundred and thirty-three (P. L. 1001) entitled "An act providing for the regulation of aeronautics within this Commonwealth conferring powers and imposing duties upon the Department of Revenue in respect thereto providing for the licensing and registration of airman and aircraft establishing the legal status of air navigation providing for sovereignty in and ownership of space providing for lawfulness of flights regulating civil causes of action arising out of operation of aircraft fixing the status of contracts crimes and torts in by or by means of operation of aircraft imposing duties upon officers burgesses magistrates aldermen justices of the peace the courts and clerks thereof providing for denial or revocation of licenses providing for certain penalties and their disposition and repealing certain existing laws" by transferring to the Pennsylvania Public Utility Commission the powers and duties conferred and imposed upon the Department of Revenue and directing that the cost of administering said act shall be segregated on the books of the commission and changing disposition of penalties collected

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Clauses (i) (j) (k) and (r) of Section 102 Sections 201 203 and 501 of the act approved the twenty-fifth day of May one thousand nine hundred and thirty-three (P. L. 1001) entitled "An act providing for the regulation of aeronautics within this Commonwealth conferring powers and imposing duties upon the Department of Revenue in respect thereto providing for the licensing and registration of airman and aircraft establishing the legal status of air navigation providing for sovereignty in and ownership of space providing for lawfulness of flights regulating civil causes of action arising out of operation of aircraft fixing the status of contracts crimes and torts in by or by means of operation of aircraft imposing duties upon officers burgesses magistrates aldermen justices of the peace the courts and clerks thereof providing for denial or revocation of licenses providing for certain penalties and their disposition and repealing certain existing laws" are hereby amended to read as follows

Section 102 Definitions The following words and phrases when used in this act shall for the purpose of this act have the meanings respectively ascribed to them in this section

* * * * *

(i) "Civil Airway" A route in the navigable air space over or above the territory or waters of the State of Pennsylvania designated by the [Department of Revenue] Pennsylvania Public Utility Commission as a route suitable for intrastate or interstate air commerce

(j) ["Department" Department of Revenue of this Commonwealth] "Commission" Pennsylvania Public Utility Commission

(k) "Navigable Air Space" Air space above the minimum safe altitudes of flight prescribed by the [department] commission

* * * * *

[(r) "Secretary" Secretary of Revenue of this Commonwealth]

Article II

Powers and Duties of [Department of Revenue] Pennsylvania Public Utility Commission

Section 201 Powers and Duties of [Department of Revenue] Pennsylvania Public Utility Commission The [Department of Revenue] Pennsylvania Public Utility Commission shall administer the provisions of this act and for such purpose is authorized and directed to promulgate such regulations as are necessary to execute the powers invested in it by this act and other applicable laws

It shall be the duty of the [department] commission to

(a) Provide for the examination and rating and licensing of airports landing fields and air navigation facilities available for use of aircraft

(b) Adopt rules and regulations for the issuance expiration suspension or revocation of license of airports landing fields and air navigation facilities and of such other licenses or certificates as the [department] commission deems necessary in administering the functions vested in said [department] commission under this act

(c) Establish set apart and provide for the protection of necessary air space reservation within the Commonwealth of Pennsylvania in addition to and not in conflict with air space reservations established by the President of the United States or any department of the United States or with any civil or military airway designated under the provisions of the Air Commerce Act of one thousand nine hundred and twenty-six and the amendments thereto or other act of Congress pertaining thereto

(d) Designate establish and chart civil airways within over and above the lands or waters of the Commonwealth of Pennsylvania and arrange for publication of maps of such airways utilizing the facilities and assistance of existing agencies of the Commonwealth as far as practicable The [department] commission shall grant no exclusive right for the use of any civil airway airport intermediate landing field or other air navigation facility under its jurisdiction

(e) Investigate record and report the causes of accidents in civil air navigation within this Commonwealth

(f) Encourage the establishment of airports civil airways and other air navigation facilities

(g) Supervise and regulate the safety adequacy and sufficiency of all airports landing fields and air navigation facilities and equipment used or to be used in private or commercial flying

(h) Adopt rules and regulations governing the instruction in flight or ground school of student flyers or mechanics and the safety adequacy and sufficiency of airports landing fields and air navigation facilities and equipment used or to be used in the instruction of student flyers or mechanics

(i) Adopt rules and regulations for the marking of highways municipalities and all other aerial markings used throughout the Commonwealth

(j) Adopt rules and regulations governing the erection location and maintenance of aerial beacon lights and other aerial night lighting equipment within the Commonwealth

(k) To exchange with the Department of Commerce and other State governments through existing governmental channels information pertaining to the civil air navigation

(l) [To enforce] Enforce the regulations and air traffic rules promulgated as provided hereunder through the assistance and cooperation of State and local authorities charged with the enforcement of law in their respective jurisdiction

(m) [To establish] Establish by regulation the minimum safe altitudes for flight and including air traffic rules

(n) Segregate on its books the cost of administering this act

All rules and regulations prescribed by the [department] commission under the authority of this section shall be consistent with and conform to the then current Federal legislation governing aeronautics and the regulations duly promulgated thereunder and rules issued from time to time pursuant thereto [Provided That nothing in this section shall confer upon the department the power to determine schedules issuance of stock determination of public convenience or the adequacy and sufficiency of service of common carriers engaged in commercial flying within this Commonwealth]

Section 303 Possession and Display of Licenses The certificate of the license required for the person operating such aircraft and the certificate of the license required for aircraft and such other licenses or certificates as may be issued by the [department] commission shall be kept in such places and exhibited to such persons at such time and under such circumstances as shall be required by the regulations of the [department] commission

Section 501 Procedure for Denial or Revocation of Licenses The licenses of airports landing fields air navigation facilities and such other licenses or certificates that the [department] commission may under authority of this act issue shall be denied or revoked only after the applicant or licensee shall have been accorded a hearing or opportunity for a hearing thereon Within ten (10) days after notice that application for registration and license has been denied or the license or certificate revoked the applicant or holder may file a written request with the [department] commission for a public hearing thereon The [secretary of the department] commission upon receipt of the request shall arrange forthwith

(1) For a public hearing to be held within twenty (20) days after such receipt in such place as the [secretary] commission deems most practicable and convenient and

(2) Give the applicant or holder at least ten (10) days' notice of the hearing unless an earlier hearing is consented to by him

Notice may be served personally upon the applicant or holder or sent him by registered mail The decision of the [department] commission if in accordance with law shall be final

Section 2 Clause (f) of section six hundred one of said act as amended by the act approved the twenty-first day of June one thousand nine hundred thirty-seven (P. L. 1965) is hereby further amended to read as follows

Section 601 Violation Provisions It shall be unlawful for any person to commit any of the following acts

* * * * *

(f) To use a false or fictitious name or to give a false or fictitious address in any application or form required under the provisions of this act or the rules and regulations of the [department] commission adopted pursuant to this act or knowingly make any false statement or report or knowingly conceal a material fact or otherwise commit a fraud in any application

Section 3 Sections 602 606 607 608 and 610 of said act are hereby amended to read as follows

Section 602 Summary Offenses Any person violating any of the provisions of this act unless such violation is by this act or other law of this Commonwealth declared to be a misdemeanor or any of the rules and regulations adopted by the [department] commission pursuant to this act shall upon conviction thereof in any summary proceeding before any magistrate alderman or justice of the peace be sentenced to pay a fine of not less than fifty ($50.00) dollars and not more than two hundred ($200.00) dollars and in default of the payment of such fine and costs to undergo imprisonment in the county jail for a period not exceeding thirty (30) days

Section 606 Report of Convictions

(a) Every burgess magistrate alderman and justice of the peace in this Commonwealth shall keep a full report of every case in which a person is charged with violation of any provisions of this act and in the event that such person is convicted or that his bail is forfeited an abstract of such report shall be sent forthwith by the burgess magistrate alderman or justice of the peace to the [department] commission but this requirement shall not be deemed to make such court a court of record

(b) Abstracts required by this section shall be made upon forms prepared by the [department] commission and shall include all necessary information as to the parties to the case the nature of the offense the date of hearing the plea the judgment the amount of the fine or forfeiture and other information deemed necessary and every such abstract shall be certified by the burgess magistrate alderman or justice of the peace as a true abstract of the record of the court

(c) Each clerk of any court of record of this Commonwealth shall also within ten (10) days after final judgment of conviction under any of the provisions of this act send to the [department] commission a certified copy of such judgment of conviction Certified copies of the judgment shall also be forwarded to the [department] commission upon conviction of any person of manslaughter

or other felony in the commission of which an aircraft was used The [department] commission shall keep such records in its offices for at least three (3) years and they shall be open to the inspection of any person during reasonable business hours

(d) Failure refusal or neglect to comply with any of the provisions of this section shall constitute misconduct in office and shall be ground for removal therefrom

Section 607 Disposition of Fines Fees and Forfeitures All fines fees and forfeitures collected under the provisions of this act for violations of the same and all bail forfeited shall be paid to the [department] commission and transmitted to the State Treasury and credited to the ["Motor License Fund"] "General Fund" and sworn statements of all fines and penalties so collected shall also be made upon blanks furnished by the [department] commission by the burgess magistrate alderman justice of the peace or other officer imposing or receiving the same to the [department] commission and such reports shall be made monthly Any burgess magistrate alderman justice of the peace or other officer who shall fail to make such monthly reports and returns or pay the same to the [department] commission shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine of not more than five hundred ($500.00) dollars or suffer imprisonment for not more than sixty (60) days

Section 608 Registration Number Prima Facie Evidence In any proceeding for the violation of the provisions of this act or the rules and regulations of the [department] commission adopted pursuant to this act the Federal license number or identification mark displayed on such craft shall be prima facie evidence that the owner of such aircraft was operating the same If at any hearing or proceeding the owner shall testify under oath or affirmation that he was not operating the said aircraft at the time of the alleged violation of this act and the rules and regulations of the [department] commission shall submit himself to an examination as to who at that time was operating such aircraft and reveal the name of the person if known to him or if the information is made in a county other than that of his own residence shall forward to the burgess magistrate alderman or justice of the peace an affidavit setting forth these facts then the prima facie evidence arising from the Federal license number or identification mark shall be overcome and removed and the burden of proof shifted

Section 610 Admissibility of Certified Copies of Records as Evidence Any certified copy or certified photostatic copies of any records books papers documents determinations rulings or orders of the [department] commission when certified under the seal of the [department] commission shall be acceptable as evidence in the courts of this Commonwealth with the same force and effect as the originals in all cases where such original records books papers documents determinations rulings or orders of the [department] commission would be admitted as evidence

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—39

Becker,	DiSilvestro,	Jones,	Tallman,
Bowers,	Ealy,	Kephart,	Taylor,
Carr,	Farrell,	Letzler,	Thomas,
Chapman,	Geltz,	Mallery,	Tyler,
Coleman,	Gourley,	McGinnis,	Walker,
Cox,	Heyburn,	McQuiddy,	Watkins,
Crider,	Holland,	Ruth,	Wilson, T. B.,
Crowe,	Homsher,	Snowden,	Woodring,
Deitrick,	James,	Stevenson,	Woodward,
Dent,	Jaspan,	Stiefel,	

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

SENATE BILL No. 46, PRINTER'S No. 323 CALLED UP

Mr. FARRELL. Mr. President, I call up at this time Senate Bill No. 46, Printer's No. 323, on the Second Reading Calendar, page 19.

BILL RECOMMITTED

Mr. FARRELL. Mr. President, I move that Senate Bill No. 46, on second reading, entitled:

An Act relating to labor organizations protecting the rights of members thereof imposing certain responsibilities and duties upon the officers of labor organizations requiring the registration of foreign labor organizations, and prohibiting gifts by labor organizations to political organizations or candidates for election or nominations, and regulating the making of loans; conferring certain powers and duties upon the Secretary of the Department of Labor and Industry of this Commonwealth and of said department and prescribing penalties

be recommitted to the Committee on Labor and Industry.

Mr. LETZLER. Mr. President, I second the motion.

Mr. MALLERY. I ask that the roll be called Mr. President.

Mr. COX. Mr. President, I also would like the privilege of seconding this motion.

Mr. MALLERY. I wish to be a third seconder and I also ask that the roll be called.

On the question,

Will the Senate agree to the motion?

Mr. JASPAN. Mr. President, may I inquire what is the attitude of the sponsor of this bill? Inasmuch as the gentleman from Philadelphia introduced the bill, is he in accord with the proposition to send this bill back to the Committee on Labor and Industry?

The PRESIDENT. Will the gentleman from Philadelphia permit himself to be interrogated?

Mr. WOODWARD. Oh certainly, Mr. President.

The PRESIDENT. The gentleman from Philadelphia, Senator Jaspan, will proceed.

Mr. JASPAN. Mr. President, I desire to know whether the Senator from Philadelphia, Doctor Woodward, the sponsor of this bill, is agreeable to having it sent back to the Committee on Labor and Industry.

Mr. WOODWARD. No, Mr. President, I am disagreeable to it.

Mr. JASPAN. Why, Mr. President?

Mr. WOODWARD. Well, Mr. President, there are circumstances sometimes that can not be avoided.

Mr. JASPAN. Will the gentleman from Philadelphia, Doctor Woodward, please answer the question?

Mr. WOODWARD. Mr. President, will the gentleman from Philadelphia repeat his question?

Mr. JASPAN. Mr. President, I ask whether the gentleman from Philadelphia, Senator Woodward, is agreeable

to having Senate Bill No. 46 sent back to the Committee on Labor and Industry, and if so, why?

Mr. WOODWARD. I told the gentleman that it is not agreeable to me.

Mr. JASPAN. Why is it not agreeable to the gentleman from Philadelphia? I would like to know why?

Mr. WOODWARD. I do not mind telling the gentleman from Philadelphia that this bill, well, it might have friends and also foes.

Mr. JASPAN. Mr. President, I did not quite hear the gentleman from Philadelphia. Will he speak a little louder?

Mr. WOODWARD. I do not want to make a speech.

Mr. JASPAN. Mr. President, I withdraw the question. I can understand why. Thank you.

Mr. WOODWARD. Thank you.

And the question recurring,

Will the Senate agree to the motion?

It was agreed to.

Mr. MALLERY. I had requested that the roll be called, Mr. President. I hope the Chair will recall that I asked for a roll call on the motion to recommit Senate Bill No. 46.

The PRESIDENT. The Chair did not hear the request of the gentleman from Blair that the roll be called. If there is no objection, the roll will be called on the motion to recommit Senate Bill No. 46 to the Committee on Labor and Industry. Apparently the gentleman from Blair, Senator Mallery requested a roll call which request the Chair did not hear.

POINT OF INFORMATION

Mr. THOMAS B. WILSON. Mr. President, I rise on a point of information.

The PRESIDENT. The gentleman from McKean will proceed.

Mr. THOMAS B. WILSON. Mr. President, what is the present legislative situation? Has Senate Bill No. 46 been recommitted or has it not?

The PRESIDENT. It has.

Mr. THOMAS B. WILSON. What is the purpose of a roll call, Mr. President, if the bill has been recommitted?

The PRESIDENT. Does the Senator have objection? The Senator from Blair stated that the Chair has deprived him of one of his privileges and, naturally, the Chair wants to restore that privilege.

Mr. THOMAS B. WILSON. Mr. President, I withdraw my objection if the Chair feels that he overlooked something the Senator from Blair asked for. I do not wish to be technical.

REQUEST WITHDRAWN

Mr. MALLERY. Mr. President, I withdraw my request that the roll be called. I want to be on record as voting against this bill, and in favor of the motion to recommit.

The PRESIDENT. The gentleman from Blair will be so recorded. The Senator from Blair was one of the seconders of the motion to recommit the bill, and the Senator from Blair will be so recorded on that basis.

REPORT FROM COMMITTEE

Mr. HEYBURN. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. HEYBURN on behalf of Mr. WALKER, from the Committee on Judiciary General, reported as committed, House Bill No. 536, entitled:

An Act to further amend section four of the act approved the twenty-ninth day of May one thousand nine hundred and thirty-one (P. L. 280) entitled "An act relating to delinquent taxes on seated lands and prescribing interest charges on nonpayment thereof requiring the receivers and collectors of county city borough town township school district and poor district taxes to make a return to the county commissioners of such unpaid taxes and providing for the lien thereof authorizing the county treasurers to collect such taxes and to sell seated lands at public sale for taxes heretofore or hereafter returned as unpaid and authorizing the county commissioners to purchase such lands and resell the same under certain circumstances" providing that all liens in favor of the Commonwealth other than tax liens charged against real estate heretofore or hereafter sold for taxes by the county treasurers are divested by such sales.

RECESS

Mr. HEYBURN. Mr. President, I move that the Senate do now take a recess until 9:30 o'clock p. m. Eastern War Time.

Mr. THOMAS. Mr. President, I second the motion.

The motion was agreed to.

AFTER RECESS

The PRESIDENT PRO TEMPORE (Charles H. Ealy) in the Chair.

The PRESIDENT PRO TEMPORE. The time of recess having elapsed the Senate will be in order.

BILL ON FINAL PASSAGE RECALLED FROM THE GOVERNOR

Agreeably to order,

The Senate resumed the consideration of Senate Bill No. 112, entitled:

An Act providing for the retention on the several permanent personal registration lists of electors of the names of persons who are members of any branch of the armed forces of the United States or of any uniformed organization of women officially connected therewith providing for proof of such membership prescribing penalties for making false statements in connection therewith and suspending inconsistent laws during the effective period of the act

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—36

Barr,	Geltz,	Letzler,	Taylor,
Becker,	Gourley,	Mallery,	Thomas,
Bowers,	Heyburn,	McGinnis,	Wade,
Carr,	Holland,	McQuiddy,	Walker,
Chapman,	Homsher,	Ruth,	Watkins,
Coleman,	James,	Scarlett,	Wilson, T. B.,
Crowe,	Jaspan,	Snowden,	Woodring,
DiSilvestro,	Jones,	Stevenson,	Woodward,
Farrell,	Kephart,	Tallman,	Ealy, Pres. Pro. Tem.

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present the said bill to the House of Representatives for concurrence.

BILLS ON FINAL PASSAGE

BILLS OVER IN ORDER

Mr. HEYBURN. Mr. President, I ask unanimous consent that House Bill No. 545, on final passage, entitled:

An Act to further amend section four of the act approved the twenty-first day of May one thousand nine hundred thirty-one (P. L. 149) entitled "An act imposing a State tax payable by those herein defined as distributors on liquid fuels used or sold and delivered within the Commonwealth which are ordinarily practically and commercially usable in internal combustion engines for the generation of power providing for the collection and lien of the tax and the distribution and use of the proceeds thereof requiring such distributors to secure permits to file corporate surety bonds and reports and to retain certain records imposing duties on retail dealers common carriers county commissioners and such distributors providing for rewards imposing certain costs on counties conferring powers and imposing duties on certain State officers and departments providing for refunds imposing penalties and making an appropriation" by imposing and continuing the additional emergency tax on liquid fuels for a further limited period of time

go over in its order.

The PRESIDENT PRO TEMPORE. Is there objection? The Chair hears none.

Mr. HEYBURN. Mr. President, I ask unanimous consent that House Bill No. 547, on final passage, entitled:

An Act to further amend the act approved the first day of June one thousand eight hundred eighty-nine (P. L. 420) entitled "A further supplement to an act entitled 'An act to provide revenue by taxation' approved the seventh day of June Anno Domini one thousand eight hundred and seventy-nine" by increasing for a further limited period of time the rate of tax imposed by the act upon the gross receipts of certain companies limited partnerships associations joint-stock associations copartnerships and persons and by further defining the gross receipts tax liability of companies limited partnerships associations jointstock associations copartnerships and persons engaged in the sale of electric energy

go over in its order.

The PRESIDENT PRO TEMPORE. Is there objection? The Chair hears none.

BILLS ON THIRD READING

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 30, entitled:

An Act making an appropriation to the Franklin Institute of the State of Pennsylvania at Philadelphia

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The sum of one hundred thousand dollars ($100,000) or as much thereof as may be necessary is hereby appropriated to the Franklin Institute of the State of Pennsylvania at Philadelphia for the two fiscal years beginning the first day of June one thousand nine hundred forty-three for the purpose of the maintenance of said institute

And said bill having been read at length the third time, and agreed to,

On the question,

Sall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—36

Barr,	Geltz,	Letzler,	Taylor,
Becker,	Gourley,	Mallery,	Thomas,
Bowers,	Heyburn,	McGinnis,	Wade,
Carr,	Holland,	McQuiddy,	Walker,
Chapman,	Homsher,	Ruth,	Watkins,
Coleman,	James,	Scarlett,	Wilson, T. B.,
Crowe,	Jaspan,	Snowden,	Woodring,
DiSilvestro,	Jones,	Stevenson,	Woodward,
Farrell,	Kephart,	Tallman,	Ealy, Pres. Pro. Tem.

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative,

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 94, entitled:

An Act making an appropriation to the Pennsylvania Museum and School of Industrial Art Philadelphia

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The sum of one hundred fifty thousand dollars ($150.000) is hereby specifically appropriated to the Pennsylvania Museum and School of Industrial Art Philadelphia for the two fiscal years beginning June first one thousand nine hundred forty-three for maintenance and the purchase of apparatus supplies and equipment

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally

The yeas and nays were taken agreeably to the provision of the Constitution, and were as follows, viz:

YEAS—36

Barr,	Geltz,	Letzler,	Taylor,
Becker,	Gourley,	Mallery,	Thomas,
Bowers,	Heyburn,	McGinnis,	Wade,
Carr,	Holland,	McQuiddy,	Walker,
Chapman,	Homsher,	Ruth,	Watkins,
Coleman,	James,	Scarlett,	Wilson, T. B.,
Crowe,	Jaspan,	Snowden,	Woodring,
DiSilvestro,	Jones,	Stevenson,	Woodward,
Farrell,	Kephart,	Tallman,	Ealy, Pres. Pro. Tem.

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 115, entitled:

An Act to further amend the act approved the first day of May one thousand nine hundred and twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation

of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" by permitting the use of red signal lights and sound devices on certain additional vehicles changing the provisions concerning rights of way and providing penalties

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section eight hundred nine of the act approved the first day of May one thousand nine hundred and twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" as amended by section two of the act approved the twenty-second day of June one thousand nine hundred and thirty-one (P. L. 751) is hereby further amended to read as follows

Section 809 Red Light Visible From in Front of Vehicles No person shall operate or move any vehicle except fire department [and] fire patrol apparatus or the private vehicles of those chiefs of fire departments assistant chiefs of fire departments or fire marshals who in accordance with a statement filed with the Pennsylvania Motor Police prior thereto use the same for answering fire or emergency calls upon a highway with a red light displayed on the front thereof

Penalty Any person violating any of the provisions of this section shall upon summary conviction before a magistrate be sentenced to pay a fine of ten ($10) dollars and costs of prosecution and in default of the payment thereof shall undergo imprisonment for not more than five (5) days

Section 2 Section eight hundred fourteen of said act is hereby amended to read as follows

Section 814 Horns and Warning Devices

(a) Every motor vehicle when operated upon a highway shall be equipped with a horn or other warning device in good working order capable of emitting sound audible under normal conditions from a distance of not less than two hundred (200) feet and it shall be unlawful except as otherwise provided in this act for any vehicle to be equipped with or for any person to use upon a vehicle any siren bell compression or sparkplug whistle or for any person at any time to use a horn or other warning devices otherwise than as a reasonable warning or to make any unnecessary or unreasonably loud or harsh sound by means of a horn or other warning device

(b) Every police [and] fire department and fire patrol vehicle [and every] ambulance or the private vehicle of the chief of any fire department assistant chief of any fire department or fire marshal who in accordance with a statement filed with the Pennsylvania Motor Police prior thereto uses the same for answering fire or emergency calls may be equipped with a bell siren compression or sparkplug whistle of a type approved by the secretary

Penalty Any person violating any of the provisions of subsection (a) of this section shall upon summary conviction before a magistrate be sentenced to pay a fine of ten ($10) dollars and costs of prosecution and in default of the payment thereof shall undergo imprisonment for not more than five (5) days

Section 3 Section one thousand fourteen of said act as amended by section two of the act approved the twenty-second day of June one thousand nine hundred and thirty-one (P. L. 751) is hereby further amended to read as follows

Section 1014 Exceptions to the Right of Way Rule

(a) The driver of a vehicle entering a highway from a private road or drive shall yield the right of way to all vehicles approaching on such highway

(b) The driver of a vehicle upon a highway shall yield the right of way to police [and] fire department vehicles [and] ambulances and the private vehicles of those chiefs of fire departments assistant chiefs of fire departments and fire marshals who signify in writing their intention to use such vehicles while answering fire or emergency calls and file the written declaration prior to such use thereof with the Pennsylvania motor Police when such vehicles are operated upon official business and the drivers thereof sound audible signal This provision shall not operate to relieve the driver of [a police or fire department vehicle or ambulance] any such vehicle from the duty to drive with due regard for the safety of all persons using the highway nor shall it protect the driver of any such vehicle from the consequence of an arbitrary exercise of such right of way

(c) The driver of vehicle entering a through highway or stop intersection which has been established as such under provisions of this act shall yield the right of way to all vehicles approaching in either direction on such through highway This provision shall not operate to relieve the driver of any vehicle being operated on a through highway from the duty to drive with due regard for the safety of vehicles entering such through highway nor shall it protect the driver of any vehicle on a through highway from the consequence of an arbitrary exercise of such right of way

Penalty Any person violating any of the provisions of this section shall upon summary conviction before a magistrate be sentenced to pay a fine of ten ($10) dollars and costs of prosecution and in default of the payment thereof shall undergo imprisonment for not more than five (5) days

Section 4 Section one thousand fifteen of said act as last amended by section three of the act approved the twenty-ninth day of June one thousand nine hundred and thirty-seven (P. L. 2329) is hereby further amended to read as follows

Section 1015 What to do on Approach of Police or Fire Department Vehicle

(a) Upon the approach of any police [or] fire department vehicle [or] ambulance or the private vehicle of the chief of any fire department assistant chief of any fire department or fire marshal who in accordance with a statement filed with the Pennsylvania Motor Police prior thereto uses the same for answering fire or emergency

calls giving audible signal the driver of every other vehicle shall immediately drive the same to a position as near as possible and parallel to the right-hand edge or curb of the highway clear of any intersection of highways and shall stop and remain in such position unless otherwise directed by a peace officer until [the police or fire department vehicle or ambulance] such vehicle shall have passed

(b) It shall be unlawful for the driver of any vehicle street car or trackless trolley omnibuses other than one on official business to follow any fire apparatus traveling in response to a fire alarm closer than five hundred (500) feet or to park such vehicle within five hundred (500) feet where fire apparatus has stopped in answer to a fire alarm

(c) Upon the approach of any police [or] fire department vehicle [or] ambulance or the private vehicle of the chief of any fire department assistant chief of any fire department or fire marshal who in accordance with a statement filed with the Pennsylvania Motor Police prior thereto uses the same for answering fire or emergency calls giving audible signal the operator of every street car or trackless trolley omnibuses shall immediately stop and remain in such position unless otherwise directed by a peace officer until [the police or fire department vehicle or omnibus] such vehicle shall have passed

Penalty Any person violating any of the provisions of this section shall upon summary conviction before a magistrate be sentenced to pay a fine of ten ($10) dollars and costs of prosecution and in default of the payment thereof shall undergo imprisonment for not more than five (5) days

Section 5 All acts and parts of acts inconsistent herewith are hereby repealed

Section 6 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—36

Barr,	Geltz,	Letzler,	Taylor,
Becker,	Gourley,	Mallery,	Thomas,
Bowers,	Heyburn,	McGinnis,	Wade,
Carr,	Holland,	McQuiddy,	Walker,
Chapman,	Homsher,	Ruth,	Watkins,
Coleman,	James,	Scarlett,	Wilson, T. B.,
Crow,	Jaspan,	Snowden,	Woodring,
DiSilvestro,	Jones,	Stevenson,	Woodward,
Farrell,	Kephart,	Tallman,	Ealy, Pres. Pro. Tem.

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 121, entitled:

An Act to further amend the title and sections one and three of and to add section four to the act approved the tenth day of April one thousand nine hundred thirty-one (P. L. 23) entitled as amended "An act providing for the acceptance by the Commonwealth of a gift of lands from the American Petroleum Institute located on the left bank of Oil Creek in Oil Creek Township or Cherry Tree Township or both Venango County to establish the Drake Well Memorial Park under the control and supervision of the Department of Forests and Waters empowering the Department of Property and Supplies to acquire additional lands for such Memorial Park without cost to the Commonwealth and making an appropriation changing the name of said memorial and placing it under the supervision and control of the Pennsylvania Historical Commission defining the powers and duties of the commission relative thereto authorizing the employment of certain employes and the payment of their salaries and making an appropriation

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The title of the act approved the tenth day of April one thousand nine hundred thirty-one (P. L. 23) entitled as amended "An act providing for the acceptance by the Commonwealth of a gift of lands from the American Petroleum Institute located on the left bank of Oil Creek in Oil Creek Township or Cherry Tree Township or both Venango County to establish the Drake Well Memorial Park under the control and supervision of the Department of Forests and Waters empowering the Department of Property and Supplies to acquire additional lands for such Memorial Park without cost to the Commonwealth and making an appropriation" as last amended by the act approved the twenty-fourth day of April one thousand nine hundred thirty-five (P. L. 55) is hereby further amended to read as follows

An Act providing for the acceptance by the Commonwealth of a gift of lands from the American Petroleum Institute located on the left bank of Oil Creek in Oil Creek Township or Cherry Tree Township or both Venango County to establish and maintain a public museum and park as the Drake Well Memorial [Park] under the control and supervision of the [Department of Forests and Waters] Pennsylvania Historical Commission in cooperation with the Department of Forests and Waters and an advisory board to be appointed by the American Petroleum Institute prescribing the powers and duties of the commission relative to said memorial authorizing the employment of certain assistants and employes and for the payment of their salaries empowering the Department of Property and Supplies to acquire additional lands for such Memorial Park without cost to the Commonwealth and making an appropriation

Section 2 Section one of said act as last amended by the act approved the sixteenth day of March one thousand nine hundred thirty-seven (P. L. 104) is hereby further amended to read as follows

Section 1 Be it enacted etc That the Commonwealth hereby accepts free and clear of all encumbrances except reservations of oil gas and minerals any grant of lands by the American Petroleum Institute of not less than one-half and not more than five hundred acres with the improvements thereon located on either or both banks of Oil Creek in Oil Creek Township or Cherry Tree Township or both Venango County upon which is the site where Colonel Edwin L Drake drilled the first successful oil well in the world in the year one thousand eight hundred and fifty-nine to be hereafter used as a public museum and park and as a memorial to Colonel Drake and the petroleum industry The said [Park and] memorial museum and park shall be known as the Drake Well Memorial [Park]

The acceptance of said grant shall be completed upon delivery to the Commonwealth of a deed in fee simple (subject to reservation if any of oil gas and minerals) approved by the Attorney General

Said property after its acceptance shall be under full control and supervision of the [Department of Forests and Waters] Pennsylvania Historical Commission subject however to the aforesaid reservations and the said commission shall have the power to adopt and carry into effect plans for the improvement care maintenance and preservation of the said museum and park and for the enlargement of said museum and to make and enforce rules and regulations therefor and for the visitation there-

of by the public The Department of Forests and Waters shall [develop] at all times cooperate with the Pennsylvania Historical Commission in developing the forest resources of said lands

Section 3 Section three of said act as amended by the said act approved the twenty-fourth day of April one thousand nine hundred thirty-five (P. L. 55) is hereby further amended to read as follows

Section 3 The [Department of Forests and Waters] Pennsylvania Historical Commission is hereby authorized subject to its approval to permit the donor of such property to erect structures upon and to make improvements to such property after the same has been accepted by the Commonwealth and to accept such structures and improvements on behalf of the Commonwealth and to use the same in connection with and for the protection of such [park and] memorial museum and park

Section 4 Said act is hereby amended by adding thereto after section three a new section to read as follows

Section 4 The Pennsylvania Historical Commission is hereby authorized to cooperate with the Drake Well Memorial Advisory Board in carrying out the provisions of this act in order to make and preserve such memorial as a world center for research connected with the early history of the oil industry

The said Drake Well Memorial Advisory Board shall consist of seven members residents of Pennsylvania to be appointed by the American Petroleum Institute as soon as possible after the effective date of this act The first four appointees shall serve for a term of four years and the other three appointees shall serve for a term of two years and thereafter the term of all appointees shall be for a term of four years Said board shall act in an advisory capacity to the commission and shall have power to make suggestions and recommendations to the commission for the improvement care maintenance preservations and enlargement of the said memorial Said board may accept gifts of money or securities for endownment purposes

Section 5 The sum of twenty-five thousand dollars ($25,000) or so much thereof as may be necessary is hereby specifically appropriated to the Pennsylvania Historical Commission to be used for the improvement care maintenance and preservation of the Drake Well Memorial and for the proper management and supervision thereof and for the payment of salaries of employes necessary therefor including a curator and a librarian for the said museum and for the purchase and necessary expenses of collecting documents and relics connected with the early history of the oil industry

Section 6 All acts and parts of acts inconsistent with the provisions of this act are hereby repealed

Section 7 The provisions of this act shall become effective on the first day of June one thousand nine hundred forty-three

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—27

Becker,	Heyburn,	McGinnis,	Wade,
Bowers,	Homsher,	Ruth,	Walker,
Carr,	James,	Scarlett,	Watkins,
Chapman,	Jaspan,	Snowden,	Wilson, T. B.,
Crowe,	Jones,	Tallman,	Woodward,
DiSilvestro,	Kephart,	Taylor,	Ealy,
Farrell,	Mallery,	Thomas,	Pres Pro Tem.

NAYS—5

Coleman,	Holland,	McQuiddy,	Woodring,
Gourley,			

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 123, entitled:

An Act making an appropriation to the Moore Institute of Art Science and Industry formerly Philadelphia School of Design for Women at Philadelphia Pennsylvania

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The sum of forty thousand dollars ($40,000) is hereby specifically appropriated to the Moore Institute of Art Science and Industry formerly Philadelphia School of Design for Women at Philadelphia Pennsylvania for the two fiscal years beginning June first one thousand nine hundred and forty-three Provided That in such school there shall be maintained a free scholarship for one pupil of each county in the State to be filled by appointment of the senator of each such county except that for counties having more than one senator as many scholarships shall be provided as there are senatorial districts in such counties and in case of the failure of any county to be properly represented by an appointee or appointees at the opening of any school year October first then any senator of any senatorial district shall have the power to fill such vacancy or vacancies by the appointment of additional applicants from his own district or any other senatorial district of the State

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—36

Barr,	Geltz,	Letzler,	Taylor,
Becker,	Gourley,	Mallery,	Thomas,
Bowers,	Heyburn,	McGinnis,	Wade,
Carr,	Holland,	McQuiddy,	Walker,
Chapman,	Homsher,	Ruth,	Watkins,
Coleman,	James,	Scarlett,	Wilson, T. B.,
Crowe,	Jaspan,	Snowden,	Woodring,
DiSilvestro,	Jones,	Stevenson,	Woodward,
Farrell,	Kephart,	Tallman,	Ealy, Pres. Pro. Tem.

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 171, entitled:

An Act making an appropriation to the Department of Forests and Waters to be used for the purchase of lands in the vicinity of the tract now owned by the Commonwealth containing the birthplace of James Buchanan in Franklin County

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The sum of nine thousand five hundred dollars ($9,500) or so much thereof as may be necessary is hereby specifically appropriated to the Department of

Forests and Waters of the Commonwealth of Pennsylvania to be used for the purchase of forest lands in the vicinity of the tract of land now owned by the Commonwealth and containing the birthplace of James Buchanan in Peters Township Franklin County The lands purchased with the appropriation made by this act shall be held and utilized in accordance with the provisions of the Administrative Code of April 9, 1929 P. L. 177 relating to lands devoted to State forest purposes

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—36

Barr,	Geltz,	Letzler,	Taylor,
Becker,	Gourley,	Mallery,	Thomas,
Bowers,	Heyburn,	McGinnis,	Wade,
Carr,	Holland,	McQuiddy,	Walker,
Chapman,	Homsher,	Ruth,	Watkins,
Coleman,	James,	Scarlett,	Wilson, T. B.,
Crowe,	Jaspan,	Snowden,	Woodring,
DiSilvestro,	Jones,	Stevenson,	Woodward,
Farrell,	Kephart,	Tallman,	Ealy, Pres. Pro. Tem.

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILL OVER IN ORDER

Mr. HEYBURN. Mr. President, I ask unanimous consent that Senate Bill No. 291, on third reading, entitled:

An Act to further amend section forty-nine of the act approved the seventh day of June one thousand nine hundred and seventeen (P. L. 447) entitled as amended "An act relating to the administration and distribution of the estates of decedents and of minors and of trust estates including the appointment bonds rights powers duties liabilities accounts discharge and removal of executors administrators guardians and trustees herein designated as fiduciaries the administration and distribution of the estates of presumed decedents widow's and children's exemptions debts of decedents rents of real estate as assets for payment thereof the lien thereof sales and mortgages of real estate for the payment thereof judgments and executions therefor and the discharge of real estate from the lien thereof contracts of decedents for the sale or purchase of real estate legacies including legacies charged on land the discharge of residuary estates and of real estate from the lien of legacies and other charges the appraisement of real estate devised at a valuation the ascertainment of the curtilage of dwelling houses or other buildings devised the abatement and survival of actions and the substitution of executors and administrators therein the survival of causes of action and suits thereupon by or against fiduciaries investments by fiduciaries the organization of corporations to carry on the business of decedents the audit and review of accounts of fiduciaries refunding bonds transcripts to the court of common pleas of balances due by fiduciaries the rights powers and liabilities of nonresident and foreign fiduciaries the appointment bonds rights powers duties and liabilities of trustees durante absentia the recording and registration of decrees reports and other proceedings and the fees therefor appeals in certain cases and also generally dealing with the jurisdiction powers and procedure of the orphans' court in all matters relating to fiduciaries concerned with the estates of decedents" by changing the provisions of subsection (b) thereof which authorize executors or administrators to make distribution and pay or deliver legacies without the audit of their accounts

go over in its order.

The PRESIDENT PRO TEMPORE. Is there objection? The Chair hears none.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 336, entitled:

An Act making an appropriation for The Dixmont Hospital Dixmont Allegheny County to provide for the repayment of a loan heretofore made by said hospital to provide funds necessary in the maintenance of said hospital

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The sum of thirty thousand ($30,000) dollars is hereby specifically appropriated to The Dixmont Hospital Dixmont Allegheny County for the repayment of a loan heretofore made by said hospital and originally secured by a note executed by said hospital in the seventh day of December one thousand nine hundred and twenty-one to provide funds to pay expenditures theretofore made for the maintenance of said hospital this appropriation to be paid according to law ''

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—36

Barr,	Geltz,	Letzler,	Taylor,
Becker,	Gourley,	Mallery,	Thomas,
Bowers,	Heyburn,	McGinnis,	Wade,
Carr,	Holland,	McQuiddy,	Walker,
Chapman,	Homsher,	Ruth,	Watkins,
Coleman,	James,	Scarlett,	Wilson, T. B.,
Crowe,	Jaspan,	Snowden,	Woodring,
DiSilvestro,	Jones,	Stevenson,	Woodward,
Farrell,	Kephart,	Tallman,	Ealy, Pres. Pro. Tem.

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 338, entitled:

An Act making a certain deficiency appropriation to the Department of Welfare for The Dixmont Hospital Dixmont Allegheny County

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The sum of one hundred twelve thousand five hundred sixty-eight and 99/100 ($112,568.99) dollars is hereby specifically appropriated to the Department of Welfare to provide funds for the payment of a certain deficit incurred by The Dixmont Hospital during the period of eight years ending on the thirty-first day of May one thousand nine hundred and forty-one in the maintenance of patients in the said The Dixmont Hospital and of which deficit no part has been repaid to The Dixmont Hospital this appropriation to be paid according to law

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—36

Barr,	Geltz,	Letzler,	Taylor,
Becker,	Gourley,	Mallery,	Thomas,
Bowers,	Heyburn,	McGinnis,	Wade,
Carr,	Holland,	McQuiddy,	Walker,
Chapman,	Homsher,	Ruth,	Watkins,
Coleman,	James,	Scarlett,	Wilson, T. B.,
Crowe,	Jaspan,	Snowden,	Woodring,
DiSilvestro,	Jones,	Stevenson,	Woodward,
Farrell,	Kephart,	Tallman,	Ealy, Pres. Pro. Tem.

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 339, entitled:

An Act making an appropriation to the Department of Welfare for the payment of the cost of an additional steam boiler a fire alarm a fire sprinkler system and certain repairs and improvements at The Dixmont Hospital Dixmont Allegheny County

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The sum of fifty thousand ($50,000) dollars or so much thereof as may be necessary is hereby specifically appropriated to the Department of Welfare for the payment of the cost of purchasing constructing and installing a new steam boiler at The Dixmont Hospital Dixmont Allegheny County

Section 2 The sum of fifty thousand ($50,000) dollars or so much thereof as may be necessary is hereby specifically appropriated to the Department of Welfare for the payment of the cost of purchasing and installing a fire alarm system and a sprinkler system for the prevention or control of fire at said The Dixmont Hospital Dixmont Allegheny County

Section 3 The sum of twenty-five thousand ($25,000) dollars or so much thereof as may be necessary is hereby specifically appropriated to the Department of Welfare for the payment of the cost of renewing replacing or repairing obsolete or worn-out laundry equipment in the laundry at said The Dixmont Hospital Dixmont Allegheny County

Section 4 The amounts appropriated in the foregoing sections of this act shall be available to pay the entire cost of the aforesaid additions and additional facilities repairs and improvements including the cost of such plans specifications advertising for bids supervision and architectural and engineering services as may be necessary in connection therewith

Section 5 The amount of the foregoing appropriations to be expended for any of the purposes aforesaid shall be determined with the approval of the Governor by the Department of Welfare

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—36

Barr,	Geltz,	Letzler,	Taylor,
Becker,	Gourley,	Mallery,	Thomas,
Bowers,	Heyburn,	McGinnis,	Wade,
Carr,	Holland,	McQuiddy,	Walker,
Chapman,	Homsher,	Ruth,	Watkins,
Coleman,	James,	Scarlett,	Wilson, T. B.,
Crowe,	Jaspan,	Snowden,	Woodring,
DiSilvestro,	Jones,	Stevenson,	Woodward,
Farrell,	Kephart,	Tallman,	Ealy, Pres. Pro. Tem.

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 349, entitled:

An Act making an appropriation to the Department of Forests and Waters to be used by the Navigation Commission for the Delaware River and its Navigable Tributaries for the removal of sunken wrecks from the tideway of the Delaware River and its navigable tributaries

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The sum of ten thousand dollars ($10,000) or as much thereof as may be necessary is hereby specifically appropriated to the Department of Forests and Waters for the two fiscal years beginning June first one thousand nine hundred and forty-three to be used by the Navigation Commission for the Delaware River and its Navigable Tributaries for the removal of sunken wrecks whose owner or owners are unknown from the tideway of the Delaware River and its navigable tributaries

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—36

Barr,	Geltz,	Letzler,	Taylor,
Becker,	Gourley,	Mallery,	Thomas,
Bowers,	Heyburn,	McGinnis,	Wade,
Carr,	Holland,	McQuiddy,	Walker,
Chapman,	Homsher,	Ruth,	Watkins,
Coleman,	James,	Scarlett,	Wilson, T. B.,
Crowe,	Jaspan,	Snowden,	Woodring,
DiSilvestro,	Jones,	Stevenson,	Woodward,
Farrell	Kephart,	Tallman,	Ealy, Pres. Pro. Tem.

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILL RECOMMITTED

Mr. HEYBURN. Mr. President, I move that Senate Bill No. 357, on third reading, entitled:

An Act to amend the act, approved the twenty-third day of June, one thousand nine hundred thirty-one (P. L. 932), entitled "An act relating to cities of the third class; and amending revising, and consolidating the law relating thereto," providing for exonerations of sewer liens and the discharge of properties covered thereby

be recommitted to the Committee on Judiciary General.

Mr. TALLMAN. Mr. President, I second the motion.

The motion was agreed to.

Mr. SNOWDEN. Mr. President, I would like to be recorded as voting "no".

The PRESIDENT PRO TEMPORE. The gentleman from Lycoming will be so recorded.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 371, entitled:

An Act to further amend section three of an act approved the thirteenth day of May one thousand nine hundred and twenty-seven (P. L. 988) entitled "An act providing for and regulating the State registration of nurses and licensed attendants the annual recording of registration certificates and regulating the profession of nursing and repealing certain existing laws" providing for emergency registration of nurses to meet the present war emergency and a period thereafter

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section three of the act approved the thirteenth day of May one thousand nine hundred and twenty-seven (P. L. 988) entitled "An act providing for and regulating the State registration of nurses and licensed attendants the annual recording of registration certificates and regulating the profession of nursing and repealing certain existing laws" as amended by section two of the act approved the twenty-ninth day of April one thousand nine hundred and thirty-five (P. L. 93) is hereby further amended to read as follows

Section 3 No application for original registration as a registered nurse shall be considered unless accompanied by a fee of ten ($10.00) dollars Every applicant to be eligible for examination as a registered nurse must furnish evidence satisfactory to the board that he or she is twenty-one years of age or over is a citizen of the United States is of good moral character has completed work equal to a standard high school course as evaluated by the Department of Public Instruction and has graduated from a school of nursing which gives at least a two years' course of instruction or has received instruction in different schools of nursing connected with hospitals for periods of time amounting to at least a two years' course as aforesaid and then graduated which school or combination of schools of nursing must be on the approved list issued by the State Board of Examiners for Registration of Nurses as hereinafter provided Provided That a graduate nurse registered in any state of the United States where the requirements for registration in the judgment of the board are at least equal to the requirements of law for such nurses in Pennsylvania may at the discretion of the board be registered without examination upon application in writing on forms provided by the board and upon the payment of a fee of ten ($10.00) dollars And provided that any applicant who is a citizen of the United States and who are eligible for examination for registration in the Commonwealth of Pennsylvania as a registered nurse prior to September first one thousand nine hundred and thirty-eight may upon application in writing on forms provided by the board and upon the payment of a fee of ten ($10.00) dollars be granted registration by examination based upon the submission of evidence showing that he or she had met the requirements for registration in the State of Pennsylvania which obtained at the time of his or her graduation from an accredited school of nursing or without examination if the applicant shall show to the satisfaction of the board that he or she graduated from a reputable hospital or sanitarium or training school where a systematic course of practical instruction in nursing was given prior to June 1 one thousand nine hundred and twelve This amendment shall become effective immediately upon final enactment and continue for the duration of the present war between the United States and any foreign country and one year after cessation of hostilities

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—36

Barr,	Geltz,	Letzler,	Taylor,
Becker,	Gourley,	Mallery,	Thomas,
Bowers,	Heyburn,	McGinnis,	Wade,
Carr,	Holland,	McQuiddy,	Walker,
Chapman,	Homsher,	Ruth,	Watkins,
Coleman,	James,	Scarlett,	Wilson, T. B.,
Crowe,	Jaspan,	Snowden,	Woodring,
DiSilvestro,	Jones,	Stevenson,	Woodward,
Farrell,	Kephart,	Tallman,	Ealy,
			Pres. Pro. Tem.

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 372, entitled:

An Act to amend section two hundred and twelve of the act approved the fifth day of August one thousand nine hundred forty-one (P. L. 752) entitled "An act regulating and improving the civil service of certain departments and agencies of the Commonwealth vesting in the State Civil Service Commission and a Personnel Director certain powers and duties providing for classification of positions adoption of compensation schedules and certification of payrolls imposing duties upon certain officers and employes of the Commonwealth authorizing service to other State departments or agencies and political subdivisions of the Commonwealth in matters relating to civil service defining certain crimes and misdemeanors imposing penalties making certain appropriations and repealing certain acts and parts thereof" by providing for the support of the commission on a revolving fund basis and appropriating moneys for this purpose

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section two hundred twelve of the act approved the fifth day of August one thousand nine hundred forty-one (P. L. 752) entitled "An act regulating and improving the civil service of certain departments and agencies of the Commonwealth vesting in the State Civil Service Commission and a Personnel Director certain powers and duties providing for classification of positions adoption of compensation schedules and certification of payrolls imposing duties upon certain officers and employes of the Commonwealth authorizing service to other State departments or agencies and political sub-

divisions of the Commonwealth in matters relating to civil service defining certain crimes and misdemeanors imposing penalties making certain appropriations and repealing certain acts and parts thereof" is hereby amended to read as follows

Section 212 Service to [Other] State Departments Boards and Commissions or Agencies and Political Subdivisions Cooperation with Other Civil Service Agencies (a) The services and facilities of the commission and its staff shall be available to the State departments boards and commissions set forth in paragraph (c) of section three of this act and to other State departments boards commissions or agencies and political subdivisions of this Commonwealth upon such terms and conditions as may be prescribed by the rules of the commission which rules shall provide for the payment to and reimbursement of the Commonwealth for the reasonable cost of such services and facilities

(b) The cost of such services and facilities made available by the commission shall be borne by every State department board commission or agency and political subdivision to which the same are made available in the proportion which the cost of said services and facilities to each bears to the total cost of said services and facilities The commission shall prepare and issue monthly statements of such cost setting forth the total and the share attributable to each department board commission or agency and political subdivision to which services or facilities are made available Upon receipt of such statements each State department board commission or agency and political subdivision shall pay its share of the cost to the commission

(c) Any money payable to the [Commonwealth] commission by way of reimbursement shall be paid into the General Fund through the Department of Revenue shall be credited to the biennial appropriation made to the commission out of the General Fund [by this act or to any subsequent appropriation made to the commission out of the General Fund] for the proper conduct of its work under this act and shall be available for the same purposes for which any such appropriation is available In case any State department board commission or agency which is supported out of the General Fund becomes liable to the commission under the provisions of this section such liability shall be defrayed out of the current appropriation to such State department board commission or agency for the proper conduct of its work and any such appropriation is hereby appropriated for such purpose In addition as much money as may be necessary is hereby appropriated to the commission from time to time from the State Stores Fund to meet the cost of the services and facilities of the commission as may be attributable to the work of the commission with respect to the Pennsylvania Liquor Control Board and as much as may be necessary is hereby appropriated from the Administrative Fund to meet the cost of services and facilities of the commission as may be attributable to the work of the commission with respect to the work of the Department of Labor and Industry under the Unemployment Compensation Law In the event any other State department board commission or agency which is supported out of a special fund becomes obligated to the commission under the provisions of this section as much money as may be necessary is hereby appropriated from time to time out of such special fund to meet the cost of services and facilities of the commission as may be attributable to the work of such administrative department board commission or agency Such amounts as are appropriated out of said special funds shall from time to time be transferred from such funds to the General Fund shall be credited to the current appropriation made to the commission out of the General Fund for the proper conduct of its work and are hereby appropriated to the commission for the same purposes as the aforesaid appropriation out of the General Fund is appropriated

[(b)] (d) The commission shall have power from time to time to enter into agreements with other public personnel agencies in this or any other State and with agencies of the federal government for the purpose of using and exchanging information and services The commission shall have power to become a member of or subscribe to any association or service having as its purpose the interchange of information relating to the technique of personnel administration

Section 2 This act shall become effective on the first day of June one thousand nine hundred forty-three

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—36

Barr,	Geltz,	Letzler,	Taylor,
Becker,	Gourley,	Mallery,	Thomas,
Bowers,	Heyburn,	McGinnis,	Wade,
Carr,	Holland,	McQuiddy,	Walker,
Chapman,	Homsher,	Ruth,	Watkins,
Coleman,	James,	Scarlett,	Wilson, T. B.,
Crowe,	Jaspan,	Snowden,	Woodring,
DiSilvestro,	Jones,	Stevenson,	Woodward,
Farrell,	Kephart,	Tallman,	Ealy, Pres. Pro. Tem.

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 374, entitled:

An Act to amend section nine of the act approved the thirteenth day of April one thousand nine hundred and forty-two (P. L. 37) entitled "An act relating to air raid precautions including blackouts conferring certain powers and duties upon the State Council of Defense local and district Councils of Defense political subdivisions members of certain municipal and volunteer agencies and civilians necessary for the safety defense and protection of civilians and property in the Commonwealth providing for the mobilization co-ordination and use of certain municipal agencies and volunteer agencies including their personnel and equipment providing for immunity from liability for injury or death to persons or damage to property under certain circumstances and providing penalties" by providing for the payment of fines recovered under said section to municipalities and townships

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section nine of the act approved the thirteenth day of April one thousand nine hundred and forty-two (P. L. 37) entitled "An act relating to air raid precautions including blackouts conferring certain powers and duties upon the State Council of Defense local and district Councils of Defense political subdivisions members of certain municipal and volunteer agencies and civilians necessary for the safety defense and protection of civilians and property in the Commonwealth providing for the mobilization coordination and use of certain municipal agencies and volunteer agencies including their personnel and equipment providing for immunity from liability for injury or death to persons or damages to property under certain circumstances and providing penalties" is hereby amended to read as follows

Section 9 Any person violating any of the provisions of this act or any of the rules regulations and orders adopted and promulgated under this act by the State Council of Defense or any local or district Council of Defense or who shall fail to comply with any instructions lawfully given by any member of a municipal or volunteer agency or any person who shall without authority wear or display any official insignia authorized by the State Council of Defense or a local or district Council of Defense for use by members of any municipal or volunteer agency shall upon conviction thereof in a summary proceeding be sentenced to pay a fine of not exceeding two hundred dollars ($200) or imprisonment not exceeding ninety (90) days or both All fines recovered under the provisions of this section shall be paid to the treasurer of the municipality or township in which the offense was committed for the use of such municipality or township

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—36

Barr,	Geltz,	Letzler,	Taylor,
Becker,	Gourley,	Mallery,	Thomas,
Bowers,	Heyburn,	McGinnis,	Wade,
Carr,	Holland,	McQuiddy,	Walker,
Chapman,	Homsher,	Ruth,	Watkins,
Coleman,	James,	Scarlett,	Wilson, T. B.,
Crowe,	Jaspan,	Snowden,	Woodring,
DiSilvestro,	Jones,	Stevenson,	Woodward,
Farrell,	Kephart,	Tallman,	Ealy,
			Pres. Pro. Tem.

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 378, entitled:

An Act making an appropriation to the Department of Forests and Waters for use by the Water and Power Resources Board in making necessary repairs to the Pymatuning Swamp project and for the purpose of making further surveys in connection therewith

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The sum of ten thousand dollars ($10,000) is hereby specifically appropriated to the Department of Forests and Waters for use by the Water and Power Resources Board in making necessary repairs to the Pymatuning Swamp project and to complete surveys in connection therewith

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—36

Barr,	Geltz,	Letzler,	Taylor,
Becker,	Gourley,	Mallery,	Thomas,
Bowers,	Heyburn,	McGinnis,	Wade,
Carr,	Holland,	McQuiddy,	Walker,
Chapman,	Homsher,	Ruth,	Watkins,
Coleman,	James,	Scarlett,	Wilson, T. B.,
Crowe,	Jaspan,	Snowden,	Woodring,
DiSilvestro,	Jones,	Stevenson,	Woodward,
Farrell,	Kephart,	Tallman,	Ealy,
			Pres. Pro. Tem.

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 412, entitled:

An Act authorizing the Department of Property and Supplies with the approval of the Governor and the Board of Trustees of the Farview State Hospital to acquire a certain tract of land for the use of said hospital and making an appropriation therefor

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The Department of Property and Supplies with the approval of the Governor and the Board of Trustees of the Farview State Hospital is hereby authorized to purchase in the name of the Commonwealth of Pennsylvania a certain tract of land known as the Lois Perkins' property consisting of approximately ten acres with residence and small buildings thereon situated in Canaan Township Wayne County Pennsylvania and surrounded on three sides by the present property of said Hospital in order to make the same available for use by said hospital in connection with its piggery

Section 2 Said tract or tracts of land when purchased shall be added to the lands of the Farview State Hospital The deeds of conveyance shall be deposited with the Secretary of Internal Affairs

Section 3 The said lands shall not be acquired until the titles thereto have been approved by the Department of Justice

Section 4 The sum of one thousand dollars ($1,000) or so much thereof as may be necessary is hereby appropriated to the Department of Property and Supplies for the payment of the purchase price of said tract or tracts of land and the expenses incidental thereto including title searches

Section 5 This act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—36

Barr,	Geltz,	Letzler,	Taylor,
Becker,	Gourley,	Mallery,	Thomas,
Bowers,	Heyburn,	McGinnis,	Wade,
Carr,	Holland,	McQuiddy,	Walker,
Chapman,	Homsher,	Ruth,	Watkins,
Coleman,	James,	Scarlett,	Wilson, T. B.,
Crowe,	Jaspan,	Snowden,	Woodring,
DiSilvestro,	Jones,	Stevenson,	Woodward,
Farrell,	Kephart,	Tallman,	Ealy,
			Pres. Pro. Tem.

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 499, entitled:

An Act making an appropriation to the Department of Health for use in demonstration work dealing with the improvement of nutritional status of industrial workers and other civilians

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The sum of one hundred thousand dollars ($100,000) or so much thereof as may be necessary is hereby specifically appropriated to the Department of Health for the use of the Land Grant College of Pennsylvania engaged by the Department for the purpose of advancing demonstrations on improvement in nutritional status and consequent efficiency and reduced absenteeism of industrial workers and the nutritional status of other civilians based on research work now in progress The Department of Health shall commission those demonstrations to said Land Grant College and remain in an advisory capacity so as to benefit by such results of the demonstration as may ensue The moneys so appropriated shall be advanced to the Land Grant College of Pennsylvania at such time or times and in such amount as the college shall request

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—36

Barr,	Geltz,	Letzler,	Taylor,
Becker,	Gourley,	Mallery,	Thomas,
Bowers,	Heyburn,	McGinnis,	Wade,
Carr,	Holland,	McQuiddy,	Walker,
Chapman,	Homsher,	Ruth,	Watkins,
Coleman,	James,	Scarlett,	Wilson, T. B.,
Crowe,	Jaspan,	Snowden,	Woodring,
DiSilvestro,	Jones,	Stevenson,	Woodward,
Farrell,	Kephart,	Tallman,	Ealy,
			Pres. Pro. Tem.

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILL RECOMMITTED

Mr. HEYBURN. Mr. President, I move that Senate Bill No. 517, on third reading, entitled:

An Act to further amend section ten of the act, approved the twenty-ninth day of May, one thousand eight hundred and eighty-five (P. L. 29) entitled "An act to provide for the incorporation and regulation of natural gas companies," providing that natural gas companies shall have the right of eminent domain for the storage of natural gas and manufactured fuel gas beneath the surface of any lands situate within the territory of production, pipe lines, or of supply of such corporation

be recommitted to the Committee on Corporations.

Mr. WALKER. Mr. President, I second the motion.

The motion was agreed to.

BILL OVER IN ORDER

Mr. HEYBURN. Mr. President, I ask unanimous consent that Senate Bill No. 556, on third reading, entitled:

An Act concerning the ascertainment of principal and income and the apportionment of receipts and expenses among tenants and remaindermen, and to make uniform the law with reference thereto

go over in its order.

The PRESIDENT PRO TEMPORE. Is there objection? The Chair hears none.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 557, entitled:

An Act to further amend section one of the act approved the seventeenth day of June, one thousand nine hundred thirteen (P. L. 507), entitled "An act to provide revenue for State and county purposes, and, in cities coextensive with counties, for city and county purposes; imposing taxes upon certain classes of personal property; providing for the assessment and collection of the same; providing for the duties and compensation of prothonotaries and recorders in connection therewith and modifying existing legislation which provided for raising revenue for State purposes" by excluding from the provisions thereof personal property held in trust under the terms of a stock bonus, pension, annuity, or profit-sharing or deferred compensation plan, as herein defined, maintained by an employer for the exclusive benefit of his employes or their beneficiaries.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

Mr. KEPHART. Mr. President, this is a bad bill. It exempts from taxation a certain group of people just because they put money in a trust company, but it does not exempt from taxation other people such as widows and orphans who likewise put money in a trust company, and the reason for the exemption is no different in either case and I am against this bill.

And the question recurring,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—14

Becker,	Snowden,	Thomas,	Watkins,
Bowers,	Stevenson,	Wade,	Wilson, T. B.,
Chapman,	Tallman,	Walker,	Ealy,
Letzler,	Taylor,		Pres. Pro. Tem.

NAYS—22

Barr,	Heyburn,	Kephart,	Ruth,
Carr,	Holland,	Mallery,	Scarlett,
Coleman,	Homsher,	McCreesh,	Stiefel,
DiSilvestro,	James,	McGinnis,	Woodring,
Farrell,	Jaspan,	McQuiddy,	Woodward,
Gourley,	Jones,		

Less than a Constitutional majority of all the Senators having voted "aye" the question was determined in the negative.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 570, entitled:

An Act relating to assessment for taxation in counties of the fourth fifth sixth seventh and eighth classes designating the subjects property and persons subject to and exempt from taxation for county borough town township school except in cities and county institution

district purposes and providing for and regulating the assessment and valuation thereof for such purposes creating in each such county a board for the assessment and revision of taxes defining the powers and duties of such boards providing for the acceptance of this act by cities regulating the office of ward borough town and township assessors abolishing the offices of assistant assessor and assistant triennial assessor in townships of the first class providing for the appointment of a chief assessor assistant assessors and other employes providing for their compensation payable by such counties prescribing certain duties of and certain fees to be collected by the recorder of deeds and eliminating the triennial assessment

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The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Article I

Preliminary Provisions

Section 101 Short Title This act shall be known and may be cited as "The Fourth to Eighth Class County Assessment Law"

Section 102 Definitions The following words and phrases shall for the purpose of this act have the meanings respectively ascribed to them in this section except where the context clearly indicates a different meaning

"Board" shall mean the board for the assessment and revision of taxes in counties of the fourth fifth sixth seventh and eighth classes

"County" shall mean counties of the fourth fifth sixth seventh and eighth classes

"Chief Assessor" shall mean the chief assessor appointed by the board

"Assistant Assessor" shall mean such assistant assessors as appointed by the board to assist the chief assessor or the board

"Assessor" shall mean the assessor elected in each borough town and township and each ward of each city borough or town including the assistant assessor if any in first class townships

Section 103 Application of Act This act shall apply in all counties of the fourth fifth sixth seventh and eighth classes of the Commonwealth

When the valuations and assessments as provided by this act have been made all taxation for county borough town township school purposes (except in cities) county institution district and poor purposes within the limits of such counties affected by this act shall be based upon such valuations

Section 104 Optional Use by Cities Any city in any county wherein a board is created under this act may become subject to the provisions of this act and the mayor and council of any such city may effect the same by an ordinance duly passed A copy of such ordinance approved by the mayor and duly certified accompanied by a statement of the vote thereon with the names of the members of council voting for and against such ordinance shall be forwarded to and filed in the office of the Secretary of the Commonwealth and when so filed the Governor shall under the great seal of the Commonwealth certify the acceptance of the provisions of this act which certificate shall be recorded among the minutes of the council and in the office for the recording of deeds in the proper county

From the date of the completion of such acceptance the objects property and persons subject to and exempt from taxation in such city for city and school purposes shall be designated by and the assessment and valuation thereof for such city and school purposes shall be done only in accordance with the provisions of this act and by the officers designated in this act

Whenever any city accepts the provisions of this act all the provisions thereof shall apply to such city and the act approved the twenty-second day of May one thousand nine hundred thirty-three (P. L. 853) entitled "The General County Assessment Law" in so far as it applies to or is effective in such city and any act of Assembly in force in such city in so far as it is inconsistent with the provisions of this act shall be annulled

Section 105 Excluded Provisions This act does not include any provisions and shall not be construed to repeal

(1) The act approved the seventeenth day of June one thousand nine hundred thirteen (P. L. 507) entitled "An act to provide revenue for State and county purposes and in cities coextensive with counties for city and county purposes imposing taxes upon certain classes or personal property providing for the assessment and collection of the same providing for the duties and compensation of prothonotaries and recorders in connection therewith and modifying existing legislation which provided for raising revenue for State purposes" or any of its amendments

(2) Except where specifically referred to in this act the laws relating to cities boroughs towns townships school districts and poor districts

Section 106 Saving Clause Construction The provisions of this act so far as they are the same as those of existing laws are intended as a continuation of such laws and not as new enactments

The repeal by this act of any act of Assembly or part thereof shall not revive any act or part thereof heretofore repealed or superseded

All local acts of Assembly applying to particular counties or political subdivisions thereof and not heretofore repealed shall continue in force and any provisions of this act inconsistent therewith shall not apply to the counties or political subdivisions thereof affected by such local laws The reenactment by this act of any act of Assembly or part thereof that has heretofore been repealed by any local act of Assembly in so far as it applied to a particular county or political subdivision thereof shall not revive or extend the provisions so reenacted to such county or political subdivision thereof

The provisions of this act shall not affect any act done liability incurred or right accrued or vested or affect any suit proceeding or prosecution pending or to be instituted to enforce any right or penalty or punish any offense under the authority of any act of Assembly repealed by this act

Article II

Subjects of Local Taxation Exemptions

Section 201 Subjects of Taxation Enumerated The folloming subjects and property shall as hereinafter provided be valued and assessed and subject to taxation for all county borough town township school (except in cities) poor and county institution district purposes at the annual rate

(a) All real estate to wit Houses buildings lands lots of ground and ground rents mills and manufactories of all kinds and all other real estate not exempt by law from taxation

(b) All salaries and emoluments of office all offices and posts of profit professions trades and occupations and all persons over the age of twenty-one years who do not follow any occupation or calling as well as unnaturalized foreign-born persons who shall have resided within this Commonwealth for one whole year as of citizens of this Commonwealth

(c) All other things and persons now taxable by the laws of this Commonwealth for county city and school purposes

Section 202 Exemptions from Taxation (a) The following property shall be exempt from all county borough town township road poor county institution district and school (except in cities) tax to wit

(1) All churches meeting-houses or other regular places of stated worship with the ground thereto annexed necessary for the occupancy and enjoyment of the same

(2) All burial grounds and all mausoleums vaults crypts or structures intended to hold or contain the bodies of the dead not used or held for private or corporate profit

(3) All hospitals universities colleges seminaries academies associations and institutions of learning benevolence or charity with the grounds thereto annexed and necessary for the occupancy and enjoyment of the same founded endowed and maintained by public or private charity Provided That the entire revenue derived by the same be applied to the support and to increase the efficiency and facilities thereof the repair and the necessary increase of grounds and buildings thereof and for no other purpose

(4) All schoolhouses belonging to any county borough or school district with the ground thereto annexed and necessary for the occupancy and enjoyment of the same

(5) All courthouses jails and poorhouses with the grounds thereto annexed and necessary for the occupancy and enjoyment of the same

(6) All public parks when owned and held by trustees for the benefit of the public and used for amusements recreation sports and other public purposes without profit

(7) All other public property used for public purposes with the ground thereto annexed and necessary for the occupancy and enjoyment of the same but this shall not be construed to include property otherwise taxable which is owned or held by an agency of the Government of the United States

(8) All real and personal property owned occupied and used by any branch post or camp of honorably discharged soldiers sailors and marines

(9) All real property owned by one or more institutions of purely public charity used and occupied partly by such owner or owners and partly by other institutions of purely public charity and necessary for the occupancy and enjoyment of such institutions so using it

(10) All playgrounds with the equipments and grounds thereto annexed necessary for the occupancy and enjoyment of the same founded endowed or maintained by public or private charity which apply their revenue to the support and repair of such playgrounds and to increase the efficiency and facilities thereof either in ground or buildings or otherwise and for no other purpose and owned leased possessed or controlled by public school boards or properly organized and duly constituted playground associations and approved and accepted by the board of assesment and revision of taxes of the county in which said playgrounds are situated as such playgrounds

(11) All buildings owned and occupied by free public nonsectarian libraries and the land on which they stand and that which is immediately and necessarily appurtenant thereto notwithstanding the fact that some portion or portions of said building or lands appurtenant may be yielding rentals to the corporation or association managing such library Provided That the net receipts of such corporation or association from rentals shall be used solely for the purpose of maintaining the said library

(12) All property including buildings and the land reasonably necessary thereto provided and maintained by public or private charity and used exclusively for public libraries museums or art galleries and not used for private or corporate profit so long as the said public use continues

(b) Except as otherwise provided in clause (11) subsection (a) of this section all property real or personal other than that which is in actual use and occupation for the purposes specified in this section and all such property from which any income or revenue is derived other than from recipients of the bounty of the institution or charity shall be subject to taxation except where exempted by law for state purposes and nothing herein contained shall exempt same therefrom

(c) Except as otherwise provided in clause (10) subsection (a) of this section all property real and personal in actual use and occupation for the purposes specified in this section shall be subject to taxation unless the person or persons associations or corporation so using and occupying the same shall be seized of the legal or equitable title in the realty and possessor of the personal property absolutely

Article III

Board of Assessment and Revision of Taxes

Section 301 Board Membership In each county there is hereby created a "Board of Assessment and Revision of Taxes" hereinafter referred to as the board The board shall be composed of the three county commissioners in each county

Section 302 Powers and Duties of the Board The board shall have the power and it shall be its duty to

(1) Appoint as hereinafter provided a chief county assessor and such assistant assessors clerks and other employe as may be deemed necessary

(2) Adopt rules and regulations not inconsistent with this act which shall govern the chief assessor his assistants and local elected assessor in the making of the assessment Such rules may include but not by way of limitation the use of tax maps land value maps other maps and materials assessors' manuals property record cards indicating the nature of improvements and the application of unit values to the information shown in such maps and records

(3) Hear and determine appeals as hereinafter provided from the valuations fixed by the assessor

(4) Establish within the limits of this act the form of the assessment roll and the order of listing of persons and property in such assessment roll and in the tax duplicates prepared from such roll

(5) Prepare annually and submit to the county commissioners an estimate of the expense to be incurred incidental to the carrying out of the provisions of this act

Section 303 Counsel Duties The county solicitor shall be counsel for the board Such counsel shall advise the board from time to time regarding its powers and duties and the rights of citizens of the county and concerning the best methods of legal procedure for carrying out the various provisions of this act and shall appear for and represent the board on all appeals taken from its decisions or orders to all courts of competent jurisdiction

Section 304 Expenses of Board to be Paid by County The county commissioners shall appropriate annually to the board such funds as may be necessary for the payment of salaries wages and other expenses incurred in carrying out the duties imposed upon the board and its employes by this act

Section 305 Organization of Board Meetings Action by Majority The members of the board shall meet and organize as a board by the selection of a chairman at the same time and place as the county commissioners meet for the purpose of organizing The board shall meet from time to time at the call of the chairman or of any member upon personal notice to each member No action shall be taken by the board except by a majority vote of all the members of the board and all actions of the board shall be recorded in writing

Article IV

Chief Assessor Assistant Assessors and Other Employes

Section 401 Chief Assessor Appointment Compensation In each county there shall be a chief assessor appointed by the board of assessment and revision of taxes to serve at the pleasure of said board and until his successor is appointed and qualified The chief assessor shall receive compensation either monthly or semi-monthly as other county employes are paid at such rate as shall be determined by the board

Section 402 Assistant Assessors and Other Employes Appointment Compensation The board shall within the appropriation made therefor appoint such assistant assessors clerks and other employes as may be necessary in carrying out the duties imposed by this act who shall receive such compensation as may be determined by the board

Section 403 Duties of Chief Assessor It shall be the duty of the chief assessor to

(1) Advise the board in the preparation of the rules and regulations as provided by this act

(2) Prepare or cause to be prepared when directed by the board land value maps tax maps permanent record cards and such other maps plans surveys and records as may be deemed necessary to secure a proper and equitable assessment

(3) Prepare an assessment roll in the form prescribed by the board

(4) Supervise and direct the activities of the assistant assessors and other employes subject to regulations prescribed by the board

(5) Keep minutes of the meetings of the board

(6) Perform all duties imposed upon the chief assessor by this act

Section 404 Duties of Assistant Assessors and Other Employes The assistant assessors and other employes shall under the supervision of the chief assessor perform such duties as may be assigned to them by the chief assessor or by the board

Section 405 Oath of Office The chief assessor before assuming his office shall take and subscribe the following oath or affirmation which shall be recorded in the minutes of the board

"I ..... do (swear or affirm) that I will faithfully and to the best of my knowledge and ability faithfully perform the duties of chief assessor for the county of

ARTICLE V

Assessors

Section 501 Election Term of Office (a) At the municipal election preceding the expiration of the term of any assessor now in office and every fourth year thereafter the qualified voters resident therein shall elect

(1) In each ward in each city an assessor

(2) In each ward of each borough divided into wards an assessor

(3) In each borough not divided into wards an assessor

(4) In each ward in each town an assessor

(5) In each township of the first class an assessor

(6) In each township of the second class an assessor

Each assessor shall serve from the first Monday of January next succeeding his election and for a period of four years thereafter

(b) The offices of assistant assessor and assistant triennial assessor in townhips of the first class are hereby abolished

Section 502 Oath of Assessor Before entering on the duties of his office each assessor shall take and subscribe the following oath or affirmation

"I ..... do hereby (swear or affirm) that I will as assessor for ..... (ward borough town or township) use my utmost diligence to discover and ascertain all persons and property made taxable by law and will assess rate and value all such persons and property in accordance with the law and all rules and regulations of the Board of Assessment and Revision of Taxes made pursuant thereto"

A copy of the oath of assessor duly attested by an officer empowered to administer oaths shall be filed by the assessor with the board For the purpose of this section the chief assessor the board or any member thereof shall be competent to administer the oath or affirmation

Section 503 Vacancies in the Office of Assessor Whenever any assessor shall fail to take and subscribe the oath required or to file the same in the office of the board prior to the first day of February succeeding election to the office of assessor the office shall be vacant Where a pacancy in the office of assessor shall occur by reason of the death resignation disqualification or failure to qualify of the duly elected assessor or where the voters fail to elect an assessor the board shall appoint an assessor to fill such vacancy for the unexpired term

Section 504 Penalty on Assessor for Failure to Assess for Making False or Incorrect Assessment and for Failure to Perform Duty (a) If any assessor knowingly and intentionally omits neglects or refuses to assess and return any property person or thing made taxable by law or knowingly and intentionally assesses rates or values the same at more or less than he knows and believes the just value thereof for purposes of taxation or neglects or refuses to comply with any order or warrant issued to him in conformity with law or neglects or refuses to obey any valid rule or regulation of the board he shall be guilty of a misdemeanor in office and on conviction thereof shall be fined not more than two hundred dollars and shall be removed from office

Section 505 Compensation of Assessor Each assessor hereafter elected shall be paid six dollars for each day of eight hours and at the same rate for each hour of any greater or lesser period necessarily employed by him in the performance of his duties On or before the tenth day of each month succeeding any month in which the assessor has been employed one or more days in the performance of his duties the assessor shall file with the board a sworn statement of the days so employed indicating the particular days and the nature of the duties performed on each day The board shall make such examination of the statement as to it seems proper and shall allow or disallow any compensation claimed by the assessor within twenty days after receipt of such statement Any assessor who shall be aggrieved by the action of the board in allowing or disallowing any compensation claimed by him may appeal from the decision of the board to the court of common pleas of the county

Section 506 Duties of Assessor It shall be the duty of each assessor to assess rate and value all subjects or objects of local taxation within the respective ward borough town or township of which he is assessor whether for county city borough town township school poor or institution district purposes in accordance with the law and all lawful regulations prescribed by the board

Article VI

Assessment

Section 601 Preparation of Assessment Roll Annually on or before the first day of September the chief assessor shall from the returns made by the local assessors prepare and submit to the board in the form prescribed by the board an assessment roll or list of persons and property subject to local taxation together with the value placed upon each person each parcel or tract of real property and the personal property of each person by the assessor The chief assessor shall at the same time prepare and submit a list of all property exempted by law from taxation The making of triennial assessments as provided by existing law is hereby abolished

Section 602 Valuation of Persons and Property It shall be the duty of the assessor to assess rate and value all subjects and objects of local taxation whether for county township town school (except in cities) county institution district poor or borough purposes according to the actual value thereof and at such rates and prices for which the same would separately bona fide sell In arriving at such value the price at which any property may actually have been sold shall be considered but shall not be controlling Instead such selling price estimated or actual shall be subject to revision by increase or decrease to accomplish equalization with other similar property within the county

Section 603 Form of Assessment Roll The board shall determine the form of the assessment roll and the order of listing of persons and property in such roll and may provide for the listing in separate books or on separate pages of the same book of real property personal property and persons subject to taxation The assessment roll shall in any event show for each political subdivision

(a) The name and last known address of each person subject to taxation

(b) The valuation of each person's occupation

(c) The name of the last known owner of each parcel or tract of real estate with his last known address

(d) The location of each parcel or tract of real estate with a description of such location sufficient to clearly identify it either by reference to a map by adjoinders or by metes and bounds from clearly recognizable monuments

(e) The value of each parcel or tract of real property showing separately the value of the land and the value of any improvements thereon

(f) The name and last known address of each person owning personal property subject to taxation and

(g) The value of personal property of each owner subject to taxation

Section 604 Assessment Roll to be Open for Public Inspection The assessment roll shall be open to public inspection at the offices of the board at the county seat during ordinary business hours of each business day from the time of completion and delivery to the board to and including the first day of October Upon receipt of the assessment roll from the chief assessor the board shall give notice by publication in at least one and not more than three newspapers published in the county that such assessment roll has been completed and the place and times when such roll will be open for inspection and shall in the same notice state that any person desiring to appeal from any assessment shall file a statement in writing designating the assessment appealed from with the board on or before the fifteenth day of November

Section 605 Recorder of Deeds to Furnish Record of Conveyances Compensation It shall be the duty of the recorder of deeds in each county to keep a daily record separate and apart from all other records of every deed or conveyance of land in said county entered in his office for recording which record shall set forth the following information to wit The date of the deed or conveyance the names of the grantor and grantee the consideration mentioned in the deed the location of the property as to city borough ward town or township the acreage of the land conveyed if mentioned and if the land conveyed be a lot or lots on a recorded plan the number or numbers by which the same may be designated on the plan if mentioned in the deed and it shall be the further duty of the recorder on or before the first Monday of each month to file the aforesaid daily record in the office of the board for the assessment and revision of taxes of the proper county together with his certificate appended thereto that such record is correct and the recorder of deeds shall charge and collect from the person presenting a deed of conveyance for record the sum of fifteen cents when it contains but one description of land and ten cents for each additional description therein described which sum shall be in full compensation for his services under this act

Section 606 Persons Acquiring Unseated Lands to Furnish Statement to Board It shall be the duty of every person hereafter becoming a holder of unseated lands by gift grant or other conveyance to furnish to the board a statement signed by such holder or his her or their agent containing a description of each tract so acquired the name of the person or persons to whom the original title from the Commonwealth passed and the nature number and date of such original title together with the date of the conveyance to such holder and the name of the grantor within one year from and after such conveyance and on failure of any holder of unseated lands to comply with the injunctions of this act it shall be the duty of the board to assess on every tract of land respecting which such default shall be made when discovered four times the amount of the tax to which such tract or tracts of land would have been otherwise liable and to enforce the collection thereof in the same manner that taxes due on unseated lands are or may be assessed and collected Provided That nothing in this section shall be construed as giving greater validity to unexecuted land warrants than they are now entitled to nor to the detriment of persons under legal disabilities provided such person or persons comply with the foregoing requisitions within the time or times limited respectively after such disability shall be removed

Section 607 Assessment of Unseated Lands All unseated lands within this Commonwealth held by individuals copartnerships associations or corporations either by improvement warrant patent or otherwise shall for the purpose of raising county rates and levies be valued and assessed in the same manner as other property

Whenever any tax levy is made upon land as unseated which the assessors for the same year by error or mistake returned assessed as seated while the same ought or might legally have been assessed as unseated such levy shall be deemed valid and regular for all intents and purposes notwithstanding it differs from the copy of the duplicate furnished by the assessor All records of the board charging lands as unseated with arrears of taxes shall be evidence of an assessment No clearing over by mistake shall ever be deemed sufficient to render land seated

Section 608 Assessment of Lands Divided by County Lines The assessor shall on all lands make the assessment in the county in which the manion house is situated when county lines divide a tract of land Whenever the dividing line between two counties shall pass through the mansion house of any tract of land the owner of the land so divided may choose as the situs of assessment either of the counties by a written notice of his election to the commissioners of both counties The assessor of the county so chosen shall assess therein all the tract of land In the event that the owner shall refuse or fail to so choose then the county in which the larger portion of the mansion house is situated shall have the rights of assessment

Setion 609 Assessment of Lands Divided by Township Lines Where lands are divided by the boundary line between a township and a city borough or town and the mansion house is situate in a township the whole of such lands shall be assessed only in the township where the mansion house is situated Where the mansion house is situated in a city borough or town and the balance of such lands are located in one or more townships the land located in such township or townships shall be assessed therein and the land located in the city borough or town shall be assessed therein

Where lands are divided by the boundary line between two townships the land located in each township shall be assessed therein notwithstanding the situs of the residence or mansion house

Section 610 Assessment Where Township Line Passes Through Mansion House Whenever the dividing line between any township and city or borough or between any two townships as now or may be hereafter located shall pass through the mansion house of any tract of land the owner of the land so divided may choose as the place of residence of its occupants either of the townships or the borough by a written notice of his election to the commissioners of the county A choice once so made shall be binding on the owner and occupiers of such mansion house and on future owners thereof In case of the neglect or refusal of the owner of such land to make an election as aforesaid the persons occupying said mansion house shall be regarded as residing wholly within the township and the elected or appointed assessors of such township shall in such case or when he elects to reside in the township assess therein such persons and all the tract of land on which such mansion house is erected

Section 611 Assessment Where Lands are Divided by Boundary Between Cities Boroughs or Cities and Boroughs Where any seated lands are divided by the boundary between two or more cities two or more boroughs or one or more cities and one or more boroughs such lands shall be assessed in the city or borough in which the mansion house is located and if any such boundary shall pass through the mansion house the lands shall be assessed in the city or borough in which the larger portion of the mansion house is situated

Section 612 Assessment of Coal Underlying Lands Divided by County Township or Borough Lines The assessor shall where lands underlaid with coal are divided by county city township or borough lines the ownership of which coal has been severed from the ownership of the overlying strata or surface assess each division of said coal

in the county city township or borough in which it actually lies

Section 613 Assessment for County and County Institution District Purposes Where Lands in One County are Annexed to a Borough in Another County Where lands situated in one county now or hereafter shall be annexed to a borough situated in an adjoining county the authorities in the county wherein the land is actually situated now or hereafter having authority to make the assessments on which the county and county institution district taxes are levied shall assess the taxable property within the lines of land lying in such county and shall record the same in a separate book This assessment shall be made by the authority that would have made the assessment had the land not been annexed to the borough The owners of all property so assessed shall have the same right of appeal from this assessment as any other taxable in the same county

Section 614 Assessment for Borough and School Purposes Where Lands in One County are Annexed to a Borough in Another County The authorities within the county wherein is situated the borough to which such land has been annexed now or hereafter having authority to make the assessments on which the borough and school taxes are levied shall also assess the taxable property within the territory which is situated in one county and has been annexed to a borough which is situated in an adjoining county and shall record the same in a separate book This assessment shall be made by the authority which would have assessed this land had it been in the same county as the borough to which it is annexed The owner of any property so annexed shall have the same right of appeal from this assessment as any other taxable in the same county as the borough

Section 615 Assessment of Property of Decedents' Estates Where any person shall die leaving real or personal estate which by the existing laws of this Commonwealth is subject to taxation for county purposes such property so long as the same shall belong to the estate of such deceased person may be assessed in the name of the decedent or in the name of his administrator or administrators executor or executors or his heirs generally or in the name of any of the administrators executors or heirs and in assessing it in the names of the executors administrators or heirs it shall not be necessary to designate them by their christian or surnames

Section 616 Separate Assessment of Coal and Surface The assessor shall hereafter assess coal and surface separately in cases where the life tenant of land has not the right to operate the coal underlying said surface

Section 617 Assessing Real Estate Subject to Ground Rent Dower or Mortgage All real estate subject to ground rent dower or mortgage shall be estimated at its full value and taxed accordingly except in the case of real estate subject to ground rent where there is no provision made in the ground rent deed that the lessee shall pay the taxes on the ground rent in which cases such ground rent shall be estimated and assessed for taxes to the owners thereof

Section 618 Assessment of Personal Property Personal property subject to taxation for county purposes shall be assessed in the manner provided by existing laws except that the county commissioners shall fix the date as of which the valuation of personal property shall be determined when and to whom returns of taxable personal property shall be made and when appeals from such assessments shall be heard in the same manner and with like notice and like periods of time as herein provided for appeals from assessments of real estate All such personal property assessments shall be entered on the assessment rolls

Article VII

Revisions and Appeals

Section 701 Appeal Notices (a) Upon receipts of the assessment roll from the assessor or as soon thereafter as possible and not later than the first day of September the board shall cause to be mailed to each owner of property or person assessed the value of whose property or personal assessment has been changed from that fixed in the preceding assessment roll as corrected after appeal at his last known address a notice of such change and the amount of such new assessment Said notice shall state that any person aggrieved by such change or by any assessment may appeal to the board for relief by filing with the board on or before the first day of October a statement in writing of such intention to appeal designating the assessment or assessments by which such person is aggrieved and the address to which notice of when and where to appear for hearing of the appeal shall be mailed

(b) Any person aggrieved by any assessment may appeal to the board for relief Any person desiring to make an appeal shall on or before the first day of October file with the board a statement in writing of intention to appeal setting forth

(1) The assessment or assessments by which such person feels aggrieved

(2) The address to which the board shall mail notice of when and where to appear for hearing

No person shall be permitted to appeal from any assessment in any year unless he shall first have filed the statement of intention required by this section nor shall any person be permitted to appeal as to any assessment not designated in such statement

Section 702 Appeal Hearings On the first business day following the first of October the board shall meet for the hearing of appeals and shall continue to meet for such purpose from time to time until all persons who have stated their intention to appeal have been heard and the appeals acted upon but not later than the first day of December The board shall notify each person who has filed a statement of intention to appeal of the time and place where he shall appear for the purpose of being heard by depositing such notice in the mail addressed to such person at the address designated in the statement of intention to appeal not later than the fifth day preceding the day designated in the notice for such appearance All hearings on appeals before the board shall be open to the public and shall be conducted in accordance with regulations prescribed by the board Any person may appear and be heard either in person or by counsel At such hearing the board shall inquire as to the equity of the assessment appealed from in relation to other similar assessments as well as to the proper value of the subject or object assessed and after such hearing shall make such order as to it seems just and equitable affirming raising or lowering the assessment appealed from The order of the board shall be entered in the minutes of the board and a copy of such order shall be delivered to the person who appealed either in person or by mail to the address shown in the statement of intention to appeal within five days after the hearing on such appeal The chief assessor and such assistant assessors as he or the board may designate shall attend each hearing and shall furnish the board with such information relating to the assessment appealed from as the board may desire Either the board or the person appealing may call such witnesses as they desire and may be permitted under the rules of the board and the board may examine such witnesses under oath For the purpose of examining witnesses any member of the board shall be competent to administer oaths

Section 703 Correction of Assessment Roll Preparation of Duplicates When the board has completed the hearing of appeals and has in each case entered its order the chief assessor shall make such changes in the assessment roll as will make it conform to the orders of the board When such corrections have been made the chief assessor shall prepare three copies of the assessment roll and deliver them on or before the first day of February with his certificate that they are a true copy of the original assessment roll to the following

(1 One copy to the chief clerk of the county commissioners

(2) One copy of such portion of the roll as contains

the assessment of persons or property within each school district to the secretary of the board of school directors of the respective school district and

(3) One copy of such portion of the roll as contains the assessment of persons or property within each city accepting the provisions of this act borough town or township to the respective city clerk borough secretary town clerk or secretary or township secretary All copies of such roll so furnished shall for all purpose be considered as originals The said copies in addition to the information required to be shown on the original assessment roll shall provide space to the right of each assessment for the entry of all taxes which may be levied thereon by the respective political subdivisions The original assessment roll as corrected after appeals shall be preserved in the office of the chief assessor or of the board and shall be open to public inspection subject to such regulations as the board may prescribe for the preservation and safekeeping of such roll

On or before the fifteenth day of December the chief assessor shall certify to the clerk or secretary of each political subdivision coming within the scope of this act within the county the value of real property the value of occupations and the number of persons subject to personal taxes appearing in the assessment roll and taxable by the respective political subdivisions

Section 704 Appeal to Court from Order of Board Collection Pending Appeal Payment into Court Any person who shall have appealed to the board for relief from any assessment who may feel aggrieved by the order of the board in relation to such assessment may appeal from the order of the board to the court of common pleas of the county within which such property is situated and for that purpose may present to said court or file in the prothonotary's office within sixty days after the board entered its order on the said assessment a petition signed by him his agent or attorney setting forth the facts of the case and thereupon the court shall proceed at the earliest convenient time to be by them appointed of which notice shall be given to the board to hear the said appeal and the proofs in the case and to make such orders and decrees touching the matter complained of as to the judges of said court may seem just and equitable having due regard to the valuation and assessment made of other persons or real estate in such county as well as to the proper value of the subject or object the costs of the appeal and hearing to be apportioned or paid as the court may direct Provided however That the appeal shall not prevent the collection of taxes based on the assessment complained of but in case the same shall be reduced then the excess shall be returned to the person or persons who shall have paid the same And provided further That the appellant may pay the amount of the tax alleged to be due by reason of the assessment appealed from to the tax collector under protest in writing in which case when the tax is paid over to the taxing district it shall be the duty of the tax collector to notify the taxing district of such payment under protest by delivering it to the protest in writing Whereupon the taxing district shall be required to segregate twenty-five per centum of the amount of the tax paid over and shall deposit the same in a separate account in the depository in which the funds of the taxing district are deposited and shall not be permitted to expend any portion of such segregated amount unless it shall first petition the court alleging that such segregated amount is unjustly withheld Thereupon the court shall have power to order the use by the taxing district of such portion of such segregated amount as shall appear to said court to be reasonably free from dispute and the remainder of the segregated amount shall be held segregated by the taxing district pending the final disposition of the appeal Provided further That upon final disposition of the appeal the amount found to be due the appellant as a refund shall also be a legal set-off or credit against any future taxes assessed against the appellant by the same taxing district and where a taxing district alleges that it is unable to thus credit all of such refund in one year the court upon application of either party shall determine over what period of time such refund shall be made and shall fix the amount thereof which shall be be credited in any year or years This proviso shall be construed to apply to all refunds that are now due or may hereafter become due as the result of appeals from assessments that have not been finally determined or adjusted at the time this act takes effect regardless whether there has been a payment of any moneys into court or to the tax collector under written protest

Section 705 Appeals to Supreme or Superior Courts The board or any person party to the appeal to the court of common pleas may appeal from the judgment order or decree of the court of common pleas in any matter affecting the assessment to the Supreme or Superior Court in the same manner as appeals are taken in other cases to the said Supreme or Superior Court Provided That the appeal shall not prevent the collection of the taxes upon the assessment fixed or allowed by such judgment order or decree of the court of common pleas but in case the same shall be reduced then the excess shall be returned to the person or persons who shall have paid the same

Section 706 Appeals by Municipalities The corporate authorities of any county borough town township or school district which may feel aggrieved by any assessment of any property or other subject of taxation for its corporate purposes shall have the right to appeal therefrom to the proper board court of common pleas or to the Supreme or Superior Court in the same manner subject to the same procedure and with like effect as if such appeal were taken by a taxable with respect to his assessment and in addition may take an appeal from any decision of the board or court of common pleas as though it had been a party to the proceedings before such board or court even though it was not such a party in fact

Article VIII

Repeals and Effective Date

Section 801 The act approved the twenty-second day of May one thousand nine hundred thirty-three (P. L. 853) entitled "An act relating to taxation designating the subjects property and persons subject to and exempt from taxation for all local purposes providing for and regulating the assessment and valuation of persons property and subjects of taxation for county purposes and for the use of those municipal and quasi-municipal corporations which levy their taxes on county assessments and valuations amending revising and consolidating the law relating thereto and repealing existing laws" is hereby repealed in so far as it applies to counties of the fourth fifth sixth seventh and eighth classes except as to the designation of objects property and persons subject to and exempt from taxation for city and school purposes in cities and the assessment and valuation thereof for such purposes

Section 802 All acts and parts of acts inconsistent with the provisions of this act are hereby repealed

Section 803 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—32

Barr,	DiSilvestro,	Kephart,	Stiefel,
Becker.	Farrell,	Letzler,	Tallman,
Bowers,	Gourley.	Mallery.	Taylor.
Carr.	Heyburn,	McGinnis.	Thomas.
Chapman,	Holland.	McQuiddy.	Watkins.
Coleman,	Homsher,	Ruth,	Wilson, T. B.,
Cox,	Jaspan.	Scarlett,	Woodring.
Crowe,	Jones,	Snowden,	Woodward,

NAYS—4

James,	Wade,	Walker,	Ealy, Pres. Pro. Tem.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 571, entitled:

An Act to further amend sections twenty-six and thirty-five of the act approved the eleventh day of May one thousand nine hundred twenty-one (P. L. 522) entitled as amended "An act relating to dogs and the protection of live stock poultry and game birds raised in captivity from damage by dogs providing for the licensing of dogs by the Secretary of Agriculture providing for the enumeration of dogs by assessors regulating the keeping of dogs and authorizing their destruction in certain cases providing for the protection of licensed dogs and for dogs temporarily imported for trial show and breeding purposes prescribing certain privileges for hunting dogs and dogs owned or used by the Board of Game Commissioners providing for the assessment of damages done to live stock poultry and game birds by dogs and for live stock killed by or dying from rabies and for the illegal killing of licensed dogs and the payment of such damages by the Commonwealth imposing powers and duties on certain State county city borough town and township officers and employes directing the payment of all moneys collected into the State Treasury and providing penalties" providing for payment by the Commonwealth for the Pasteur treatment against rabies and fixing the Commonwealth's liability for enforcement of said act

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section twenty-six of the act approved the eleventh day of May one thousand nine hundred twenty-one (P. L. 522) entitled as amended "An act relating to dogs and the protection of live stock poultry and game birds raised in captivity from damage by dogs providing for the licensing of dogs by the Secretary of Agriculture providing for the enumeration of dogs by assessors regulating the keeping of dogs and authorizing their destruction in certain cases providing for the protection of licensed dogs and for dogs temporarily imported for trial show and breeding purposes prescribing certain privileges for hunting dogs and dogs owned or used by the Board of Game Commissioners providing for the assessment of damages done to live stock poultry and game birds by dogs and for live stock killed by or dying from rabies and for the illegal killing of licensed dogs and the payment of such damages by the Commonwealth imposing powers and duties on certain State county city borough town and township officers and employes directing the payment of all moneys collected into the State Treasury and providing penalties" as last amended by the act approved the twenty-second day of May one thousand nine hundred thirty-five (P. L. 219) is hereby further amended to read as follows

Section 26 [Whenever] When any person who is a resident of Pennsylvania has been bitten by a dog affected with rabies or suspected of suffering from rabies or who has otherwise been exposed to rabies and requires medical treatment or whenever any person sustains any loss or damage to any live stock or poultry or to game birds raised in capitivity and while confined within an inclosure by dogs or sustains loss of live stock from rabies or any live stock or poultry or game bird raised in captivity and while confined within an inclosure of any person is necessarily destroyed because of having been bitten by a dog except when such loss destruction or damage shall have been caused by a dog harbored by the owner of such live stock or poultry or domestic game bird such person or his agent or attorney may immediately after the damage was done complain to a duly authorized agent of the Department of Agriculture Such complaint shall be in writing shall be signed by the person making such complaint and shall state when where and how such damage was done and by whose dog or dogs if known or when the animal died from rabies or was killed because of rabies Claims covering damage due to rabies shall be made immediately following the death of the animal and shall be supported by a certificate from a licensed and duly qualified veterinarian or a report from the laboratory of the Department of Agriculture to the effect that such animal was affected with rabies It shall not be necessary to prove that an animal dying from or killed because of rabies was actually bitten by a dog The presumption shall exist that such animal was so bitten Upon receipt of such notice the agent of the Department of Agriculture shall at once examine the place where the alleged loss or damage was sustained and the live stock or poultry or domestic game bird injured or killed or in case of rabies where it died or was killed The agent of the Department of Agriculture shall then fix a time for taking testimony relative to such claim and shall give notice of such time to the claimant and to the dog owner if known The agent of the Department of Agriculture shall examine under oath or affirmation any witness called before him After making diligent inquiry in relation to such claim such appraiser shall determine whether any damage has been sustained and the amount thereof and if possible who was the owner of the dog or dogs by which such damage was done If the owner does not agree as to the amount of damage allowed by the appraiser the owner and appraiser may appoint a disinterested citizen to assist in determining the amount of damage sustained For such services the said disinterested citizen shall receive two dollars and mileage at five cents per mile for the distance traveled which shall be paid by the owner and considered as part of the costs in such claim

The Commonwealth shall assume full liability for the payment of the Pasteur treatment to any resident of Pennsylvania who has been bitten by a dog affected with rabies or suspected of suffering from rabies or who has otherwise been exposed to rabies and requires medical attention

Any owner or keeper of such dog or dogs shall be liable to the owner of such live stock or poultry or domestic game bird in a civil action for all damages and costs or to the Commonwealth to the extent of the amount of damages and costs paid by the Commonwealth as hereinafter provided

When the inhabitants of any city borough or township or of any part thereof have suffered an excessive amount of damage by dogs to live stock or poultry or domestic game birds a petition may be presented to the Secretary of Agriculture signed by twenty or more of such residents who are owners of live stock or poultry or domestic game birds alleging such excessive damage and requesting that a quarantine be placed on all dogs within the limits of such city borough or township or such part thereof Upon receipt of such petition the Secretary of Agriculture may through his authorized agents have an investigation made of the facts alleged therein and if convinced that conditions in such city borough or township or such designated area demands such stringent measures he may establish a dog control quarantine therein

When such quarantine is established at least ten notices thereof shall be posted throughout the area affected thereby and notice thereof shall also be published in at least one issue of a newspaper of general circulation throughout such city borough or township

It shall be unlawful for any person residing in the area affected by such quarantine to permit a dog owned or harbored by him to run at large in such quarantined area or to leave the premises where it is kept unless accompanied by and under the control of himself or a handler

Any police officer may kill any dog running at large

in a quarantined area in violation of such quarantine without any liability for damages for such killing

Section 2 Section thirty-five of said act as last amended by the act approved the fourteenth day of May one thousand nine hundred twenty-nine (P. L. 1713) is hereby further amended to read as follows

Section 35 The Secretary of Agriculture through his officers and agents shall be charged with the [general] strict enforcement of this law To this end the Secretary of Agriculture [may] shall employ all proper means for the enforcement of this act and [may] shall enter into agreements with local agencies and organizations to that end The said officers and agents of the Secretary of Agriculture in the enforcement of this act are hereby authorized to enter upon the premises of any persons for the purpose of investigation upon displaying his badge of identification furnished by the Department of Agriculture

The sum of one hundred thousand dollars ($100,000) per year and such additional sums as may be appropriated therefor by the General Assembly shall be available to the department for the enforcement of the provisions of this act

Section 3 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—35

Barr,	Farrell,	Letzler,	Taylor,
Becker,	Gourley,	Mallery,	Thomas,
Bowers,	Heyburn,	McGinnis,	Wade,
Carr,	Holland,	McQuiddy,	Watkins,
Chapman,	Homsher,	Ruth,	Wilson, T. B.,
Coleman,	James,	Scarlett,	Woodring,
Cox,	Jaspan,	Snowden,	Woodward,
Crowe,	Jones,	Stiefel,	Ealy,
DiSilvestro,	Kephart,	Tallman,	Pres. Pro. Tem.

NAYS—1

Walker,

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 595, entitled:

An Act to amend section twelve of the act approved the twenty-first day of June one thousand nine hundred thirty nine (P. L. 626) entitled "An act providing for and regulating the assessment and valuation of all subjects of taxation in counties of the second class; creating and prescribing the powers and duties of a Board of Property Asssesment Appeals and Review; imposing duties on certain county and city officers; abolishing the board for the assessment and revision of taxes in such counties; and prescribing penalties," conferring jurisdiction on the county court of Allegheny county in cases of appeals from the board of property assessment, appeals and review.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

BILL OVER IN ORDER

Mr. BARR. Mr. President, I ask unanimous consent that Senate Bill No. 595, on final passage go over in its order.

The PRESIDENT PRO TEMPORE. Is there objection? The Chair hears none.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 582, entitled:

An Act making an appropriation to the Department of Forests and Waters for the permanent improvement and maintenance of the Delaware division of the Pennsylvania Canal

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The sum of seventy-five thousand dollars ($75,000) or so much thereof as may be necessary is hereby specifically appropriated to the Department of Forests and Waters for the purpose of making permanent improvements to the Delaware division of the Pennsylvania Canal including the reconstruction and repair of aqueducts bridges and locks forming a part of said canal and for the maintenance of the same

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—35

Barr,	Farrell,	Letzler,	Taylor,
Becker,	Gourley,	Mallery,	Thomas,
Bowers,	Heyburn,	McGinnis,	Wade,
Carr,	Holland,	McQuiddy,	Watkins,
Chapman,	Homsher,	Ruth,	Wilson, T. B.,
Coleman,	James,	Scarlett,	Woodring,
Cox,	Jaspan,	Snowden,	Woodward,
Crowe,	Jones,	Stiefel,	Ealy,
DiSilvestro,	Kephart,	Tallman,	Pres. Pro. Tem.

NAYS—1

Walker,

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 583, entitled:

An Act to further amend section fourteen of article four and section one of article five of the act approved the ninth day of June one thousand nine hundred eleven (P. L. 756) entitled "An act to provide for the health and safety of persons employed in and about the bituminous coal mines of Pennsylvania and for the protection and preservation of property connected therewith" further regulating lamps to be carried by shot-firers and fire bosses

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section fourteen of article four of the act approved the ninth day of June one thousand nine hundred eleven (P. L. 756) entitled "An act to provide for the health and safety of persons employed in and about

the bituminous coal mines of Pennsylvania and for the protection and preservation of property connected therewith" as amended by the act approved the first day of July one thousand nine hundred thirty-seven (P. L. 2486) is hereby amended to read as follows

Section 14 In such portions of a mine where explosive gas is being generated in quantities sufficient to be detected by an approved safety lamp and in which approved lamps are used the mine foreman shall employ a sufficient number of competent and legally qualified persons who are able to speak the English language to act as shot-firers whose duty shall be to charge tamp and fire all holes properly placed by the miners and to refuse to charge any holes not properly placed No holes shall be fired by any person other than a shot-firer They shall use none but incombustible material for tamping which the mine foreman shall see is provided for them at convenient places inside the mine Under no condition shall the shot-firer use coal dust or any other combustible material for tamping All such holes shall be fired by an approved electric apparatus and no person other than the shot-firer shall connect the wires of or operate said apparatus Each shot-firer shall keep a record of and report to the mine foreman every hole that he has refused to charge every blown-out shot and every hole that has misfired. It shall be the duty of shot-firers and miners who are permitted by this act to fire their own shots to visit and examine the places where shots have been fired before leaving the mine to see that there is no fire or any other danger existing

In all mines in which coal is blasted from the solid all holes shall be fired when all the workmen are out of the mine except shot-firers and persons delegated by the mine foreman to safeguard property

No shot-firer or any other person shall fire a shot in any working place or at any point in any mine if his safety lamp indicates explosive gas and he shall not be in possession of any other lamp than an approved safety lamp except he may have in addition an officials' electric flash light or flash lamp approved by the Secretary of Mines while performing the duties of a shot-firer This provision is not intended to prohibit blasting in entries going into the solid coal wherein explosive gas is escaping from the coal conditioned it is carried off rapidly rendered harmless and diluted below the point of detection on the flame of an approved safety lamp In gaseous mines in which approved safety lamps are used he shall fire no holes unless the entries and rooms which are dry and dusty are so thoroughly wetted as to prevent the existence of any dry dust for a distance of not less than eighty feet from the hole to be fired unless the dust is rendered inert to explosibility by rock dust

Section 2 Section one of article five of said act as last amended by the act approved the first day of July one thousand nine hundred thirty-seven (P. L. 2486) is hereby further amended to read as follows

Section 1 In such portions of a mine wherein explosive gas has been generated within one year before the passage of this act or shall be generated after the passage of this act in sufficient quantities to be detected by an approved safety lamp the mine foreman shall employ a fire boss or fire bosses whose competency to act as such shall be evidenced by a certificate of qualification from the Department of Mines on the recommendation of the examining board as provided for in section six article twenty-four of this act It shall be the duty of the fire boss to examine carefully before each shift enters the mine every working place without exception all places adjacent to live workings every roadway and every unfenced road to abandoned workings and falls in the mine but before proceeding with the examination he shall see that the air current is traveling in its proper course In making the examination he shall use no light other than that enclosed in an approved safety lamp but he may carry in addition an officials' electric flash light or flash lamp approved by the Secretary of Mines The examination shall begin within three hours prior to the appointed time for each shift to enter the mine The fire boss shall examine for dangers in all portions of the mine under his charge and after each examination he shall leave at the face and side of every place examined the date of the examination as evidence that he has performed his duty He shall also examine the entrance or entrances to all worked-out and abandoned portions adjacent to the roadways and working places under his charge where explosive gas is likely to accumulate and he shall place a danger signal across each entrance to every working place and every other place where explosive gas is discovered or immediate danger is found to exist from any other cause and said signal shall be sufficient warning for persons not to enter The meaning of all danger signals shall be explained to the non-English speaking employes of the mine in their several languages by the mine foreman assistant mine foreman or fire boss through an interpreter

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—36

Barr,	Farrell,	Letzler,	Taylor,
Becker,	Gourley,	Mallery,	Thomas,
Bowers,	Heyburn,	McGinnis,	Wade.
Carr,	Holland,	McQuiddy,	Walker.
Chapman,	Homsher,	Ruth,	Watkins,
Coleman,	James,	Scarlett,	Wilson, T. B.,
Cox,	Jaspan,	Snowden,	Woodring.
Crowe,	Jones,	Stiefel,	Woodward,
DiSilvestro,	Kephart,	Tallman,	Ealy, Pres. Pro. Tem.

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which the concurrence of the House is requested.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 609, entitled:

An Act relating to the release reduction or limitation of powers of appointment

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Any power of appointment over real or personal property which is exercisable by deed by will by deed or will or otherwise whether general or special other than a power in trust which is imperative is releasable either with or without consideration by written instrument signed by the person possessing the power and delivered as hereinafter provided

Section 2 A power which is releasable may be released either absolutely or conditionally and may also be released with respect to the whole or any part of the property subject to such power and may also be released in such manner as to reduce or limit the persons or objects or classes of persons or objects in whose favor such power would otherwise be exercisable No release of a power shall be deemed to make imperative a power which was not imprative prior to such release unless the instrument of release expressly so provides

Section 3 Such release may be delivered to any of the following

(a) Any person specified for such purpose in the instrument creating the power

(b) Any trustee of the property to which the power relates

(c) Any person other than the person possessing the power who could be adversely affected by an exercise of the power

(d) The Recorder of Deeds of the county in which the person possessing the power resides or has a place of business or in which the deed will or other instrument creating the power is recorded or filed

Section 4 This act shall apply to releases heretofore and hereafter delivered

Section 5 The provisions of this act shall become effective immediately upon its final enactment

And said bill having been read at length the third time,

On the question,

Will the Senate agree to the bill on third reading?

And the question recurring,

Will the Senate agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. BARR. Mr. President, in my opinion the title of this bill does not define the Act and, therefore, I vote "no".

Mr. JASPAN. Mr. President, I desire to interrogate the gentleman from Allegheny, Senator Walker.

THE PRESIDENT PRO TEMPORE. Will the gentleman from Allegheny, Senator Walker, permit himself to be interrogated?

Mr. WALKER. Gladly, Mr. President.

Mr. JASPAN. I desire to know what this bill actually does?

Mr. WALKER. Mr. President, under the Federal Income Tax Bill of 1942 there were certain provisions made with regard to imperative trusts—trusts that were imperative were removed from the Act of 1942 and trusts that were not imperative were also removed.

This is an opportunity to give to the taxpayers of Pennsylvania who are reporting trusts that are not imperative opportunity to take advantage of the Federal Income Tax Act of 1942. This is a bill which will provide opportunity for those who are not under imperative trusts to come in under the Act of 1942.

It is a good bill and the title is actually descriptive of the bill. I think it is a good bill and I think it should be passed by this Senate.

And the question recurring,

Shall the bill pass finally?

The yeas and nays were taken agreably to the provisions of the Constitution, and were as follows, viz:

YEAS—34.

Becker,	Heyburn,	McGinnis,	Thomas,
Bowers,	Homsher,	McQuiddy,	Wade,
Carr,	James,	Ruth,	Walker,
Chapman,	Jaspan,	Scarlett,	Watkins,
Coleman,	Jones,	Snowden,	Wilson, T. B.,
Cox,	Kephart,	Stiefel,	Woodring,
DiSilvestro,	Letzler,	Tallman,	Woodward,
Farrell,	Mallery,	Taylor,	Ealy,
Gourley,	McCreesh,		Pres. Pro. Tem.

NAYS—2.

Barr,	Holland,

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 625, entitled:

An Act to amend section one of the act approved the sixth day of May one thousand nine hundred twenty-seven (P. L. 843) entitled "An act authorizing the Department of Highways with the approval of the Governor to build rebuild construct and maintain roads wholly upon the lands of State institutions and State parks and providing for the payment of the cost thereof" by authorizing the Department of Highways with the approval of the Governor to build rebuild construct and maintain roads bridges and viaducts wholly on State Armory properties and State Military Reservations and on the grounds of the Soldiers' and Sailors' Home of Erie Pennsylvania and The Pennsylvania State College

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section one of the act approved the sixth day of May one thousand nine hundred twenty-seven (P. L. 843) entitled "An act authorizing the Department of Highways with the approval of the Governor to build rebuild construct and maintain roads wholly upon the lands of State institutions and State parks and providing for the payment of the cost thereof" is hereby amended to read as follows

Section 1 Be it enacted &c That the Department of Highways of the Commonwealth with the approval of the Governor may build rebuild construct and maintain that portion of any or all roads running through or over the lands of any charitable penal or educational institution including The Pennsylvania State College or State parks or State Armory properties or State Military Reservations of the Commonwealth and on the grounds of the Soldiers' and Sailors' Home at Erie Pennsylvania wholly within or upon such lands and may build rebuild construct and maintain bridges and viaducts on State Armory properties or State Military Reservations and on the grounds of the Soldiers' and Sailors' Home at Erie Pennsylvania The cost and expense of the building rebuilding construction and maintenance of the roads bridges and viaducts herein provided for shall be paid out of any moneys appropriated to the Department of Highways for the construction reconstruction or maintenance of State highways

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—37

Barr,	Gourley,	Mallery,	Taylor,
Becker,	Heyburn,	McCreesh,	Thomas,
Bowers,	Holland,	McGinnis,	Wade,
Carr,	Homsher,	McQuiddy,	Walker,
Chapman,	James,	Ruth,	Watkins,
Coleman,	Jaspan,	Scarlett,	Wilson, T. B.,
Cox,	Jones,	Snowden,	Woodring,
DiSilvestro,	Kephart,	Stiefel,	Woodward,
Farrell,	Letzler,	Tallman,	Ealy,
Geltz,			Pres. Pro. Tem.

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of

Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 678, entitled:

An Act to further amend the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 343) entitled "An act relating to the finances of the State government providing for the settlement assessment collection and lien of taxes bonus and all other accounts due the Commonwealth the collection and recovery of fees and other money or property due or belonging to the Commonwealth or any agency thereof including escheated property and the proceeds of its sale the custody and disbursement or other disposition of funds and securities belonging to or in the possession of the Commonwealth and the settlement of claims against the Commonwealth the resettlement of accounts and appeals to the courts refunds of moneys erroneously paid to the Commonwealth auditing the accounts of the Commonwealth and all agencies thereof of all public officers collecting moneys payable to the Commonwealth or any agency thereof and all receipts of appropriations from the Commonwealth and imposing penalties affecting every department board commission and officer of the State government every political subdivision of the State and certain officers of such subdivisions every person association and corporation required to pay assess or collect taxes or to make returns or reports under the law imposing taxes for State purposes or to pay license fees or other moneys to the Commonwealth or any agency thereof every State depository and every debtor or creditor of the Commonwealth" by further regulating the procedure and the jurisdiction of the Board of Finance and Revenue relative to certain claims for refund clarifying certain provisions relating to extensions of time for filing tax reports or returns eliminating the provisions imposing interest on tax and bonus at any greater rate than six per centum per annum changing and restricting the right of the Commonwealth to impose interest on certain unpaid taxes and bonus when such taxes and bonus are not settled within a prescribed period of time providing for the automatic adjustment of interest liability so as to correspond to certain changes in tax or bonus liability and further regulating the procedure for filing petitions for resettlement petitions for review appeals to court and the security accompanying such appeals

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Clause (a) of section five hundred three of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 343) entitled "An act relating to the finances of the State government providing for the settlement assessment collection and lien of taxes bonus and all other accounts due the Commonwealth the collection and recovery of fees and other money or property due or belonging to the Commonwealth or any agency thereof including escheated property and the proceeds of its sale the custody and disbursement or other disposition of funds and securities belonging to or in the possession of the Commonwealth and the settlement of claims against the Commonwealth the resettlement of accounts and appeals to the courts refunds of moneys erroneously paid to the Commonwealth auditing the accounts of the Commonwealth and all agencies thereof of all public officers collecting moneys payable to the Commonwealth or any agency thereof and all receipts of appropriations from the Commonwealth and imposing penalties affecting every department board commission and officer of the State government every political subdivision of the State and certain officers of such subdivisions every person association and corporation required to pay assess or collect taxes or to make returns or reports under the laws imposing taxes for State purposes or to pay license fees or other moneys to the Commonwealth or any agency thereof every State depository and every debtor or creditor of the Commonwealth" as last amended by the act approved the fifth day of August one thousand nine hundred and forty-one (P. L. 797) is hereby further amended to read as follows

Section 503 Refunds of State Taxes License Fees Et Cetera The Board of Finance and Revenue shall have the power and its duty shall be

(a) To hear and determine any petition for the refund of taxes license fees penalties fines bonus or other moneys paid to the Commonwealth and to which the Commonwealth is not rightfully or equitably entitled and upon the allowance of any such petition to refund such taxes license fees penalties fines bonus or other moneys out of any appropriation or appropriations made for the purpose or to credit the account of the person association corporation body politic or public officer entitled to the refund The jurisdiction of the Board of Finance and Revenue to hear and determine a petition for refund as aforesaid shall not be affected or limited by the fact that proceedings under Sections 1102 1103 or 1104 of this act involving the same tax or bonus and period for which a refund is sought are pending or have been closed provided such proceedings relate to other objections than those raised in the petition for refund All such petitions must be filed with the board within two years of the payment of which refund is requested or within two years of the settlement in the case of taxes or bonus whichever period last expires except

(1) Where a petition for refund filed by a domestic or foreign corporation involves the valuation of its capital stock or in case of a foreign corporation the valuation of its tangible property for bonus purposes or where a petition for refund filed by a bank title insurance or trust company involves the valuation of its shares of stock such petition must be filed with the board within one year of the payment of which refund is requested or within one year of the settlement of such taxes or bonus whichever period last expires

(2) When the estate upon which any transfer inheritance tax has been paid shall have consisted in whole or in part of a partnership or other interest of uncertain value or shall have been involved in litigation by reason whereof there shall have been an overvaluation of that portion of the estate on which the tax has been assessed and paid which overvaluation could not have been ascertained within said period of two years In such case the application for repayment shall be made to the Board of Finance and Revenue within one year from the termination of such litigation or ascertainment of such overvaluation

(3) When a court of record has adjudged a person to be legally dead and thereafter in the settlement of his or her estate a transfer inheritance tax shall have been paid on such estate and after such payment has been made such person shall reappear and the court shall rescind its order and adjudication In such case the petition to the board shall be filed within six months after the court shall have rescinded its order and adjudication

(4) When any tax or other money has been paid to the Commonwealth under a provision of an act of Assembly subsequently held by [the] final judgment of a court of [final] competent jurisdiction to be unconstitutional or under an interpretation of such provision subsequently held by such court to be erroneous In such case the petition to the board shall be filed within five years of the payment of which a refund is requested But the limitation of five years herein prescribed shall not be deemed to apply in the case of applications for refunds of taxes paid on liquid fuels by political subdivisions prior to the effective date of this amendment where by court decision it has been held that the collection of such tax was erroneous and without authority of law if application for such refunds shall be made within two years after the effective date of this amendment The aforesaid limitation of five years shall likewise not be deemed to apply in the case of applications for refunds of taxes paid on certain alcohol usable for beverage purposes under the provisions of the act approved the twenty-second day

of November one thousand nine hundred and thirty-three (P. L. 5 1933-34) entitled "An act imposing a State floor tax on alcohol usable for beverages purposes and certain alcoholic liquors in the Commonwealth between the date this act becomes effective and the date the Twenty-first Amendment to the Constitution of the United States is ratified describing the method and manner of collection of such tax conferring powers and imposing duties on certain State officers and departments and certain individuals firms and corporations and imposing penalties" where by court decision it has been held that the imposition or collection of such tax was erroneous and without authority of law if application for such refunds shall be made within two years after the effective date of this amendment

Section 2 Sections seven hundred four and eight hundred six of said act as last amended by the act approved the second day of February one thousand nine hundred thirty-seven (P. L. 3) are hereby further amended to read as follows

Section 704 Extensions of Time The Department of Revenue may upon application made to it in such form as it shall prescribe on or prior to the last day for filing any tax report tax return or bonus return grant to the person association or corporation required to file such report or return an extension of not more than sixty days within which such report or return may be filed without penalty The department may also in its discretion extend generally for a period not exceeding fifteen days the time within which reports or return may be filed for any tax The provisions of this section shall not be construed to affect the provisions of any other act authorizing the department to grant extensions of time for filing corporate net income tax reports

Section 806 Interest on Taxes and Bonus Due the Commonwealth All tax and bonus due the Commonwealth as provided by law shall bear interest at the rate of six per centum per annum from the date they are due and payable until [sixty (60) days after settlement and thereafter at the rate of twelve (12) per centum per annum until paid except that any taxes or bonus due as a result of an appeal to the court of common pleas or any appellate court shall bear interest at the rate of six (6) per centum per annum from the date such tax is due and payable until] paid Provided That in the case of all taxes and bonus which other provisions of this act require taxpayers to compute and pay at the time of filing the report or return if a settlement is not made within two years after the date upon which the report or return was filed no interest whatsoever shall be imposed for the period between the end of such two years and the date of the approval of the settlement unless the taxpayer has filed a written waiver permitting interest to run after the end of said two years The payment of interest as aforesaid shall not relieve any person association or corporation from any of the penalties or commissions prescribed by law for neglect or refusal to furnish reports to the Department of Revenue or to pay any claim due to the Commonwealth from such person association or corporation

Whenever the tax or bonus liability of a taxpayer is so affected by any settlement or resettlement as to change the interest liability which has been settled against such taxpayer such interest liability shall be adjusted by the Department of Revenue and the Department of the Auditor General so as to correspond to the tax or bonus liability as changed without the necessity for the filing of any petition or request by the taxpayer or by said departments

Section 3 Section one thousand one hundred two of said act is hereby amended to read as follows

Section 1102 Petition for Resettlement Within ninety (90) days after the date upon which the copy of any settlement was mailed to the party with whom or with which the settlement was made such party may file with the department which made it a petition for resettlement

Every petition for resettlement shall fully state the reasons which the petitioner believes entitle him or it to such resettlement

It shall be the duty of the department with which the petition was filed within six (6) months after the date of any settlement to dispose of any petition for resettlement

In the case of petitions for resettlemnet filed with the Department of Revenue the disposition of the petition shall be subject to the approval of the department of the Auditor General as in the case of original settlements and if the two departments shall be unable to agree the case shall be submitted to the Board of Finance and Revenue by the Department of Revenue The Board of Finance and Revenue shall decide every such case within three (3) months from the date of the submission thereof and in case of its failure to reach a decision within such period the disposition of the Department of Revenue shall automatically become valid and the Board of Finance and Revenue shall immediately return to the Department of Revenue all of the papers appertaining to the case

In the case of petitions for resettlement filed with the Department of the Auditor General the petition shall be disposed of by the joint action of that department and of the Treasury Department as in the case of original settlements

Notice of the action taken upon any petition for a resettlement shall be given to the petitioner promptly after the date of resettlement by the department with which the petition was filed

Section 4 Section one thousand one hundred three of said act as amended by the act approved the sixth day of June one thousand nine hundred thirty-nine (P. L. 261) is hereby further amended to read as follows

Section 1103 Petition to Board of Finance and Revenue for Review Within sixty days after the date of mailing of notice by the Department of Revenue or of the Auditor General of the action taken on any petition for a resettlement filed with it the party with whom the settlement was made may by petition request the Board of Finance and Revenue to review such action

Every petition for review filed hereunder shall state specifically the reasons upon which the petitioner relies The petition shall be supported by affidavit that it is not made for the purpose of delay and that the facts therein set forth are true If the petitioner be a corporation joint-stock association or limited partnership the affidavit must be made by one of the principal officers thereof

The Board of Finance and Revenue shall dispose of such petitions filed with it within ninety (90) days after they have been received and in the event of the failure of the Board of Finance and Revenue to dispose of any such petition within ninety (90) days the action taken upon the petition for resettlement shall be deemed sustained

The Board of Finance and Revenue may sustain the action taken on the petition for resettlement or it may resettle the account upon such basis as it shall deem according to law and equity

Notice of the action of the Board of Finance and Revenue shall be given by mail or otherwise to all departments involved and to the petitioner

Section 5 Section one thousand one hundred four of said act is hereby amended to read as follows

Section 1104 Appeal to Court Any person association corporation public officer or other debtor aggrieved by the decision of the Board of Finance and Revenue or by the board's failure to act upon his or its petition for review within ninety (90) days may within sixty (60) days appeal to the court of common pleas of Dauphin County from the decision of the Board of Finance and Revenue or from the decision of the Department of Revenue or of the Department of the Auditor General as the case may be The said sixty (60) day period shall begin to run (a) From the end of the ninety (90) day period where the board fails to act or (b) from the date of mailing of notice of the refusal of the petition for review or (c) from the date of mailing by the Department of Revenue of the certification of a resettlement where the board has made a resettlement Such appeal shall be in such form as shall be prescribed by the rules of the court of common pleas of Dauphin County All such appeals shall be lodged with the [Department of Justice which department shall trans-

mit them to the clerk of the court of common pleas of Dauphin County and notify the appellant of the date of filing and the term and number of the appeal] prothonotary of the court of common pleas of Dauphin County and a conformed copy thereof indicating the date on which it was filed shall be forwarded immediately to the Department of Justice

Every such appeal shall be accompanied with a specification of objections to the settlement resettlement or other decision as the case may be and the party appealing shall enter sufficient security before one of the judges of the court of common pleas of Dauphin County within [ten(10)] sixty (60) days next after the filing of the appeal with the clerk to prosecute the appeal with effect to pay all costs and charges which the court shall award and any sum of money which shall appear by the judgment of the court to be due by such party to the Commonwealth

The party appealing shall file with every such appeal an affidavit containing the specification of objections and stating that the appeal is not taken for delay but because appellant believes injustice has been done by the settlement or resettlement or other decision appealed from and that the facts set forth therein are true to the best of affiant's knowledge and belief If a corporation limited partnership or joint-stock association is the party appellant such affidavit shall be taken by one of its chief officers

Appeals taken hereunder shall be hearings de novo but no facts shall be admitted in evidence that were not brought to the attention of the department making the settlement or in the application for resettlement or petition for review prior to the appeal and set forth in the specification of objections contained in the affidavit accompanying the appeal unless the court shall be satisfied that the appellant was unable by the exercise of reasonable diligence to have laid such evidence before the department making the settlement and the Board of Finance and Revenue and no questions shall be raised which are not included in the specification of objections filed as hereinbefore provided

From the judgment of the court of common pleas of Dauphin County an appeal may be taken by either party as in other cases

Section 6 The amendments hereinbefore made to section eight hundred six reducing the rate of interest on unpaid tax and bonus and changing and restricting the right of the Commonwealth to impose interest on certain unpaid tax and bonus when such tax and bonus are not settled within a prescribed period of time shall apply only to tax and bonus under reports filed for the calendar year one thousand nine hundred forty-two or for fiscal years or periods beginning in the calendar year one thousand nine hundred forty-two and for calendar and fiscal years or periods thereafter

All other provisions of this act shall become effective upon the first day of July one thousand nine hundred forty-three

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—37

Barr,	Gourley,	Mallery,	Taylor,
Becker,	Heyburn,	McCreesh,	Thomas,
Bowers,	Holland,	McGinnis,	Wade,
Carr,	Homsher,	McQuiddy,	Walker,
Chapman,	James,	Ruth.	Watkins,
Coleman,	Jaspan,	Scarlett.	Wilson, T. B.,
Cox,	Jones.	Snowden,	Woodring.
DiSilvestro.	Kephart,	Stiefel.	Woodward
Farrell,	Letzler,	Tallman,	Ealy
Geltz,			Pres. Pro. Tem.

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 684, entitled:

An Act to amend the act approved the fifth day of May one thousand nine hundred thirty-three (P. L. 364) entitled "An act relating to business corporations defining and providing for the organization merger consolidation reorganization winding up and dissolution of such corporations conferring certain rights powers duties and immunities upon them and their officers and shareholders prescribing the conditions on which such corporations may exercise their powers providing for the inclusion of certain existing corporations of the second class within the provisions of this act prescribing the terms and conditions upon which foreign business corporations may be admitted or may continue to do business within the Commonwealth conferring powers and imposing duties on the courts of common pleas and certain State departments commissions and officers authorizing certain State departments boards commissions or officers to collect fees for services required to be rendered by this act imposing penalties and repealing certain acts and parts of acts relating to corporations" by authorizing the certain officers of dissolved business corporations to execute and deliver deeds conveyances agreements assignments or other instruments necessary to perfect or complete transfers of real property or rights therein intended to have been completed or perfected by such corporations prior to dissolution

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Article XI of the act approved the fifth day of May one thousand nine hundred thirty-three (P. L. 364) entitled "An act relating to business corporations defining and providing for the organization merger consolidation reorganization winding up and dissolution of such corporations conferring certain rights powers duties and immunities upon them and their officers and shareholders prescribing the conditions on which such corporations may exercise their powers providing for the inclusion of certain existing corporations of the second class within the provisions of this act prescribing the terms and conditions upon which foreign business corporations may be admitted or may continue to do business within the Commonwealth conferring powers and imposing duties on the courts of common pleas and certain State departments commissions and officers authorizing certain State departments boards commissions or officers to collect fees for services required to be rendered by this act imposing penalties and repealing certain acts and parts of acts relating to corporations" is hereby amended by adding thereto immediately after section one thousand one hundred eleven a new section to read as follows

Section 1111.1 Perfecting or Completing Transfer of Real Property After Dissolution Any business corporation which has been dissolved either by the issuance of a certificate of dissolution by the Department of State or by a decree of a court of common pleas or by expiration of its period of duration or by the sale of all its franchises property and assests to another business corporation may nevertheless execute and deliver suitable deeds conveyances agreements assignments and all other instruments necessary to perfect or complete transfers of real property easements and all other rights therein intended to have been completed or perfected by such corporation prior to its dissolution The officers of such corporation last elected or the survivors of them shall be officers to represent said corporation for such purposes and if no officers survive stockholders may elect officers

under their by-laws and any deed or other instrument thus made shall be as effective as though dissolution of the corporation involved had not taken place This act shall not be construed so as to enable any corporation to engage in or transact new business after its dissolution

Section 2 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—37

Barr,	Gourley,	Mallery,	Taylor,
Becker,	Heyburn,	McCreesh,	Thomas,
Bowers,	Holland,	McGinnis,	Wade,
Carr,	Homsher,	McQuiddy,	Walker,
Chapman,	James,	Ruth,	Watkins,
Coleman,	Jaspan,	Scarlett,	Wilson, T. B.,
Cox,	Jones,	Snowden,	Woodring,
DiSilvestro,	Kephart,	Stiefel,	Woodward,
Farrell,	Letzler,	Tallman,	Ealy,
Geltz,			Pres. Pro. Tem.

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 767, entitled:

An Act to amend section five hundred and one of the act approved the first day of May one thousand nine hundred and twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" changing the provisions of said act relating to registration plates and the issuance thereof by the department

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section five hundred and one of the act approved the first day of May one thousand nine hundred and twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" is hereby amended to read as follows

Section 501 Registration Plates to be Furnished by Department

(a) The department shall furnish to every owner whose motor vehicle is registered and for each registration applied for by a manufacturer jobber or dealer in motor vehicles trailers or semi-trailers two registration plates and to every owner of a registered trailer semi-trailer motorcycle or bicycle with motor attached and for each registration applied for by a manufacturer jobber or dealer in motorcycles or bicycles with motor attached one registration plate

(b) [Every] Such registration plates may be made of metal or other material and each plate shall have displayed upon it the registration number assigned to the vehicle for the current year the name of the Commonwealth which may be abbreviated [the year number for which it is issued] and any other identification the department may deem necessary The required letters and numerals on such plate or plates shall be not more than five (5) inches in height to be plainly legible from a distance of one hundred (100) feet during daylight except that the required letters and figures on motorcycle motorcycle dealer and bicycle with motor attached plates shall be not more than three and one-half (3½) inches in height

(c) It shall be unlawful to display on any vehicle an altered defaced or forged registration plate

(d) In each case of a renewal of any such registration which shall be in effect for the registration year immediately preceding such renewal the department in lieu of issuing new registration plates for such vehicle may assign thereto the number or combination of numerals and letters displayed on the plates for the previous year and issue to the owner thereof and authorize the use of some identifying feature or attachment to be affixed to the previous year's plates or a sticker or certificate not to be affixed to such plates which shall in either case clearly indicate the renewal of such registration

Penalty Any person violating any of the provisions of subsection (c) of this section shall upon summary conviction before a magistrate be sentenced to pay a fine of fifty ($50) dollars and costs of prosecution and in default of the payment thereof shall undergo imprisonment for not more than ten (10) days

Section 2 All acts and parts of acts inconsistent with the provisions of this act are hereby repealed

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—37

Barr,	Gourley,	Mallery,	Taylor,

Becker,	Heyburn,	McCreesh,	Thomas,
Bowers,	Holland,	McGinnis,	Wade,
Carr,	Homsher,	McQuiddy,	Walker,
Chapman,	James,	Ruth,	Watkins,
Coleman,	Jaspan,	Scarlett,	Wilson, T. B.,
Cox,	Jones,	Snowden,	Woodring,
DiSilvestro,	Kephart,	Stiefel,	Woodward,
Farrell,	Letzler,	Tallman,	Ealy,
Geltz,			Pres. Pro. Tem.

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 771, entitled:

An Act to amend section three hundred and one of the act approved the first day of May one thousand nine hundred and twenty-nine (P. L. 1005) entitled "An act relating to and regulating tractors and trailers and their operation providing for their registration and the licensing of certain operators by the Department of Revenue upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justice of the peace the courts and the clerks thereof owners of tractors and trailers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns and townships within the Commonwealth liability for damages caused by the negligent operation of tractors and trailers imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" changing the provisions of said act relating to registration plates and the issuance thereof

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section three hundred and one of the act approved the first day of May one thousand nine hundred and twenty-nine (P. L. 1005) entitled "An act relating to and regulating tractors and trailers and their operation providing for their registration and the licensing of certain operators by the Department of Revenue upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of tractors and trailers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns and townships within the Commonwealth liability for damages caused by the negligent operation of tractors and trailers imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" is hereby amended to read as follows

Section 301 Registration Plates to be Furnished by Department

(a) The department shall furnish to every owner whose tractor or trailer has been registered and for each registration issued to a dealer one (1) registration plate

(b) [Every] Such registration plates may be made of metal or other material and each plate shall have displayed upon it the registration number assigned to the vehicle for the current year and to the owner thereof also the name of the Commonwealth which may be abbreviated [and the year number for which it is issued] and any other identification the department may deem necessary The required letters and numerals on such plates shall not be more than five (5) inches in height

(c) The registration plate shall be kept reasonably clean and shall not be defaced in any manner and shall be displayed conspicuously on the front or rear of the tractor and on the rear of the trailer in such a way that they maye be easily read

(d) In each case of a renewal of any such registration which shall be in effect for the registration year immediately preceding such renewal the department in lieu of issuing a new registration plate for such vehicle may assign thereto the number or combination of numerals and letters displayed on the plate for the previous year and issue to the owner thereof and authorize the use of some identifying feature or attachment to be affixed to the previous year's plate or a sticker or certificate not to be affixed to such plate which shall in either case clearly indicate the renewal of such registration

Penalty Any person violating any of the provisions of subsection (c) of this section shall upon summary conviction before a magistrate be sentenced to pay a fine of ten ($10) dollars and costs of prosecution and in default of the payment thereof shall undergo imprisonment for not more than five (5) days

Section 2 All acts and parts of acts inconsistent with the provisions of this act are hereby repealed

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—37

Barr,	Gourley,	Mallery,	Taylor,
Becker,	Heyburn,	McCreesh,	Thomas,
Bowers,	Holland,	McGinnis,	Wade,
Carr,	Homsher,	McQuiddy,	Walker,
Chapman,	James,	Ruth,	Watkins,
Coleman,	Jaspan,	Scarlett,	Wilson, T. B.,
Cox,	Jones,	Snowden,	Woodring,
DiSilvestro,	Kephart,	Stiefel,	Woodward,
Farrell,	Letzler,	Tallman,	Ealy,
Geltz,			Pres. Pro. Tem.

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 780, entitled:

An Act to amend the definition of "Trailer" in section one hundred two of the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 1005) entitled "An act relating to and regulating tractors and trailers and their operation providing for their registration and the licensing of certain operators by the Department of Revenue upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of tractors and trailers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns and town-

ships within the Commonwealth liability for damages caused by the negligent operation of tractors and trailers imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" providing that a wagon or truck drawn by a tractor for the transportation of agricultural products of the owner shall be exempt from registration fees

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The definition of "Trailer" in section one hundred two of the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 1005) entitled "An act relating to and regulating tractors and trailers and their operation providing for their registration and the licensing of certain operators by the Department of Revenue upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of tractors and trailers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns and townships within the Commonwealth liability for damages caused by the negligent operation of tractors and trailers imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" is hereby amended to read as follows

Section 102 Definitions The following words and phrases when used in this act shall for the purpose of this act have the meanings respectively ascribed to them in this section except in those instances where the context clearly indicates a different meaning

* * * * *

"Trailer" Every vehicle wagon or truck drawn by a tractor for hauling material or freight of any kind excepting water and fuel tanks road-graders stone-crushers sawmills concrete mixers and agricultural equipment not self-propelled Provided however That a wagon or truck drawn by a tractor for the transportation of the agricultural products of the owner of such wagon or truck or returning from such transportation shall not be included within such definition and no fee shall be required to operate such vehicle on the public highways

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—37

Barr,	Gourley,	Mallery,	Taylor,
Becker,	Heyburn,	McCreesh,	Thomas,
Bowers,	Holland,	McGinnis,	Wade,
Carr,	Homsher,	McQuiddy,	Walker,
Chapman,	James,	Ruth,	Watkins,
Coleman,	Jaspan,	Scarlett,	Wilson, T. B.,
Cox,	Jones,	Snowden,	Woodring,
DiSilvestro,	Kephart,	Stiefel,	Woodward,
Farrell,	Letzler,	Tallman,	Ealy,
Geltz,			Pres. Pro. Tem.

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 789, entitled:

An Act to amend the definition of "Trailer" in section one hundred two as amended of the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" provided that in certain cases where wagons and agricultural machinery are used for hauling the products of the owner no registration fee shall be required therefor

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The definition of "Trailer" in section one hundred two of the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" as last amended by the act approved the twenty-seventh day of June one thousand nine hundred thirty-nine (P. L. 1135) is hereby further amended to read as follows

Section 102 Definitions The following words and phrases when used in this act shall for the purpose of this act have the meanings respectively ascribed to them in this section except in those instances where the context clearly indicates a different meaning

* * * * *

"Trailer" Every vehicle without motive power designed to carry property or passengers wholly on its own structure and to be drawn by a motor vehicle Provided That wagons and agricultural machinery drawn by motor vehicles for the transportation of the agricultural products of the owner of such wagons or machinery or returning from such transportation shall not be included within such definition and no fees shall be required to operate such vehicles on the public highways

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—37

Barr,	Gourley,	Mallery,	Taylor,
Becker,	Heyburn,	McCreesh,	Thomas,
Bowers,	Holland,	McGinnis,	Wade,
Carr,	Homsher,	McQuiddy,	Walker,
Chapman,	James,	Ruth,	Watkins,
Coleman,	Jaspan,	Scarlett,	Wilson, T. B.,
Cox,	Jones,	Snowden,	Woodring,
DiSilvestro,	Kephart,	Stiefel,	Woodward,
Farrell,	Letzler,	Tallman,	Ealy,
Geltz,			Pres. Pro. Tem.

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 797, entitled:

An Act to amend section two of article five of the act approved the second day of June one thousand eight hundred ninety-one (P. L. 176) entitled "An act to provide for the health and safety of persons employed in and about the anthracite coal mines of Pennsylvania and for the protection and preservation of property connected therewith" by providing that certain low pressure boilers used for heating purposes only shall be exempt from the requirements of said section which prohibits the installation of boilers within one hundred feet of structures in which persons are employed in the preparation of anthracite coal

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section two of article five of the act approved the second day of June one thousand eight hundred ninety-one (P. L. 176) entitled "An act to provide for the health and safety of persons employed in and about the anthracite coal mines of Pennsylvania and for the protection and preservation of property connected therewith" is hereby amended to read as follows

Section 2 It shall not be lawful to place any boiler or boilers for the purpose of generating steam under nor nearer than one hundred (100) feet to any coal breaker or other structure in which persons are employed in the preparation of coal Provided That this section shall not apply to boilers or breakers already erected And provided further That nothing in this act contained shall be construed to apply to boilers carrying a pressure of not more than fifteen pounds per square inch which are used for heating purposes and which are equipped with safety devices approved by the Department of Mines and Mining

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—37

Barr,	Gourley,	Mallery,	Taylor,
Becker,	Heyburn,	McCreesh,	Thomas,
Bowers,	Holland,	McGinnis,	Wade,
Carr,	Homsher,	McQuiddy,	Walker,
Chapman,	James,	Ruth,	Watkins,
Coleman,	Jaspan,	Scarlett,	Wilson, T. B.,
Cox,	Jones,	Snowden,	Woodring,
DiSilvestro,	Kephart,	Stiefel,	Woodward,
Farrell,	Letzler,	Tallman,	Ealy,
Geltz,			Pres. Pro. Tem.

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

BILL OVER IN ORDER

Mr. BARR. Mr. President, I ask unanimous consent that House Bill No. 844, on third reading, entitled:

An Act to further amend the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant-Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" by providing that under war time conditions the Department of Property and Supplies may make certain purchases and may authorize any department board or commission to make certain purchases without advertising or competitive bidding further providing as to the supervision of the Department of Property and Supplies over the construction and alteration of buildings and over the plans and specifications therefor relieving the Department of Property and Supplies from the duty of supervising the operation of mechanical and electrical equipment used in connection with the operation of State institutions or other State buildings and authorizing departments boards and commissions to make certain purchases of repair parts to contract for public utility services to rent machinery and equipment to employ labor on a temporary basis under certain conditions to subscribe to certain publications and to take memberships in certain organizations and societies

go over in its order.

The PRESIDENT PRO TEMPORE. Is there objection?

Mr. WALKER. Mr. President, I object.

Mr. COLEMAN. Mr. President, I think the Republican leadership is a bit shortsighted in denying the Democrats a chance to look this bill over. I do not think they have enough votes here to pass the bill and our fellows are inclined to be for it, after learning more about one or two provisions of the bill, with which we are not quite familiar, and if you allow it to go over in order it is quite possible you will get enough votes from our side to pass it, but if you insist on a roll call at the present time it is likely to get licked.

The PRESIDENT PRO TEMPORE. Is there objection

to the request of the gentleman from Allegheny, Senator Barr, that House Bill No. 844 go over in order?

Mr. HEYBURN. Mr. President, if the members on the other side want to have another day in which to study this bill, I have no objection.

And the question recurring,

Will the Senate agree to the motion?

It was agreed to.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 849, entitled:

An Act relating to child care centers conferring certain powers and duties upon the State Council of Defense local and district councils of defense and political subdivisions providing for the adoption of rules and regulations for the maintenance operation and conduct thereof authorizing appropriations by political subdivisions and providing penalties

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Whereas the supreme emergency of the world wide war has resulted in conditions calling for the employment of all available man-power and woman-power in the industries engaged in war work

Section 1 This act shall be known and may be cited as the "Emergency Child Care Centers Act"

Section 2 The following words and phrases shall have the meanings ascribed to them in this section

"State Council of Defense" shall mean such council established under the provisions of the act approved the nineteenth day of March one thousand nine hundred forty-one (P. L. 6)

"Local and district councils of defense" shall mean such councils established under the provisions of the act approved the nineteenth day of March one thousand nine hundred forty-one (P. L. 6)

"Political subdivision" shall mean any county city borough incorporated town and township

"Emergency child care centers" shall mean only such emergency child care centers established by the State Council of Defense and local and district councils of defense under the provisions of this act

Section 3. The State Council of Defense shall during the continuance of the existing state of war between the United States and any foreign country have the power to establish emergency child care centers for the purpose of providing care and supervision for three or more children under fourteen (14) years of age in lieu of the care and supervision ordinarily provided by parents now or hereafter engaged in war industries for periods of more than four but less than twenty-four hours in any one day Provided however That this act shall apply only to emergency child care centers established under the provisions of this act which shall be established without any distinction whatever on account of or by reason of the race color or creed of any child

Section 4 In furtherance of this act the State Council of Defense shall have the power to adopt promulgate and enforce rules regulations and orders for the maintenance operation and conduct of emergency child care centers and such rules regulations and orders adopted by the State Council of Defense shall have the same force and effect as if they had formed a part of this act

In establishing standard requirements for the conduct of child care centers the State Council of Defense may avail itself of the services of the Department of Welfare and the Department of Health

Section 5 Any local or district council of defense may establish a child care center in the political subdivision in which such local or district council of defense is established or in which it exercises jurisdiction and may make such charge for the care and supervision of the children entrusted to it as it deems advisable but no charge shall be made in excess of the charges approved by the State Council of Defense

Section 6 In so far as applicable local and district councils of defense shall have the same powers and duties with respect to child care centers within their respective jurisdictions as are vested in the State Council of Defense but subject to any limitations herein contained

Section 7 Local and district councils of defense shall have the power to adopt promulgate and enforce rules regulations and orders not inconsistent with the rules regulations and orders adopted by the State Council of Defense with respect to child care centers Provided however That no rule regulation or order of any local or district council of defense shall become effective unless and until it shall have received the prior approval of the State Council of Defense Each local and district council of defense shall have available for inspection at its offices all rules regulations and orders adopted by the State Council of Defense and by such local or district council of defense

Section 8 Political subdivisions shall have the power to make appropriations in the manner provided by the act approved the seventeenth day of April one thousand nine hundred forty-two (P. L. 42) for the payment of expenses and local and district councils of defense in furtherance of this act

Section 9 Any person violating any of the provisions of this act or any of the rules regulations and orders adopted under this act by the State Council of Defense or any local or district council of defense shall upon conviction thereof in a summary proceeding be sentenced to pay a fine not exceeding two hundred dollars ($200) or imprisonment not exceeding ninety (90) days or both

Section 10. This act shall become effective immediately upon final enactment and shall remain in effect so long as a state of war exists between the United States and any foreign country or until the State Council of Defense shall be dissolved by proclamation whichever first occurs

And said bill having been read at length the third time,

On the question,

Will the Senate agree to the bill on third reading?

Mr. BARR. Mr. President, with reference to House Bill No. 849, Printer's No. 332, last evening the gentleman from Philadelphia, Senator Stiefel, tried to offer amendments which were defeated by the majority side.

In my opinion this bill as written will not mean anything to local communities, other than substantial increase in their real estate taxes. I for one am very much in favor of adopting a bill for child care centers but I do think that should be a state problem and as the bill is drawn, without the amendments offered by the gentleman from Philadelphia, Senator Stiefel, I am going to ask my colleagues to vote "no" as the bill is on third reading on our calendar.

Mr. HOLLAND. Mr. President, I want to read to the members of the Senate a letter sent to me by the Allegheny County Council of Defense, signed by the Chairman of the Committee on Day Care. The letter is as follows:

"THE ALLEGHENY COUNTY COUNCIL OF DEFENSE
419 COUNTY OFFICE BUILDING

April 10, 1943.

"Honorable Elmer J. Holland,
2721 Shelly Street,
Pittsburgh, Pennsylvania.

"Dear Senator Holland:

"Following our recent telephone conversation, may I say that our committee is deeply concerned about the question of care of children of working parents, and is

hoping that whatever legislation is approved will safeguard adequately the health and welfare of these children.

"In addition to the state and local Councils of Defense, many different groups, such as churches, settlements, labor unions, and industries, are interested in the establishment of child care centers. We believe, therefore, that in framing any new legislation, consideration should be given to the question of how the interests of all the children in all the different types of child care centers organized in the state can best be safeguarded.

"Under the law, the Department of Welfare has supervision over all types of agencies and institutions, including day nurseries, which give care to children. It is also empowered to recommend "standards and methods" for such agencies and institutions. We feel that it is important that uniform minimum standards for child care centers should be maintained throughout the state, and that all such centers receive adequate state supervision.

"We are hoping, therefore, that any new laws will clearly define the specific responsibilities of the various state departments, including the Departments of Welfare and Public Instruction, concerned with the care of children of working parents.

"May I thank you for your consideration of this matter and assure you of our continuing interest.

"Sincerely yours,
MRS. EMILY M. DIESCHER, Chairman
Committee on Day Care
Allegheny County Defense Council and
Federation of Social Agencies."

I also have a letter here I should like to read to the members of the Senate from the Public Charities Association of Pennsylvania, which is as follows:

"PUBLIC CHARITIES ASSOCIATION OF PENNSYLVANIA

311 South Juniper Street
Philadelphia, Pa.

519 Smithfield Street
Pittsburgh, Pa.

"Hon. Elmer J. Holland,
2721 Shelly Street,
Pittsburgh, Pa.

"My dear Senator Holland:

"We are much disturbed about H. 849, which has passed the House and has been reported out by the Senate Committee on State Government. This bill relates to the establishment of day care centers for the children of working mothers.

"Day care centers should be developed by various kinds of responsible groups, including churches, settlements, children's institutions and other established groups that may be able to extend services they now have, with small additional cost, and with the use of the equipment they may have and the supervision they can furnish. The superintendent of one large children's institution here in Allegheny County, for example, tells me that many mothers are asking her to take children before and after school, until the mothers return from work. This would be a natural and beneficial arrangement. She cannot, however, take these children for care because the institution has no money to pay for the additional person or persons needed to look after the extra children. A small grant from the State on an emergency basis would make this possible.

"H. 849 makes no provisions for using the resources already available in many communities, and the plan of the State Council of Defense to pay for equipment only does not solve the most important problem, which is that of cost of staff. I have seen many a day nursery with nice equipment, where the children suffered from contagious skin diseases and other ills because there was no morning inspection by a doctor or nurse and no provision for treating such diseases. A child care center can go bad almost over night and be a real threat to children's health and welfare unless responsible people are in charge.

"We also believe that there shall be joint planning among the three departments involved, as suggested in the enclosed letter to Senator Tallman. It certainly would seem wasteful for staff members from two state departments to go into the same communities to investigate and supervise child care centers, especially since the Department of Welfare has the legal responsibility to investigate and supervise all institutions and agencies caring for children away from their own parents, and is already supervising 35 or 40 day nurseries. There is no difference whatever between day nurseries and emergency child care centers except in name.

"The plan we suggest is along the line that has worked well in New York where the State Council of Defense and the Department of Welfare work in complete unity to serve the children of the state. We do not believe that this bill would establish a basis for that kind of co-operative arrangement in Pennsylvania, since it relates only to centers established by local and district councils of defense. The clause in Sec. 3, whereby the State Council of Defense may avail itself of the services of the Department of Welfare and the Department of Health is permissive only.

"It seems highly important that the law under which centers will be developed in the next two years should be drafted on the basis of sound experience, and should make possible the care of all children who need it, across the state.

"Thanking you for consideration of this matter, I am

"Sincerely yours,
(Mrs.) HELEN GLENN TYSON,
Secretary,
Family and Child Welfare Division."

Mr. President, the city of New York thought child care centers were so important that the city appropriated $15,000,000 for child care centers. This bill is merely a camouflage bill. The bill we are voting upon will not establish child care centers. It means that we must go back to the municipalities and, as you know, all the municipalities today have closed their budgets and have no means of appropriating the necessary moneys to take care of the children of the mothers who are working in defense industries.

I feel, Mr. President, that if this bill is passed, especially after this Senate the last few days has reduced taxes on the large interests of Pennsylvania who are at the present time enjoying the most successful years they ever had, and placing the cost of caring for these poor children upon the backs of home owners of our municipalities, is very unfair, and I also believe, Mr. President, that practically all the municipalities in the state of Pennsylvania are not financially equipped to do this.

This bill would be merely a mockery if we were to pass it.

Mr. STIEFEL. Mr. President, I pointed out yesterday,

when I proposed to introduce amendments to this bill, certain difficulties in the bill which need elucidation and clarification. That was not prompted by any partisan consideration. I simply maintain that the draftsmanship of the bill is poor.

For instance, Mr. President, I pointed out that the word "establish" does not necessarily mean maintain and conduct.

Soon this Session will be over, we will adjourn and there will be questions directed to the State Council and they will be limited by the language of this bill. The bill as it is now drafted will to a certain degree fail or may frustrate efforts to help child care.

We do not know how long this war is going to last, but in the meantime a part of our child population will not get adequate attention because of the poor draftsmanship of the bill, and I am appealing to the leadership of the Majority Party to send it back to committee for the necessary corrections, and if they fail to yield to this request, I appeal to my colleagues and to all those members of the Senate who put the welfare of the children above partisan considerations to vote against this bill.

Mr. McCREESH. In my district back home in Philadelphia, Mr. President, we have plenty of day nurseries to take care of our children so far, and a mother who wants to look after her children will always find some little money to support them.

I am not in favor of women turning their children over to the state and running away and leaving them. I think it is up to a mother to take care of her children. I am going to vote against this bill.

MOTION TO RECOMMIT BILL

Mr. STIEFEL, Mr. President, I move that House Bill No. 849 on third reading, be recommitted to the Committee on Appropriations.

Mr. BARR. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

Mr. STIEFEL. Mr. President, I ask for a roll call.

The yeas and nays were required by Mr. STIEFEL and were as follows, viz:

YEAS—12.

Barr,	Gourley,	McCreesh,	Ruth,
Coleman,	Holland,	McGinnis,	Stiefel,
DiSilvestro,	Jaspan,	McQuiddy,	Woodward,

NAYS—27.

Becker,	Geltz,	Mallery,	Wade,
Bowers,	Heyburn,	Scarlett,	Walker,
Carr,	Homsher,	Snowden,	Watkins,
Chapman,	James,	Stevenson,	Wilson, T. B.,
Crider,	Jones,	Tallman,	Woodring,
Crowe,	Kephart,	Taylor,	Ealy,
Farrell,	Letzler,	Thomas,	Pres. Pro. Tem.

So the question was determined in the negative.

And the question recurring,

Will the Senate agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—27.

Becker,	Geltz,	Mallery,	Wade,
Bowers,	Heyburn,	Scarlett,	Walker,
Carr,	Homsher,	Snowden,	Watkins,
Chapman,	James,	Stevenson,	Wilson, T B.,
Crider,	Jones,	Tallman,	Woodring,
Crowe,	Kephart,	Taylor,	Ealy,
Farrell,	Letzler,	Thomas,	Pres. Pro. Tem.

NAYS—13.

Barr,	Gourley,	McCreesh,	Ruth,
Coleman,	Holland,	McGinnis,	Stiefel,
Cox,	Jaspan,	McQuiddy,	Woodward,
DiSilvestro,			

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 895, entitled:

An Act to further reenact and amend the title and the act approved the twenty-eighth day of March one thousand nine hundred and twenty-nine (P. L. 86) entitled as amended "An act relating to the grading and sale of grapes and potatoes in this Commonwealth providing penalties for violations and imposing certain duties upon the Department of Agriculture" by extending the provisions to apples and peaches and permitting the grading classifying and packing of grapes potatoes apples and peaches other than those packed or repacked within this State.

And said bill having been read at length the third time,

On the question,

Will the Senate agree to the bill on third reading?

Mr. WOODRING. Mr. President, I ask unanimous consent to offer an amendment. This amendment is made with the knowledge and approval of the sponsor, and it merely corrects a typographical error.

The PRESIDENT PRO TEMPORE. Is there objection? The Chair hears none.

The Clerk read the amendment as follows:

Amend Section 3, page 3, line 20, by placing quotation marks before and after the word unclassified in that line.

On the question,

Will the Senate agree to the amendment?

It was agreed to.

On the question,

Will the Senate agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill as amended lie over for printing on final passage.

BILLS ON SECOND READING

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 151, entitled:

An Act to amend Sections 203 and 204 and to further amend Section 205 of and to add Sections 205.1 205.2 205.3 205.4 205.5 205.6 205.7 205.8 205.9 205.10 and 205.11 to the act approved the eighteenth day of May one thou-

sand nine hundred and eleven (P. L. 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" providing for the election of school directors in school districts of the second third and fourth classes by non-partisan ballots at special elections

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 156, entitled:

An Act to amend section three hundred two of the act, approved the third day of June, one thousand nine hundred thirty-seven (P. L. 1225) entitled "An act concerning game and other wild birds and wild animals and amending revising consolidating and changing the law relating thereto" exempting for the duration of the present war any persons in the armed forces from the payment of a fee to the Commonwealth for resident hunting licenses

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 417, entitled:

An Act authorizing the Department of Property and Supplies, with the approval of the Governor and the Board of Trustees of Pennhurst State School, to acquire a certain tract of land for the use of the State Institution for the Feeble-Minded and Epileptic of Eastern Pennsylvania at Pennhurst, and making an appropriation therefor.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 433, entitled:

An Act relating to appointments reclassifications and promotions under the civil service systems of all political subdivisions of this Commonwealth that shall hereafter be made until a period after the cessation of hostilities making such appointments reclassifications and promotions of war duration providing for the establishment of new employment and promotion lists and suspending inconsistent laws.

And said bill having been read at length the second time,

On the question,

Will the Senate agree to the bill on second reading?

Mr. BARR. Yesterday, Mr. President, the Majority Floor Leader stated that I had forced this bill out of the Committee on State Government. Knowing the Chairman of the Committee on State Government, as you do and a I do, I merely wish to say there is no one who could forc a good Pennsylvania Dutchman like Jake Tallman t put any bill out of committee if he does not think it i right.

Mr. President, as I introduced this bill it had an al together different purpose than the bill as it is now befor us on the Calendar today. At this moment I have n amendments to offer but tomorrow, when the bill is o third reading and on final passage, I think I will probabl have something to say.

And the question recurring,

Will the Senate agree to the bill on second reading?

It was agreed to.

Ordered, To be transcribed for a third reading.

BILLS OVER IN ORDER

Mr. JONES. Mr. President, I ask unanimous consen that Senate Bill No. 471, on second reading, entitled:

An Act limiting the time within which suits or actions hereafter begun, shall be brought for damages to surface land and property resulting from the mining of coal and operations in connection therewith

go over in its order.

The PRESIDENT PRO TEMPORE. Is there objection? The Chair hears none.

Mr. JONES. Mr. President, I ask unanimous consent that Senate Bill No. 554, on second reading, entitled:

An Act to amend sections two five seven ten eleven twelve fifteen seventeen nineteen twenty-one twenty-two twenty-six and thirty-one and to repeal sections nine twenty-four and thirty-six of the act approved the sixth day of August one thousand nine hundred forty-one (P. L. 861) entitled "An act to create a uniform and exclusive system for the administration of parole in this Commonwealth establishing the 'Pennsylvania Board of Parole' conferring and defining its jurisdiction duties powers and functions including the supervision of persons placed upon probation in certain designated cases providing for the method of appointment of its members regulating the appointment removal and discharge of its officers clerks and employes dividing the Commonwealth into administrative districts for purposes of parole fixing the salaries of members of the board and of certain other officers and employes thereof making violations of certain provisions of this act misdemeanors providing penalties therefor and for other cognate purposes and making an appropriation" by reducing the membership of said board further conferring revising and defining its jurisdiction duties powers and functions changing the appointment removal and discharge of certain officers decreasing the salaries of members of the board and fixing the salaries of certain officers and employes

go over in its order temporarily.

The PRESIDENT PRO TEMPORE. Is there objection? The Chair hears none.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 572, entitled:

An Act to add section 617.2 to the act approved the eighteenth day of May, one thousand nine hundred eleven (P. L. 309), entitled "An act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and

escribing penalties for the violation thereof; providing venue to establish and maintain the same, and the ethod of collecting such revenue; and repealing all laws, neral, special, or local, or any parts thereof, that are may be inconsistent therewith," authorizing school dis-cts of the third and fourth class to continue work on hool buildings abandoned as projects by the Works ojects Administration or other Federal agency, on con-acts entered into pursuant to solicited bids, in order to otect such buildings from loss or damage by the elements

And said bill having been read at length the second time d agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee the Whole being in this case dispensed with,

The Senate proceeded to the second reading and con-ideration of Senate Bill No. 575, entitled:

An Act to amend clause (d) of section six hundred two d one-tenth of the act, approved the eighteenth day of ay, one thousand nine hundred and eleven (P. L. 309), titled "An act to establish a public school system in e Commonwealth of Pennsylvania, together with the ovisions by which it shall be administered, and pre-ribing penalties for the violation thereof; providing venue to establish and maintain the same, and the ethod of collecting such revenue; and repealing all laws, neral, special or local, or any parts thereof, that are may be inconsistent therewith," further regulating the wer of directors of school districts in the sale of unused d unnecessary lands and buildings

And said bill having been read at length the second time d agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee the Whole being in this case dispensed with,

The Senate proceeded to the second reading and con-ideration of Senate Bill No. 580, entitled:

An Act to add Section 806.1 to the act, approved the ird day of June, one thousand nine hundred thirty-seven . L. 1225), entitled "An act concerning game and other ld birds and wild animals; and amending, revising, con-lidating, and changing the law relating thereto," making unlawful for any person, while hunting or trapping, to rry any firearm with the safety off, except during the omentary interval of time necessary to permit the dis-arge of such firearm; and providing penalties.

And said bill having been read at length the second time d agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee the Whole being in this case dispensed with,

The Senate proceeded to the second reading and con-eration of Senate Bill No. 602, entitled:

An Act making it lawful, during the continuance of the esent war, and for six months thereafter, for drug stores d pharmacies to operate, subject to certain conditions d for limited periods, without the necessity for a reg-ered pharmacist or assistant pharmacist in attendance.

And said bill having been read at length the second time d agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 613, entitled:

An Act to further amend section four of the act, approved the twenty-eighth day of June, one thousand nine hundred thirty-five (P. L. 452), entitled as amended "An act to promote the welfare of the people of the Commonwealth; creating a General State Authority as a body corporate and politic with power to construct, improve, equip, furnish, and operate projects, and to lease the same, and to fix and collect fees, rentals, and charges for the use thereof; authorizing and regulating the issuance of bonds by said Authority, and providing for the payment of such bonds, and the rights of the holders thereof; and to enter into agreements with the Government of the United States or any Federal agency; and authorizing the Department of Property and Supplies to grant, assign, convey, or lease to the Authority lands of the Commonwealth and interests therein, and to acquire lands therefor; granting the right of eminent domain; and providing that no debt of the Commonwealth shall be incurred in the exercise of any of the powers granted by this act," empowering the General State Authority to lease any project constructed by it to any person, copartnership, association or corporation, for certain uses.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 615, entitled:

An Act to amend section sixty of the act, approved the seventh day of June, one thousand nine hundred and seventeen (P. L. 447), entitled, as amended "An act relating to the administration and distribution of the estates of decedents and of minors, and of trust estates; including the appointment, bonds, rights, powers, duties, liabilities, accounts discharge and removal of executors, administrators, guardians, and trustees, herein designated as fiduciaries; the administration and distribution of the estates of presumed decedents; widow's and children's exemptions; debts of decedents, rents of real estate as assets for payment thereof; the lien thereof, sales and mortgages of real estate for the payment thereof, judgments and executions therefor, and the discharge of real estate from the lien thereof; contracts of decedents for the sale or purchase of real estate; legacies, including legacies charged on land; the discharge of residuary estates and of real estate from the lien of legacies and other charges; the appraisement of real estate devised at a valuation; the ascertainment of the curtilage of dwelling houses or other buildings devised; the abatement and survival of actions, and the substitution of executors and administrators therein; the survival of causes of action and suits thereupon by or against fiduciaries; investments by fiduciaries; the organization of corporations to carry on the business of decedents; the audit and review of accounts of fiduciaries; refunding bonds; transcripts to the court of common pleas of balances due by fiduciaries; the rights, powers, and liabilities of nonresident and foreign fiduciaries; the appointment, bonds, rights, powers, duties, and liabilities of trustees durante absentia; the recording and registration of decrees, reports and other proceedings, and the fees therefor; appeals in certain cases; and, also, generally dealing with the jurisdiction, powers, and procedure of the orphans' court in all matters relating to fiduciaries concerned with the estates of decedents," further regulating the administration and distribution of the estates of missing persons; prescribing the jurisdiction, powers and duties of the orphans' court relative thereto, and of the

trustees appointed by said court for the management, control and distribution of such estates; and repealing existing laws.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 625, entitled:

An Act providing referendums to ascertain the will of electors on the question of baseball and football on Sundays, and for the enactment of licensing ordinances and resolutions in accordance therewith

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 655, entitled:

An Act to amend clause (g) of section nineteen of the act approved the twenty-fifth day of May one thousand nine hundred thirty-seven (P. L. 849) entitled "An act to provide for the permanent personal registration of electors in cities of the third class as a condition of their right to vote at elections and primaries and their enrollment as members of political parties as a further condition of their right to vote at primaries prescribing certain procedure for the conduct of elections and primaries and the challenge and proof of qualifications of electors and prescribing the powers and duties of citizens parties political bodies registration commissions commissioners registrars inspectors of registration and other appointees of registration commissions county election boards election officers municipal officers departments and bureaus police officers courts judges prothonotaries sheriffs county commissioners peace officers county treasurers county controllers registrars of vital statistics certain public utility corporations real estate brokers rental agents and boards of school directors imposing penalties and repealing existing legislation" by changing the procedure relating to the registration of State and Federal employes

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 659, entitled:

An Act to amend clause (g) of section eighteen of the act approved the twenty-ninth day of April one thousand nine hundred thirty-seven (P. L. 487) entitled "An act to provide for the permanent personal registration of electors in boroughs towns and townships as a condition of their right to vote at elections and primaries and their enrollment as members of political parties as a further condition of their right to vote at primaries prescribing certain procedure for the conduct of elections and primaries and the challenge and proof of qualifications of electors requiring the county commissioners of the various counties to act as a registration commission therefor and prescribing the powers and duties of citizens parties political bodies registration commissions commissioners registrars inspectors of registration and other appointees of registration commissions county election boards election officers municipal officers departments and bureaus police officers courts judges prothonotaries sheriffs county commissioners peace officers county treasurers county controllers registrars of vital statistics certain public utility corporations real estate brokers rental agents and boards of school directors and imposing penalties" by changing the procedure relating to the registration of State and Federal employes

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 660, entitled:

An Act to amend clause (g) of section nineteen of the act approved the twenty-fifth day of May one thousand nine hundred thirty-seven (P. L. 814) entitled "An act to provide for the permanent personal registration of electors in cities of the second class as a condition of their right to vote at elections and primaries and their enrollment as members of political parties as a further condition of their right to vote at primaries prescribing certain procedure for the conduct of elections and primaries and the challenge and proof of qualifications of electors and prescribing the powers and duties of citizens parties political bodies registration commissions commissioners registrars inspectors of registration and other appointees of registration commissions county election boards election officers municipal officers departments and bureaus police officers courts judges prothonotaries sheriffs county commissioners peace officers county treasurers county controllers registrars of vital statistics certain public utility corporations real estate brokers rental agents and boards of school directors and imposing penalties" by changing the procedure relating to the registration of State and Federal employes

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 661, entitled:

An Act to amend clause (g) of section nineteen of the act approved the first day of June one thousand nine hundred thirty-seven (P. L. 1132) entitled "An act to provide for the permanent personal registration of electors in cities of the second class A as a condition of their right to vote at elections and primaries and their enrollment as members of political parties as a further condition of their right to vote at primaries prescribing certain procedure for the conduct of elections and primaries and the challenge and proof of qualifications of electors and prescribing the powers and duties of citizens parties political bodies registration commissions commissioners registrars inspectors of registration and other appointees of registration commissions county election boards election officers municipal officers departments and bureaus police officers courts judges prothonotaries sheriffs county commissioners peace officers county treasurers county controllers registrars of vital statistics certain public utility corporations real estate brokers rental agents and boards of school directors and imposing penalties" by changing the procedure relating to the registration of State and Federal employes

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 662, entitled:

An Act to amend clause (k) of Section three hundred two and sections nine hundred fourteen and nine hundred seventy-seven of the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1333) entitled "An act concerning elections including general municipal special and primary elections the nomination of candidates primary and election expenses and election contests creating and defining membership of county boards of elections imposing duties upon the Secretary of the Commonwealth courts county boards of elections county commissioners imposing penalties for violation of the act and codifying revising and consolidating the laws relating thereto and repealing certain acts and parts of acts relating to elections" by changing the time for the certification of returns to the Secretary of the Commonwealth the time for the withdrawal of candidates for nomination or election at any primary and the time for filing objections to nomination petitions

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 675, entitled:

An Act to further amend section seventeen of the act approved the twenty-ninth day of May one thousand nine hundred thirty-one (P. L. 280) entitled "An act relating to delinquent taxes on seated lands and prescribing interest charges on non-payment thereof requiring the receivers and collectors of county city borough town township school district and poor district taxes to make a return to the county commissioners of such unpaid taxes and providing for the lien thereof authorizing the county treasurers to collect such taxes and to sell seated lands at public sale for taxes heretofore or hereafter returned as unpaid and authorizing the county commissioners to purchase such lands and resell the same under certain circumstances" making the sale of land purchased at treasurer's sale discretionary and authorizing the sale of such property on court order and the redemption thereof after such sale free an dclear of all mortgages, municipal claims and ground rents and validating previous sales

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 731, entitled:

An Act to further amend subsection (c) of section four hundred twelve of the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1333) entitled "An act concerning elections including general municipal special and primary elections the nomination of candidates primary and election expenses and election contests creating and defining membership of county boards of elections imposing duties upon the Secretary of the Commonwealth courts county boards of elections county commissioners imposing penalties for violation of the act and codifying revising and consolidating the laws relating thereto and repealing certain acts and parts of acts relating to elections" fixing the mileage of judges of election for transmitting returns of primaries and elections and ballot boxes.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 747, entitled:

An Act to further amend clause (f) and to amend clause (g) of section twenty of the act approved the thirtieth day of March one thousand nine hundred thirty-seven (P. L. 115) entitled "An act to provide for the permanent personal registration of electors in cities of the first class as a condition of their right to vote at elections and primaries and their enrollment as members of political parties as a further condition of their right to vote at primaries prescribing certain procedure for the conduct of elections and primaries and the challenge and proof of qualifications of electors and prescribing the powers and duties of citizens parties bodies of electors registrations commissions commissioners registrars inspectors of registration and other appointees of registration commission election officers municipal officers departments and bureaus police officers courts judges prothonotaries sheriffs county commissioners peace officers county treasurers county controllers registrars of vital statistics real estate brokers rental agents certain public service companies persons firms and corporations operating vehicles for moving furniture and household goods and boards of school directors and imposing penalties" by changing procedure relating to registration of State and Federal employes

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 758, entitled:

An Act to further amend section fifty of the act approved the second day of May one thousand nine hundred twenty-five (P. L. 448) entitled "An act relating to fish and amending revising consolidating and changing the law relating to fish in the inland waters and the boundary lakes and boundary rivers of the Commonwealth" authorizing the board of Fish Commissioners to adopt certain rules and regulations governing the taking of fish by trolling from moving boats electrically propelled or propelled by internal combustion motors and making it unlawful to engage in such trolling in violation of the rules and regulations thus adopted.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 836, entitled:

An Act to amend the title and sections four six seven

and eight of the act approved the nineteenth day of March one thousand nine hundred forty-one (P. L. 6) entitled "An act relating to national and State defense providing for the establishment of a State Council of Defense and of local and district councils of defense prescribing the powers and duties thereof and making an appropriation therefor" by conferring certain powers and duties upon the State Council of Defense local and district councils of defense eliminating certain provisions no longer in effect and providing penalties.

The first section was read and agreed to.

The second section was read.

On the question,

Will the Senate agree to the section?

Mr. WATKINS offered the following amendment:

Amend Section 2, page 4, line 27, by inserting after the word "orders" and before the word "with" the following: "not inconsistent with law."

It was agreed to.

The section was agreed to as amended.

The third, fourth, fifth and sixth sections and title were separately read and agreed to.

And said bill having been read at length the second time and agreed to as amended,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 917, entitled:

An Act to promote interstate cooperation for the use, conservation; protection and equitable diversion of the water resources of the Delaware River Basin between and among the States of Pennsylvania, New York and New Jersey, for the purpose of meeting prospective needs for domestic and municipal water supply; regulating and limiting the use of the waters of the Delaware River and its tributaries and prescribing rules and standards; requiring permits from and providing for hearings by, the Water and Power Resources Board and for appeals from its decisions; vesting power in the Water and Power Resources Board to vary or modify the rules and standards under certain conditions and to adopt rules and regulations, and further defining its powers and duties; requiring notice to the States of New York and New Jersey of all applications for water diversion; providing for the filing of stipulations by the Attorney General with the United States Supreme Court and obtaining its approval of water diversions.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 993, entitled:

An Act to amend clause (g) of section two hundred four of the act approved the twenty-second day of May one thousand nine hundred and thirty-three (P. L. 853) entitled "An act relating to taxation designating the subjects property and persons subject to and exempt from taxation for all local purposes providing for and regulating the assessment and valuation of persons property and subjects of taxation for county purposes and for the use of those municipal and quasi-municipal corporations which levy their taxes on county assessments and valuations amending revising and consolidating the law relating thereto and repealing existing laws" by providing that the exemption from local taxation afforded to certain public property shall not extend to property otherwise taxable which is owned or held by an agency of the Government of the United States.

The first section was read.

On the question,

Will the Senate agree to the section?

Mr. HOLLAND offered the following amendments:

Amend sec. 1, page 2, line 1, by striking out the word "Clause" and inserting in lieu thereof the following: "Section two hundred one and clause"; Amend sec. 1, page 2, line 12, by striking out the word "is" and inserting in lieu thereof the word: "are"; Amend sec. 1, page 2, by inserting between lines 13 and 14 the following:

Section 201. Subjects of Taxation Enumerated—The following subjects and property shall as hereinafter provided be valued and assessed and subject to taxation for all county, city, borough, town, township, school and poor purposes at the annual rate:

(a) All real estate to wit: Houses, land, lots of ground and ground rents, mills and manufactories of all kinds, furnaces, forges, bloomeries, distilleries, sugar houses, malt houses, breweries, tan yards, fisheries and ferries, wharves and all real estate owned or possessed by any public service company, except the superstructure of the roads of railroads and street railway companies and the rights of way upon which the same are located and except the lines and pipes of companies used for the transmission of water, electric power, messages, oil or natural or artificial gas, and the rights of way upon which the same are located, and all other real estate not exempt by law from taxation.

(b) All salaries and emoluments of office, all offices and posts of profit, professions, trades and occupations, except the occupation of farmer and all persons over the age of twenty-one years who do not follow any occupation or calling as well of unnaturalized foreign-born persons who shall have resided within this Commonwealth for one whole year as of citizens of this Commonwealth. Provided, That whenever a person other than a Federal employe not taxable under the provisions of this clause is disfranchised from voting because he cannot be lawfully assessed for a county or State tax, it shall be lawful for the county commissioners to assess the occupation of such persons for county taxation purposes in the manner provided by this act for such assessment. The provisions of this clause shall not apply to counties of the second and third class or to cities of the second and second-A class, or to school districts.

(c) All other things and persons now taxable by the laws of this Commonwealth for county, city and school purposes.

On the question,

Will the Senate agree to the amendments:

Mr. HOLLAND. Mr. President, the amendments that I have just offered correct an injustice that has existed in the state of Pennsylvania for many years. Pennsylvania is the only state of the forty-eight states where real estate of the utilities is not taxed locally. Every state in the United States not only taxes real estate of the utilities but they permit the local taxing authorities to also charge a franchise tax. My amendments do not go that far.

The amendments that I offer merely tax the real estate. I have never seen any reason why real estate of the utilities is not subject to the same taxation as real estate of the man who has a little home. They enjoy all the special privileges such as fire protection the use of our streets and police protection, but do not pay one cent of tax and the taxes that they do not pay naturally must be placed upon the small home owner.

It seems strange that Pennsylvania is the only state—and I want to impress upon the minds of the Senators that Pennsylvania is the only state in the United States—where the utilities do not pay a local real estate tax.

Of course, some of you will say that in the state of Pennsylvania they pay a gross receipts tax but I want to point out to you that in other states they also pay a gross receipts tax. For instance, in the state of Ohio, in the city of Cincinnati, which has been pointed out time and time again as one of the model towns on taxation, the utilities pay taxes on their real estate. Their franchise tax is estimated on a good-will basis and that money is also placed in the real estate column.

In addition to that, the Covington Railway, which comes into the city of Cincinnati pays $5,000 per mile of track for the privilege of entering the city of Cincinnati, and in addition to this tax, the light company in Cincinnati pays a gross receipts tax.

In our neighboring state of New Jersey, although the utilities own one-fifth of the value of the utilities of Pennsylvania, they pay four times more taxes in the state of New Jersey than they do in the state of Pennsylvania and strange to say, rates are lower in New Jersey than in Pennsylvania.

All of us in our political campaigns have shed salty tears for the over-burdened home owners, but session after session nothing is done to relieve the home owner. We have just passed a bill placing the cost of child care centers—on the backs of the home owners. We have also passed a bill cutting the gross receipts tax on the utilities.

I think it is only fair that the utilities should assume their share of the expenses of local government and not force the poor home owner to pay not only his share, but also the share of the utility at the same time.

For instance, in the county of Allegheny, public utilities own $117,000,000 worth of real estate and do not pay one cent of taxes for the upkeep of our local government. That is an injustice and I say to the members of this Senate this should be wiped out and I am asking the members of the Senate to vote for these amendments, if they are sincere in desiring to relieve the home owner of the heavy burden of real estate taxes today.

Mr. HOLLAND. Mr. President, I ask for a roll call.

The yeas and nays were required by Mr. HOLLAND and were as follows, viz:

YEAS—13

Barr,	Gourley,	Jaspan,	Ruth,
Coleman,	Haluska,	McGinnis,	Stiefel,
Cox,	Holland,	McQuiddy,	Woodring,
DiSilvestro,			

NAYS—27

Becker,	Geltz,	Mallery,	Wade.
Bowers,	Heyburn,	Scarlett,	Walker.
Carr,	Homsher,	Snowden,	Watkins,
Chapman,	James,	Stevenson,	Wilson, T. B.,
Crider,	Jones,	Tallman,	Woodward,
Crowe,	Kephart,	Thomas,	Ealy,
Farrell,	Letzler,	Tyler,	Pres. Pro. Tem.

So the question was determined in the negative.

And the question recurring,

Will the Senate agree to the section?

It was agreed to.

The second section was read and agreed to.

The title was read and agreed to.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 1092, entitled:

An Act to amend section twelve of the act approved the fourteenth day of June one thousand nine hundred twenty-three (P. L. 710) entitled "An act allowing and regulating boxing sparring and wrestling matches and exhibitions establishing a State Athletic Commission making an appropriation therefor and appropriating moneys received for monument and memorial purposes and prescribing penalties" changing the minimum age for participants in amateur boxing sparring and wrestling matches and exhibitions and providing a penalty.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

SENATE BILL No. 554, PRINTER'S No. 354, CALLED UP

Mr. JONES. Mr. President, I call up at this time Senate Bill No. 554, Printer's No. 354, on page 21, of the Second Reading Calendar.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 554, entitled:

An Act to amend sections two five seven ten eleven twelve fifteen seventeen nineteen twenty-one twenty-two twenty-six and thirty-one and to repeal sections nine twenty-four and thirty-six of the act approved the sixth day of August one thousand nine hundred forty-one (P. L. 861) entitled "An act to create a uniform and exclusive system for the administration of parole in this Commonwealth establishing the 'Pennsylvania Board of Parole' conferring and defining its jurisdiction duties powers and functions including the supervision of persons placed upon probation in certain designated cases providing for the method of appointment of its members regulating the appointment removal and discharge of its officers clerks and employes dividing the Commonwealth into administrative districts for purposes of parole fixing the salaries of members of the board and of certain other officers and employes thereof making violations of certain provisions of this act misdemeanors providing penalties therefor and for other cognate purposes and making an appropriation" by reducing the membership of said board further conferring revising and defining its jurisdiction duties powers and functions changing the appointment removal and discharge of certain officers decreasing the salaries of members of the board and fixing the salaries of certain officers and employes

And said bill having been read at length the second time,

On the question,

Will the Senate agree to the bill on second reading?

Mr. JONES. Mr. President, I offer the following amendments:

Amend page 14, by inserting between lines 18 and 19, the following:

Section 15. This act and the act it amends shall be subject to the provisions of any act enacted by the General Assembly of the Commonwealth of Pennsylvania in the session of one thousand nine hundred forty-three, suspending the provisions of civil service systems of this Commonwealth; Amend page 14, section 15, line 19, by striking out, with bold face brackets, after the word "Section" and before the word "this", the following: "[[14] 15];" and inserting in lieu thereof the figure: "16".

On the question,

Will the Senate agree to the amendments?

Mr. COX. Mr. President, the amendments suggested by the gentleman from Luzerne, Senator Jones, are amendments which would have the effect that any bill passed by the Legislature would suspend civil service.

Every member of this Senate understands my interest in this bill. I do not belong to the political party which appointed the members of the Parole Board, I do not belong to the political party responsible for the appointment of any employe of the Parole Board but I do belong to the membership of the Senate of Pennsylvania which fought vigorously in 1941 for the enactment of the parole act, and as I said yesterday, that was not an act partisan in nature, that was an act that was supported by members on both sides of the Senate, that was an act opposed by both parties in this Senate.

Mr. President, there is a tremendously broad principle involved in the parole act of 1941. We can resolve this entire matter into this small statement: Do you believe that people should be paroled from penal institutions, paroled in a manner which has no relationship to politics, but paroled because you feel that once you parole them, there should be a period in which you continue their rehabilitation by supervision? Secondly, do you believe that once people are paroled from penal institutions that their parole should be supervised?

After you have made your choice, after you have attempted to answer these two questions, you have to ask yourself this question: Do you think it is possible to parole people or supervise their parole if the people who parole them and supervise their parole are political appointees; people who owe their jobs and owe the continuance of their jobs to the people who appointed them?

My interest in this problem is strictly an impersonal thing, it comes from broad experience in the field of penology. As the clerk of the Criminal Court of Allegheny County, I am conversant with the fact that we are entering into a crime wave such as we have never known in America, because this is a crime wave of children and adolescents, and any person connected with the criminal courts of Pennsylvania will tell you today that the commission of crime by persons who are mature is diminishing very rapidly.

Yesterday, if you read the metropolitan papers, you will find that in almost every metropolitan area of Pennsylvania they have established curfew laws for children, because we have an unprecedented range of crime by young people in our country.

That, of course, is due to the war, it is due to the fact that the family is not as effective in controlling its members as it once was, because the family is broken up. In many instances the father is going to war and the mother is going into industry.

I am not going to debate the merits of this bill tonight—I would not insult the intelligence of the members of the Senate and I would not insult their sincerity. Both sides passed this bill in 1941, and both sides can be responsible in the Session of 1943 for the annihilation of proper parole supervision in Pennsylvania.

I thank the members of the Senate for being courteous enough to permit me to make these few remarks, which have no relationship to the amendments.

In discussing the amendments I might say that I do not think anyone in this Senate is going to agree to the amendment of a bill as important as this, a bill that I think flatters the Session of 1941 in Pennsylvania, by agreeing to amend it to determine the question of civil service by what might happen in the house of our Legislature, and that is exactly what you do .

There are many imperfections in this bill. I could turn to the very last page of the bill, and that is only one of them. The sponsor of the bill can not be proud of it because it is not the bill he presented, because the amendments which were put in this bill in committee absolutely are different from any fundamental ideas that the gentleman who presented the bill had when he presented it.

On the last page, which is extremely important because it determines a great part of the authority of the parole board, we find the greatest ambiguity that we could find in any bill, and if the gentleman can tell me what the word "juvenile" on page 14 of this bill means, he is better than any Philadelphia lawyer or Pittsburgh lawyer or any Berks County lawyer or any other lawyer of any county in the state.

The gentleman from Lehigh suggests that in order to flatter him I should include Lehigh County, and I can agree with that, but, Mr. President, the thing I am concerned with is this, I feel that the three years I have sat in this Senate were actually wasted, if this Senate would do anything to defeat parole supervision in Pennsylvania; I would even go so far as to say to you that you can grant paroles any way you want to, although I do not think that is right, provided you supervise paroles properly in Pennsylvania.

All of these amendments and all the horse play that has transpired since January have damaged one of the finest bills, one of the finest pieces of legislation the members of this Senate ever passed.

Mr. HEYBURN. Mr. President, there seems to be some question as to whether these amendments fit into the bill. I, therefore, would like to interrogate the gentleman from Luzerne, Senator Jones.

The PRESIDENT. Will the gentleman from Luzerne permit himself to be interrogated?

Mr. JONES. I will, Mr. President.

Mr. HEYBURN. Mr. President, I should like to inquire of the gentleman from Luzerne whether these amendments fit into the bill. There seems to be some question as to whether or not they do.

Mr. JONES. Mr. President, the proposed amendments which I have offered are to be inserted between lines 18 and 19. I have a recent Printer's Number, No. 554, and the last line in that print is No. 17 and, therefore, I suggest that the bill go over in its order until we check up on the amendments.

AMENDMENTS WITHDRAWN

Mr. JONES. Mr. President, I withdraw the amendments.

An the question recurring,

Will the Senate agree to the bill on second reading?

BILL OVER IN ORDER

Mr. JONES. Mr. President, I ask unanimous consent that Senate Bill No. 554, on second reading, go over in its order.

The PRESIDENT PRO TEMPORE. Is there objection? The Chair hears none.

BILLS SIGNED

The PRESIDENT PRO TEMPORE (Charles H. Ealy) announced that the Chief Clerk having reported that the following bills had passed both houses of the General Assembly and the same being correct, the titles were publicly read as follows:

Senate Bill No. 20, entitled:

An Act to amend sections nine hundred twenty-two and nine hundred seventy-nine of the act, approved the third day of June, one thousand nine hundred and thirty-seven (P. L. 1333), entitled "An act concerning elections, including general, municipal, special and primary elections, the nomination of candidates, primary and election expenses and election contests; creating and defining membership of county boards of elections; imposing duties upon the Secretary of the Commonwealth, courts, county boards of elections, county commissioners; imposing penalties for violation of the act, and modifying, revising and consolidatng the laws relating thereto; and repealing certain acts and parts of acts, relating to elections, providing for nominations where successful candidates have died before or on the day of the primary.

Senate Bill No. 202, entitled:

An Act to further ammend paragraph (a) of section four of the act approved the first day of June, one thousand nine hundred thirty-seven (P. L. 1168), entitled "An act to protect the right of employes to organize and bargain collectively; creating the Pennsylvania Labor Relations Board; conferring powers and imposing duties upon the Pennsylvania Labor Relations Board, officers of the State government, and courts providing for the right of employes to organize and bargain collectively; declaring certain labor practices by employers to be unfair; further providing that representatives of a majority of the employes be the exclusive representatives of all the employes; authorizing the board to conduct hearings and elections, and certify as to representatives of employes for purposes of collective bargaining; empowering the board to prevent any person from engaging in any unfair labor practice, and providing a procedure for such cases, including the issuance of a complaint, the conducting of a hearing, and the making of an order; empowering the board to petition a court of common pleas for the enforcement of its order, and providing a procedure for such cases; providing for the review of an order of the board by a court of common pleas on petition of any person aggrieved by such order, and establishing a procedure for such cases; providing for an appeal from the common pleas court to the Supreme Court; providing the board with investigatory powers, including the power to issue subpoenas and the compelling of obedience to them through application to the proper court; providing for service of papers and process of the board; prescribing certain penalties," by making further changes in the qualifications of members of the Pennsylvania Labor Relations Board.

Senate Bill No. 240, entitled:

An Act to further amend section eleven of the act, approved the thirteenth day of May, one thousand nine hundred and twenty-five (P. L. 644), entitled "An act relating to and regulating the solicitation of moneys and property for charitable, religious, benevolent, humane, and patriotic purposes," by exempting alumni or alumnae associations from the provisions of the act in certain cases.

Senate Bill No. 281, entitled:

An Act to amend section one of the act approved the eleventh day of May one thousand eight hundred ninety-three (P. L. 42) entitled "An act to authorize corporations organized for profit under the laws of Pennsylvania to make allowances or pensions to employes for faithful and long continued service who in such service have become old infirm or disabled" authorizing certain corporations to make allowances or pensions to officers or employes.

Senate Bill No. 295, entitled:

An Act to further amend section two hundred fifty-four of the act approved the second day of May, one thousand nine hundred twenty-five (P. L. 448), entitled "An act relating to fish; and amending, revising, consolidating, and changing the law relating to fish in the inland waters and the boundary lakes and boundary rivers of the Commonwealth," by authorizing the Board of Fish Commissioners to close streams, or parts thereof, for a certain period after stocking the same.

Senate Bill No. 298, entitled:

An Act providing for and regulating the accumulation, investment and expenditure by counties, cities, boroughs, incorporated towns and townships, of funds for post war projects.

Senate Bill No. 407, entitled:

An Act to amend section three of the act, approved the seventeenth day of July, one thousand nine hundred thirty-five (P. L. 1092), entitled "An act defining fraternal benefit societies and their status; authorizing such societies to create subordinate lodges and to pay benefits to members and their beneficiaries from funds collected, and regulating such benefits and collections; providing for the organization and incorporation of such societies and for their supervision, regulation, and examination by the Insurance Commissioner, and for the admission of foreign societies; designating tables of mortality as a basis for rates of contribution; requiring all societies to make annual and other reports; and appointing the Insurance Commissioner as attorney for service of process; providing penalties for any violations of the act; exempting such societies from taxation and certain other societies from its provisions; and requiring beneficial associations, other than fraternal benefit societies, to report to and be supervised by the Insurance Commissioner; and repealing existing laws," providing for the waiving of the requirement for the holding of meetings by societies under certain conditions.

Whereupon,

The PRESIDENT PRO TEMPORE (Charles H. Ealy) in the presence of the Senate signed the same.

BILLS ON FIRST READING

Mr. HEYBURN. Mr. President, I move that the Senate do now proceed to the first reading of all bills reported from committee for the first time at today's session.

Mr. CARR. Mr. President, I second the motion.

The motion was agreed to.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 92, entitled:

An Act to amend the act approved the twenty-fourth

day of June one thousand nine hundred thirty-nine (P. L. 872) entitled "An act to consolidate amend and revise the penal laws of the Commonwealth" changing and revising sections of said act relating to obstructing an officer in the execution of process fornication and bastardy lotteries firearms receiving stolen property trespass on posted property cheating by fraudulent pretenses principals in the second degree and accessories aiders and abettors and repealing certain sections relating to larceny and certain existing acts.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 143, entitled:

An Act validating certain expenditures heretofore made by county commissioners in order to furnish filing cabinets or other office equipment to rationing boards.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 150, entitled:

An Act to further amend clause (17) of subdivision (4) of section (j) of section four of the act approved the fifth day of December one thousand nine hundred thirty-six (1937 P. L. 2897) entitled "An act establishing a system of unemployment compensation to be administered by the Department of Labor and Industry and its existing and newly created agencies with personnel (with certain exceptions) selected on a civil service basis requiring employers to keep records and make reports and certain employers to pay contributions based on payrolls to provide moneys for the payment of compensation to certain unemployed persons providing procedure and administrative details for the determination payment and collection of such contributions and the payment of such compensation providing for cooperation with the Federal Government and its agencies creating certain special funds in the custody of the State Treasurer and prescribing penalties" excluding services of real estate salesmen real estate brokers and unsalaried newspaper correspondents from the definition of "employment".

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 171, entitled:

An Act to further amend the act approved the second day of May one thousand nine hundred twenty-nine (P. L. 1278) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto" further clarifying the term "deceased service persons" changing the provisions for the burial of deceased service persons and their widows and for markers and headstones on their graves changing the name of the veteran's grave registrar to director of veterans' affairs and prescribing his duties.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 182, entitled:

An Act making an appropriation to the Medical School of the University of Pittsburgh, Pittsburgh, Pennsylvania.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 198, entitled:

An Act to amend section nine hundred fifteen of the act approved the first day of May one thousand nine hundred thirty-three (P. L. 103) entitled "An act concerning townships of the second class and amending revising consolidating and changing the law relating thereto" continuing the liability of taxpayers after the tax collector has been exonerated.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 236, entitled:

A Supplement to the act approved the twelfth day of June one thousand nine hundred and thirty-nine (P. L. 335) entitled "An act creating a temporary commission to examine report upon and recommend measures to improve the economic cultural health and living conditions of the urban colored population of the State and making an appropriation of the expenses of such commission" by extending the term of such commission until the next regular session of the General Assembly and making an appropriation.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 276, entitled:

An Act further restricting, for the continuance of the present war, the hours during which certain licensees under the "Beverage License Law," approved the third day of May, one thousand nine hundred thirty-three (P. L. 252), as reenacted and amended, and the "Pennsylvania Liquor Control Act," approved the twenty-ninth day of November, one thousand nine hundred thirty-three (P. L. 15, 1933-34), as reenacted and amended, or their servants, agents or employes may sell liquor or malt or brewed beverages; and prescribing penalties.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 289, entitled:

An Act limiting the extent to which liability may be made retroactive in cases in which, upon the basis of court decision or administrative ruling, a liability to the Commonwealth for taxes or other moneys is asserted which had not theretofore been claimed.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 356, entitled:

An Act to amend sections twelve and seventeen of the act, approved the twenty-first day of June, one thousand nine hundred thirty-nine (P. L. 626), entitled "An act providing for and regulating the assessment and valuation of all subjects of taxation in counties of the second class; creating and prescribing the powers and duties of a

Board of Property Assessment, Appeals and Review; imposing duties on certain county and city officers; abolishing the board for the assessment and revision of taxes in such counties; and prescribing penalties," by providing for appeals from the judgment order or decrees of the court of common pleas to the Supreme or Superior Court, and for exoneration and refund of taxes when any assessment has been reduced by the Board of Property Assessment, Appeals and Review or by any court.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 372, entitled:

An Act to amend clause eight of section seven hundred and two of the act approved the first day of May one thousand nine hundred and thirty-three (P. L. 103) entitled "An act concerning townships of the second class and amending revising consolidating and changing the law relating thereto" by empowering townships of the second class to levy a tax under certain circumstances for the purpose of paying for the removal and disposal of ashes garbage and other refuse material.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 373, entitled:

An Act providing for the creation and for the administration by a State Building and Loan Insurance Board created in this act, of a state fund for the insurance of shares in building and loan associations and savings and loan associations; and prescribing penalties.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 374, entitled:

An Act to further amend section 402 of the act, approved the ninth day of April, one thousand nine hundred and twenty-nine (P. L. 343), entitled, "An act relating to the finances of the State government; providing for the settlement, assessment, collection, and lien of taxes, bonus, and all other accounts due the Commonwealth, the collection and recovery of fees and other money or property due or belonging to the Commonwealth, or any agency thereof, including escheated property and the proceeds of its sale, the custody and disbursement or other disposition of funds and securities belonging to or in the possession of the Commonwealth, and the settlement of claims against the Commonwealth, the resettlement of accounts and appeals the courts, refunds of moneys erroneously paid to the Commonwealth, auditing the accounts of the Commonwealth and all agencies thereof of all public officers collecting moneys payable to the Commonwealth or any agency thereof, and all receipts of appropriations from the Commonwealth and imposing penalties; affecting every department, board, commission and officer of the State government, every political subdivision of the State, and certain officers of such subdivisions, every person, association, and corporation required to pay, assess, or collect taxes, or to make returns or reports under the laws imposing taxes for State purposes, or to pay license fees or other moneys to the Commonwealth, or any agency thereof, every State depository and every debtor or creditor of the Commonwealth," exempting the affairs of the State Building and Loan Insurance Board from audit by the Auditor General.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 375, entitled:

An Act to amend sections 504A, 607 and 608A of the act, approved the fifteenth day of May, one thousand nine hundred and thirty-three, (P. L. 565), entitled "An act relating to the powers and duties of the Department of Banking and the Secretary of Banking in exercising supervision over, and taking possession of and conducting or liquidating the business and property of, corporations, associations, and persons receiving deposits or otherwise transacting a banking business, corporations acting as fiduciaries and building and loan associations; providing for the payment of the expenses of the Department of Banking by supervised corporations, associations, or persons, and appropriating the Banking Department Fund; authorizing the Department of Banking, under certain circumstances, to examine corporations, associations, or persons affiliated, or having business transactions with supervised corporations, associations or persons; authorizing appeals to the Supreme Court and prescribing and limiting the powers and duties of certain other courts and their prothonotaries, registers of wills, recorders of deeds, and certain State departments, commissions, and officers; authorizing certain local public officers and State departments to collect fees for services rendered under this act; providing penalties; and repealing certain acts and parts of acts," by providing for the taking of possession of the business and property of building and loan associations and savings and loan associations the shares of which are insured in the State Building and Loan Fund.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 398, entitled:

An Act enabling city county poor institution district ward school borough and township tax collectors their executors and administrators if they are deceased or either surety or sureties to collect taxes for the payment of which they have become personally liable without having collected the same by the expiration of the authority of their respective warrants or by expiration of their terms of office extending the time for the collection of the same and validating collections and proceedings for collections made or commenced without previous authority.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 406, entitled:

An Act to further amend section three hundred eleven of the act approved the second day of May one thousand nine hundred and twenty-nine (P. L. 1278) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto" extending the retirement system of counties of the second class to additional employes.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 415, entitled:

An Act authorizing cemetery companies to accept cer-

tain gifts in trust, and to be appointed trustees or substituted trustees of certain funds; regulating their rights and duties in respect to trust funds, the income therefrom and the investment thereof, permitting them to give their own bonds; and validating certain actions.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 476, entitled:

An Act to further amend section nine of the act approved the sixteenth day of May one thousand nine hundred and twenty-three (P. L. 207) entitled "An act providing when how upon what property and to what extent liens shall be allowed for taxes and for municipal improvements for the removal of nuisances and for water rents or rates sewer rates and lighting rates for the procedure upon claims filed therefor the methods for preserving such liens and enforcing payment of such claims the effect of judicial sales of the properties liened the distribution of the proceeds of such sales and the redemption of the property therefrom for the lien and collection of certain taxes heretofore assessed and of claims for municipal improvements made and nuisances removed within six months before the passage of this act and for the procedure on tax and municipal claims filed under other and prior acts of assembly" making additional provision for and fixing the compensation for the filing and collecting of tax claims.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 492, entitled:

An Act to reenact and further amend the title of, and the act, approved the twenty-ninth day of September, one thousand nine hundred thirty-eight (P. L. 53) entitled "An act relating to institutions of counties, cities and institution districts for the care, maintenance and treatment of mental patients; providing for the transfer of such institutions to the Commonwealth; providing for the management and operation or closing and abandonment thereof, and the maintenance of mental patients therein, including the collection of maintenance in certain cases; providing for the retransfer of certain property to institution districts under certain circumstances; conferring and imposing upon the Governor, the Department of Welfare, the courts of common pleas and counties, cities and institution districts certain powers and duties; prohibiting cities, counties and institution districts from maintaining and operating institutions, in whole or in part, for the care and treatment of mental patients; and repealing inconsistent laws," including institutions of wards, boroughs, townships and other political subdivisions under the terms thereof; and providing for the retransfer of certain property to counties, cities, wards, boroughs, townships, institution districts and other political subdivisions.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 509, entitled:

An Act to amend section three hundred and six of the act approved the twenty-fourth day of June one thousand nine hundred and thirty-seven (P. L. 2017) entitled "An act creating in each county (except of the first class) as a separate corporation and in each city of the first and second class as a part of the city government an institution district for the care and maintenance of certain indigent persons and children prescribing the powers and duties of county commissioners county treasurers city departments of public welfare the State Department of Welfare and the State Department of Public Assistance in respect thereto abolishing certain poor districts and terminating the terms of directors overseers guardians and managers of the poor and poor district auditors and providing for the temporary employment of certain of them providing for the transfer vesting sale and disposition of the property of poor districts and the payment of their obligations imposing certain existing obligations on institution districts and on the Commonwealth regulating the affairs of poor districts until abolished revising amending changing and consolidating the law relating to the care of the poor and repealing existing laws" providing for fixing the number and compensation of employes of institution districts and conferring powers and imposing duties on county officers.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 511, entitled:

An Act to further amend the act approved the fourth day of June one thousand nine hundred and thirty-seven (P. L. 1625) entitled "An act providing for the creation maintenance and operation of a county employes' retirement system in counties of the third class and imposing certain charges on counties" extending and further regulating such retirement systems.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 514, entitled:

An Act to amend the act approved the fifth day of August one thousand nine hundred forty-one (P. L. 803) entitled "An act providing for the creation maintenance and operation of a county employes retirement system in counties of the fifth class imposing certain charges on counties and prescribing penalties" further regulating such retirement systems.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 519, entitled:

An Act to amend the act approved the eighth day of July one thousand nine hundred forty-one (P. L. 298) entitled "An act authorizing the creation of and providing for and regulating the maintenance and operation of a county employes' retirement system in counties of the fourth class imposing certain charges on counties and fixing penalties" further regulating such retirement systems.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 523, entitled:

An Act to amend section six hundred three of the act, approved the second day of May, one thousand nine hundred twenty-nine (P. L. 1278) entitled "An act relating to counties of the second, third, fourth, fifth, sixth, seventh and eighth classes; and revising, amending and consolidating the laws relating thereto," by providing for the completion of public monuments.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 531, entitled:

An Act authorizing counties of the second class to enter into contracts with any city within the county for the hospitalization of persons suffering from infectious diseases, and to make appropriations therefor.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 536, entitled:

An Act to further amend section four of the act approved the twenty-ninth day of May one thousand nine hundred and thirty-one (P. L. 280) entitled "An act relating to delinquent taxes on seated lands and prescribing interest charges on nonpayment thereof requiring the receivers and collectors of county city borough town township school district and poor district taxes to make a return to the county commissioners of such unpaid taxes and providing for the lien thereof authorizing the county treasurers to collect such taxes and to sell seated lands at public sale for taxes heretofore or hereafter returned as unpaid and authorizing the county commissioners to purchase such lands and resell the same under certain circumstances" providing that all liens in favor of the Commonwealth other than tax lines charged against real estate heretofore or hereafter sold for taxes by the county treasurers are divested by such sales.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 537, entitled:

An Act to amend section one thousand five hundred and two by adding thereto clause XLVII of the act approved the twenty-fourth day of June one thousand nine hundred and thirty-one (P. L. 1206) entitled "An act concerning townships of the first class amending revising consolidating and changing the law relating thereto" authorizing certain townships of the first class to appropriate moneys for the support of hospitals.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 541, entitled:

An Act to further amend subsection fourteen of section six hundred two of the act approved the twenty-ninth day of November one thousand nine hundred and thirty-three (P. L. 15 1933-34) entitled as amended "An act to regulate and restrain the sale manufacture possession transportation importation traffic in and use of alcohol and alcoholic and malt or brewed beverages conferring powers and imposing duties upon the Pennsylvania Liquor Control Board and its agents the Department of Public Instruction other officers of the State government courts and districts attorneys authorizing the establishment and operation of State stores for the sale of such beverages not for consumption on the premises and the granting of licenses subject to local option to sell such beverages for consumption on and off the premises forbidding importation or bringing of such beverages into the State except as herein provided prohibiting certain sales or practices in connection with and transactions in such beverages by licensees and others providing for the forfeiture of certain property making disposition of the receipts from State stores and of fees and imposing penalties" exempting certain coin operated motion picture machines from provisions of the act requiring special permits.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 579, entitled:

An Act to further amend section one thousand one hundred forty-seven of the act, approved the first day of May, one thousand nine hundred thirty-three (P. L. 103), entitled "An act concerning townships of the second class; and amending, revising, consolidating, and changing the law relating thereto," by providing as to certain additional roads, streets, lanes and alleys which may be accepted as public highways by boards of supervisors of townships of the second class.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 590, entitled:

An Act to amend section six hundred four, section six hundred five, and to add section six hundred eight to the act, approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 177), entitled "An act providing for and reorganizing the conduct of the executive and administration work of the Commonwealth by the Executive Department thereof and the administrative departments, boards, commissions, and officers thereof, including the boards of trustees of State Normal Schools, or Teachers Colleges; abolishing, creating, reorganizing or authorizing the reorganization of certain administrative departments, boards, and commissions; defining the powers and duties of the Governor and other executive and administrative officers, and of the several administrative departments, boards, commissions, and officers; fixing the salaries of the Governor, Lieutenant-Governor, and certain other executive and administrative officers; providing for the appointment of certain administrative officers; and of all deputies and other assistants and employes in certain departments, boards, and commissions; and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments, boards and commissions shall be determined," by further defining the duties of the Auditor General, the State Treasurer and the Secretary of Internal Affairs, and requiring fiscal reports to be filed with the Governor by all administrative departments, boards, and commissions.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 594, entitled:

An Act to amend section one of the act approved the twelfth day of May one thousand nine hundred and thirty-nine (P. L. 133) entitled "An act to regulate the sale and possession of sulfanilamide and its derivatives in the interest of public health" by excepting sulfathia zole-impregnated finger or small adhesive gauze bandages.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 596, entitled:

An Act to further amend sections four hundred four and four hundred ten of the act approved the twenty-ninth day of November one thousand nine hundred thirty-three (P. L. 15 1933-34) entitled as amended "An act to regulate and restrain the sale manufacture possession

transportation importation traffic in and use of alcohol and alcoholic and malt or brewed beverages conferring powers and imposing duties upon the Pennsylvania Liquor Control Board and its agents the Department of Public Instruction other officers of the State government courts and district attorneys authorizing the establishment and operation of State stores for the sale of such beverages not for consumption on the premises and the granting of licenses subject to local option to sell such beverages for consumption on and off the premises forbidding importation or bringing of such beverages into the State except as herein provided prohibiting certain sales or practices in connection with and transactions in such beverages by licensees and others providing for the forfeiture of certain property making disposition of the receipts from State stores and of fees and imposing penalties" conferring jurisdiction on the county court of Allegheny County in cases of appeals from the Pennsylvania Liquor Control Board.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 597, entitled:

An Act to add Section 699.7 to the act, approved the twenty-fourth day of June, one thousand nine hundred and thirty-nine (P. L. 872), entitled "An act to consolidate, amend and revise the penal laws of the Commonwealth," prohibiting the buying or selling of Federal ration stamps, coupons or other indicia or tokens necessary for the purchase of food, clothing, footwear, fuel or other commodities or articles; prohibiting the acceptance of such stamps, coupons or other indicia or tokens with knowledge that they have been bought or sold; and providing penalties.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 598, entitled:

An Act to aid the Federal Government in the enforcement of its allocation and rationing program; making it unlawful to sell or buy commodities rationed by Federal authority without receiving or giving the required coupons, stamps, certificates, ration checks or other ration documents, or giving such documents that have been unlawfully obtained; empowering the Governor to designate commodities hereafter rationed to be subject to this act; and prescribing penalties.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 603, entitled:

An Act authorizing the Department of Property and Supplies to establish, operate and maintain self-sustaining restaurants, as herein defined, in the State Capitol and adjacent buildings, creating a revolving fund for this purpose to be known as The State Restaurant Fund, providing additional duties for the State Treasurer and the Department of Health in connection therewith, and appropriating the necessary funds for these purposes.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 607, entitled:

An Act to further amend sections four hundred twenty-six and four hundred twenty-seven of the act approved the second day of June one thousand nine hundred fifteen (P. L. 736) entitled as amended "An act defining the liability of an employer to pay damages for injuries received by an employe in the course of employment establishing an elective schedule of compensation providing procedure for the determination of liability and compensation thereunder and prescribing penalties" conferring exclusive jurisdiction on the county court of Allegheny County in cases of appeals from the Workmen's Compensation Board.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 608, entitled:

An Act to validate and quiet the title to real estate in this Commonwealth heretofore conveyed to a citizen of the United States or a corporation authorized to hold such real estate by any building and loan association whose charter had expired.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 609, entitled:

An Act to further amend sections seven and thirteen of the act approved the third day of May one thousand nine hundred thirty-three (P. L. 252) entitled as amended "An act to regulate and restrain the traffic in malt and brewed beverages as herein defined providing for the licensing of the manufacture transportation sale and distribution of such beverages imposing license and permit fees and providing for collection and distribution thereof restricting ownership and interest in licensed places permitting municipalities and townships by vote of the electors to prevent the licensing therein of places where such beverages may be sold for consumption on the premises and regulating elections for this purpose imposing duties upon the Pennsylvania Liquor Control Board quarter sessions courts district attorneys the Department of Justice proper authorities of political subdivisions of the State and election officers providing penalties and repealing existing acts" conferring jurisdiction on the county court of Allegheny County in cases of appeals from the Pennsylvania Liquor Control Board.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 616, entitled:

An Act to further amend section seventeen of the act, approved the twenty-second day of June, one thousand nine hundred thirty-five (P. L. 414), entitled as amended "An act to provide revenue for State purposes; imposing taxes upon certain classes of personal property; providing for the assessment, collection, and lien of the same, and the distribution of the proceeds thereof; imposing duties on executors, administrators, registers of wills, recorders of deeds, prothonotaries, and court clerks, and on persons, copartnerships, associations, banks, national banks, trust companies, and other corporations receiving deposits of money, and on certain corporations and limited partnerships; conferring powers and imposing duties on certain State officers and departments; imposing penalties; and making an appropriation," by excluding from the provisions thereof personal property held in trust under the terms of a stock bonus, pension annuity, profit-sharing or deferred compensation plan as herein defined, main-

tained by an employer for the exclusive benefit of his employes or their beneficiaries.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 617, entitled:

An Act to repeal section twenty-three of the act, approved the twenty-sixth day of May, one thousand nine hundred and thirty-three (P. L. 1076), entitled "An act to provide for the organization, incorporation, operation, and supervision of cooperative savings and credit associations, to be termed credit unions; designating such credit unions as corporations, and defining their powers and duties; conferring certain powers and duties on the Department of Banking; and providing penalties," which section exempts credit unions organized under said act, and the shares thereof, from certain tax and bonus liability.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 623, entitled:

An Act to further amend section six hundred three of the act, approved the seventeenth day of May, one thousand nine hundred and twenty-one (P. L. 789), entitled, as amended "An act relating to insurance; establishing an insurance department; and amending, revising, and consolidating the law relating to the licensing, qualification, regulation, examination, suspension, and dissolution of insurance companies, Lloyds associations, reciprocal and inter-insurance exchanges, and certain societies and orders, the examination and regulation of fire insurance rating bureaus, and the licensing and regulation of insurance agents and brokers; the service of legal process upon foreign insurance companies, associations or exchanges; providing penalties, and repealing existing laws," by providing that an attorney-at-law or a licensed real estate broker shall not be required to obtain a license to act as agent for a domestic title insurance company.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 626, entitled:

An Act to regulate persons, partnerships and corporations engaged in the business of renting motor vehicles; authorizing the Public Utility Commission to administer and enforce the provisions of this Act; and imposing penalties.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 630, entitled:

An Act to further amend subsection B of section one thousand eleven of the act approved the fifteenth day of May, one thousand nine hundred thirty-three (P. L. 565), entitled "An act relating to the powers and duties of the Department of Banking and the Secretary of Banking in exercising supervision over, and taking possession of and conducting or liquidating the business and property of, corporations, associations, and persons receiving deposits or otherwise transacting a banking business, corporations acting as fiduciaries, and building and loan associations; providing for the payment of the expenses of the Department of Banking by supervised corporations, associations, or persons, and appropriating the banking Department Fund; authorizing the Department of Banking, under certain circumstances, to examine corporations, associations, or persons affiliated, or having business transactions with supervised corporations, associations or persons; authorizing appeals to the Supreme Court, and prescribing and limiting the powers and duties of certain other courts and their prothonotaries, registers of wills, recorders of deeds, and certain State departments, commissions, and officers; authorizing certain local public officers and State departments to collect fees for services rendered under this act; providing penalties; and repealing certain acts and parts of acts," further regulating distribution of the assets of building and loan associations in liquidation by the Secretary of Banking.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 631, entitled:

An Act relating to the administration, liquidation and distribution of title insurance reserve funds in the possession of the Secretary of Banking as receiver and providing for the rights and powers of corporations in respect to the writing of policies of reinsurance in connection therewith.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order.

The Senate proceeded to the first reading and consideration of House Bill No. 641, entitled:

An Act providing for the validation and amendment of defective tax liens heretofore or hereafter entered of record repealing inconsistent legislation.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 650, entitled:

An Act to further amend section three hundred forty-eight of the act approved the second day of May one thousand nine hundred twenty-nine (P. L. 1278) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto" authorizing counties of the third fourth and fifth classes during the war period to enter into contracts up to five hundred dollars without advertising for bids.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 668, entitled:

An Act to further amend the act approved the fifth day of May one thousand nine hundred and thirty-three (P. L. 289) entitled "An act relating to nonprofit corporations defining and providing for the organization merger consolidation and dissolution of such corporations conferring certain rights powers duties and immunities upon them and their officers and members prescribing the conditions on which such corporations may exercise their powers providing for the inclusion of certain existing corporations of the first class within the provisions of this act prescribing the terms and conditions upon which foreign nonprofit corporations may be admitted or may continue to do busi-

ness within the Commonwealth conferring powers and imposing duties on the courts of common pleas prothonotaries of such courts recorders of deeds and certain State departments commissions and officers authorizing certain local public officers and State departments to collect fees for services required to be rendered by this act imposing penalties and repealing certain acts and parts of acts relating to corporations" by authorizing nonprofit medical service corporations to provide limited medical service benefits to subscribers of over-income.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 669, entitled:

An Act to amend sections three four nine and nineteen of the act approved the twenty-seventh day of June one thousand nine hundred and thirty-nine (P. L. 1125) entitled "An act providing for the regulation and supervision of nonprofit medical service corporations organized to provide medical services to subscribers of low income by the Department of Health and the Insurance Department and defining the functions of such departments with respect thereto authorizing certain departments commissions officers and other agencies of the State and its political subdivisions to subscribe under certain circumstances to the medical service plan of such corporations on behalf of persons of low income prescribing legal investments for the funds of such corporations and the rights of doctors of medicine to register with such corporations conferring authority on the Department of Health and on the Insurance Commissioner each within its own sphere of lawful activity to regulate and supervise such corporations conferring certain rights powers duties and immunities upon such corporations and their officers and members prescribing the conditions on which such corporations may exercise their powers exempting such corporations from taxation prohibiting any person copartnership association common law trust or corporation except a nonprofit medical service corporation from providing medical services on a nonprofit plan in return for prepayment periodical or lump sum payments providing penalties for the violation of and mandatory and injunctive relief for the enforcement of the provisions of this act" by authorizing nonprofit medical service corporations to provide limited medical service benefits to subscribers of over-income.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 726, entitled:

An Act to amend section twelve of the act approved the twelfth day of May one thousand nine hundred twenty-five (P. L. 603) entitled "An act concerning conditional sales and to make uniform the law relating thereto" making further provision for the satisfaction of conditional sales contracts filed in the office of the prothonotary.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 735, entitled:

An Act to amend sections eleven and seventeen of the act approved the twenty-first day of June one thousand nine hundred thirty-nine (P. L. 626) entitled "An act providing for and regulating the assessment and valuation of all subjects of taxation in counties of the second class creating and prescribing the powers and duties of a Board of Property Assessment Appeals and Review imposing duties on certain county and city officers abolishing the board for the assessment and revision of taxes in such counties and prescribing penalties" further regulating appeals from assessments and exonerations and refunds of taxes effected thereby validating appeals heretofore taken and imposing additional duties upon the said board.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 736, entitled:

An Act to further amend section sixteen of the act approved the third day of May one thousand nine hundred thirty-three (P. L. 252) entitled as amended "An act to regulate and restrain the traffic in malt and brewed beverages as herein defined providing for the licensing of the manufacture transportation sale and distribution of such beverages imposing license and permit fees and providing for collection and distribution thereof restricting ownership and interest in licensed places permitting municipalities and townships by vote of the electors to prevent the licensing therein of places where such beverages may be sold for consumption on the premises and regulating elections for this purpose imposing duties upon the Pennsylvania Liquor Control Board quarter sessions courts district attorneys the Department of Justice proper authorities of political subsdivisions of the State and election officers providing penalties and repealing exsting acts" by providing for the surrendering by persons in military service of licenses granted to them the renewal thereof by the board during the licensee's continuance in such service and the renewal thereof thereafter.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 742, entitled:

An Act to amend section one of the act approved the fifteenth day of June one thousand nine hundred and thirty-nine (P. L. 346) entitled "An act to promote uniformity in the assessment and taxation of properties and persons within the territorial limits of cities of the second class by providing that city taxes within such territorial limits shall be assessed levied and collected upon the bases of the county assessments imposing duties on county assessing authorities abolishing the department of assessors in cities of the second class and transferring certain property to county taxing authorities" by defining the effect upon appeals of the certification of tax duplicates to cities of the second class and to school district coterminous therewith and providing for exonerations and refunds of taxes assessed against properties affected by such appeals.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 750, entitled:

An Act to further amend subsection (a) of section twenty-five of the act approved the seventh day of June one thousand nine hundred seventeen (P. L. 447) entitled as amended "An act relating to the administration and distribution of the estates of decedents and of minors and of trust estates including the appointment bonds rights powers duties liabilities accounts discharge and removal of executors administrators guardians and trustees herein designated as fiduciaries the administration and distribution of the estates of presumed decedents widow's and children's exemptions debts of decedents rents of real

estate as assets for payment thereof the lien thereof sales and mortgages of real estate for the payment thereof judgments and executions therefor and the discharge of real estate from the lien thereof contracts of decedents for the sale or purchase of real estate legacies including legacies charged on land the discharge of residuary estates and of real estate from the lien of legacies and other charges the appraisement of real estate devised at a valuation the ascertainment of the curtilage of dwelling houses or other buildings devised the abatement and survival of actions and the substitution of executors and administrators therein the survival of causes of action and suits thereupon by or against fiduciaries investments by fiduciaries the organization of corporations to carry on the business of decedents the audit and review of accounts of fiduciaries refunding bonds transcripts to the court of common pleas of balances due by fiduciaries the rights powers and liabilities of nonresident and foreign fiduciaries the appointment bonds rights powers duties and liabilities of trustees durante absentia the recording and registration of decrees reports and other proceedings and the fees therefor appeals in certain cases and also generally dealing with the jurisdiction powers and procedure of the orphans' court in all matters relating to fiduciaries concerned with the estates of decedents" by providing for the filing of petitions for the enforcement of payment of legacies charged upon real estate by executors administrators cum testamento annexo and administrators de bonis non cum testamento annexo.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 787, entitled:

An Act to further amend section one hundred thirty-six of the act approved the second day of May one thousand nine hundred twenty-nine (P. L. 1278) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto" changing the requirements for creating the office of county controller by court decrees in counties of the sixth seventh and eighth classes and authorizing the establishment of such office by referendum.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 805, entitled:

An Act authorizing the appointment of a clerk to the jury commissioners in counties of the third class by the court of common pleas the fixing of his salary by the salary board and the payment thereof by the county.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 823, entitled:

An Act to further amend section fourteen of the act approved the thirteenth day of May one thousand nine hundred and fifteen (P. L. 286) entitled "An act to provide for the health safety and welfare of minors by forbidding their employment or work in certain establishments and occupations and under certain specified ages by restricting their hours of labor and regulating certain conditions of their employment by requiring employment certificates for certain minors and prescribing the kinds thereof and the rules for the issuance reissuance filing return and recording of the same by providing that the Industrial Board shall under certain conditions determine and declare whether certain occupations are within the prohibitions of this act requiring that certain minors shall during the period of their employment attend certain schools to be established as therein provided and to be approved by the State Superintendent of Public Instruction and regulating the conditions of such attendance authorizing the State Board of Education in certain cases to appoint attendance officers to aid in enforcing the provisions of this act and creating the salary and expenses of such officers a charge against the school district wherein they are employed requiring certain obstracts and notices to be posted providing for the enforcement of this act by the Commissioner of Labor and Industry the attendance officers of school districts and police officers and defining the procedure in prosecutions thereunder and establishing certain presumptions in relation thereto providing penalties for the violation of the provisions thereof and repealing all acts or parts of acts inconsistent therewith" by permitting examinations to be made by any licensed physician.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 825, entitled:

An Act to amend the title and section one of the act approved the twenty-seventh day of April one thousand nine hundred twenty-seven (P. L. 403) entitled "An act fixing the salary of county commissioners in counties of the third fourth fifth and sixth classes" by increasing the salary of county commissioners in counties of the sixth seventh and eighth classes.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 828, entitled:

An Act to further amend section one and paragraphs (a) and (b) of section three and sections four and seven and amend section five of the act approved the twenty-fifth day of July one thousand nine hundred thirteen (P. L. 1024) entitled "An act to protect the public health and welfare by regulating the employment of females in certain establishments with respect to their hours of labor and the conditions of their employment by establishing certain sanitary regulations in the establishments in which they work by requiring certain abstracts and notices to be posted by providing for the enforcement of this act by the Commissioner of Labor and Industry and others by prescribing penalties for violations thereof by defining the procedure in prosecutions and by repealing all acts and parts of acts inconsistent with the provisions thereof" by changing the definition of "week" and "day" and by increasing the hours of labor and temporarily suspending certain restrictions on employment.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 845, entitled:

An Act to amend sections six hundred seventeen and six hundred twenty-one of the act approved the second day of May one thousand nine hundred twenty-nine (P. L. 1278) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto" by removing certain restrictions as to the location of contagious disease hospitals and authorizing counties to

join with any other municipality or hospital in establishing a joint contagious disease hospital.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideraiton of House Bill No. 862, entitled:

An Act providing for the creation, maintenance and operation of a county employes retirement system in counties of the sixth and seventh class; imposing certain charges on counties, and prescribing penalties.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 865, entitled:

An Act to amend section four hundred nine of the act approved the twenty-ninth day of November one thousand nine hundred thirty-three (P. L. 15 1933-34) entitled as amended "An act to regulate and restrain the sale manufacture possession transportation importation traffic in and use of alcoholic and malt or brewed beverages conferring powers and imposing duties upon the Pennsylvania Liquor Control Board and its agents the Department of Public Instruction other officers of the State government courts and district attorneys authorizing the establishment and operation of State stores for the sale of such beverages not for consumption on the premises and the granting of licenses subject to local option to sell such beverages for consumption on and off the premises forbidding importation or bringing of such beverages into the State except as herein provided prohibiting certain sales or practices in connection with and transactions in such beverages by licensees and others providing for the forfeiture of certain property making disposition of the receipts from State stores and of fees and imposing penalties" by providing for the surrendering by persons in military service of licenses granted to them the renewal thereof by the board during licensee's continuance in such service and the renewal thereof thereafter.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 871, entitled:

An Act to further amend sections two, three hundred five paragraph (4) of section six hundred two and section six hundred three of the act approved the twenty-ninth day of November one thousand nine hundred thirty-three (P. L. 15 1933-34) entitled as amended "An act to regulate and restrain the sale manufacture possession transportation importation traffic in and use of alcohol and alcoholic and malt or brewed beverages conferring powers and imposing duties upon the Pennsylvania Liquor Control Board and its agents the Department of Public Instruction other officers of the State government courts and district attorneys authorizing the establishment and operation of State stores for the sale of such beverages not for consumption on the premises and the granting of licenses subject to local option to sell such beverages for consumption on and off the premises forbidding importation or bringing of such beverages into the State except as herein provided prohibiting certain sales or practices in connection with and transactions in such beverages by licensees and others providing for the forfeiture of certain property making disposition of the receipts from State stores and of fees and imposing penalties" by defining "Official Seal" and authorizing the designation of wholesale or retail stores and suspending for the duration of the present war and for a period of one year thereafter the holding of Local Option Referenda on the question of granting liquor licenses and malt and brewed beverage retail dispenser licenses by the Pennsylvania Liquor Control Board.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 873, entitled:

An Act to amend section one and further amend section four of the act approved the thirteenth day of May one thousand nine hundred fifteen (P. L. 286) entitled "An act to provide for the health safety and welfare of minors by forbidding their employment or work in certain establishments and occupations and under certain specified ages by restricting their hours of labor and regulating certain conditions of their employment by requiring employment certificates for certain minors and prescribing the kinds thereof and the rules for the issuance reissuance filing return and recording of the same by providing that the Industrial Board shall under certain conditions determine and declare whether certain occupations are within the prohibitions of this act requiring that certain minors shall during the period of their employment attend certain schools to be established as therein provided and to be approved by the State Superintendent of Public Instruction and regulating the conditions of such attendance authorizing the State Board of Education in certain cases to appoint attendance officers to aid in enforcing the provisions of this act and creating the salary and expenses of such officers a charge against the school district wherein they are employed requiring certain abstracts and notices to be posted providing for the enforcement of this act by the Commissioner of Labor and Industry the attendance officers of school districts and police officers and defining the procedure in prosecutions thereunder and establishing certain presumptions in relation thereto providing penalties for the violation of the provisions thereof and repealing all acts or parts of acts inconsistent therewith" by changing the definition of week and by increasing the working hours of minors between the ages of sixteen and eighteen.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 922, entitled:

An Act to add Clause XLVII to section one thousand five hundred two of the act approved the twenty-fourth day of June one thousand nine hundred thirty-one (P. L. 1206) entitled "An act concerning townships of the first class amending revising consolidating and changing the law relating thereto" authorizing the townships of the first class to make appropriations to Veterans' Home Associations.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

ADJOURNMENT

Mr. HEYBURN. Mr. President, I move that the Senate do now adjourn until Wednesday, April 28, 1943, at 3:00 o'clock p. m. Eastern War Time.

Mr. MALLERY. Mr. President, I second the motion.

The motion was agreed to.

The Senate adjourned at 11:29 o'clock p. m. Eastern War Time, until Wednesday, April 28, 1943, at 3:00 o'clock p. m. Eastern War Time.

HOUSE OF REPRESENTATIVES

TUESDAY, April 27, 1943

The House met at 1 p. m.

The SPEAKER (Ira T. Fiss) in the Chair.

PRAYER

The Chaplain, Rev. Lester C. Updegrove, offered the following prayer:

Our Heavenly Father, in these dark days when men's souls are being tried everywhere, give unto our representatives and the people, the kind of devotion to Thee as voiced centuries ago by a great representative of all the people, in a time of tribulation.

"Though no fruit is on the vine,
Though the fields give us no food,
Though the folds have lost their flocks,
And in the stalls no cattle be;
Yet in the Eternal we will find our joy,
We will rejoice in the God who saves us,
The Lord, the Eternal, is our strength,
He makes our feet sure,
He helps us to keep our footing in the heights." Amen.

JOURNAL APPROVED

The SPEAKER. The Clerk will read the Journal of Monday, April 26, 1943.

The Clerk proceeded to read the Journal of Monday, April 26, 1943, when, on motion of Mr. WRIGHT, unanimously agreed to, the further reading was dispensed with and the Journal approved.

RESOLUTION INTRODUCED AND REFERRED

By Messrs. LEYDIC and LOVETT.

RESOLUTION No. 65.

In the House of Representatives, April 26, 1943.

Whereas, It has been the policy of the General Assembly and also of the boards and the authorities having charge of the admission or qualification of persons to practice in the various professions in the Commonwealth of Pennsylvania, to take into consideration the effects of war upon the plane and activities of persons planning to engage in such professions, and accordingly, to relax certain of the requirements in order to permit such persons to qualify for their chosen professions, in spite of the fact, that through no fault of their own they might be unable to meet the strict qualifications otherwise required; and

Whereas, It has also been the policy to afford certain qualified persons who were in actual military services during time of war, the right to practice various professions without requiring them to take or pass any examination; and

Whereas, The same reasons exist for adopting such a policy with respect to the professions of chiropractic or drugless therapy as exist in the case of other professions; therefore be it

Resolved, That the State Board of Medical Education and Licensure of the Department of Public Instruction be requested to so amend its rules and regulations governing the requirements for license to practice chiropractic or drugless therapy as to permit the granting of such licenses upon the payment of the regular fee, but without the necessity for taking any examination, to the following persons;

(a) Any resident of Pennsylvania who is a graduate of an approved school of chiropractic or drugless therapy, who was in military service during any war in which this country has been engaged, including World War II, and who has been honorably discharged from such service.

(b) Any person who was engaged in the practice of chiropractic or drugless therapy before World War I, who was in actual military service during that war, who was honorably discharged from such service and who has since engaged in the practice of chiropractic or drugless therapy, and be it further

Resolved, That a copy of this resolution be transmitted by the Chief Clerk of the House to the State Board of Medical Education and Licensure of the Department of Public Instruction.

Referred to the Committee on Professional Licensure.

SENATE MESSAGE

SENATE BILL FOR CONCURRENCE

The Clerk of the Senate being introduced, presented for concurrence bill numbered and entitled as follows:

SENATE BILL No. 164.

An Act creating a Safety Commission as an Independent Administrative Commission of the Commonwealth and defining its powers and duties.

Referred to the Committee on State Government.

PERMISSION TO ADDRESS HOUSE

Mr. SARGE asked and obtained unanimous consent to address the House.

On March 9, 1943, I introduced House Bill 554, a bill to create a commission to make a study of the introduction and printing of bills, the benefits to be gained by divided session of the General Assembly and the repeal of obsolete legislation.

This bill has not yet been reported out, and indications are that it will be consigned to the tongueless silence of the dreamless dust of the Pickling Vat, from which no bill ever returneth.

It has been my contention for some time that we should not keep our statutes cluttered up with obsolete laws. Laws which are no more effective or cannot be enforced or have not been enforced for some time, or never will, should be repealed.

Ever so often we are amazed to find that we are compelled to, or prohibited from performing an act, because someone has dusted off some obsolete law, and we find that we are hampered in our ordinary daily life. The minority party dusted off a Constitutional provision requiring the bills to be read at length. In some instances it is necessary to modernize to bring the same up to date.

A careful scrutiny should be made of all the laws to determine which should be repealed or abolished, and which should be amended. These obsolete laws cover subject after subject.

How would you like to pick up the paper some morning with the headline reading, "Representative of the General Assembly prosecuted for kissing his wife on a Sunday". Well, there might be such a law on the books.

I made a random search of some of our laws and discovered a wide variety that might be classified as such.

Under an Act of 1851, any dog caught worrying sheep may be shot. If a dog is found upon the public highway unleashed he may be shot. Is this still desired? (Title 3, P. S. Sec. 531, 1851-52 P. L. 710).

Under an Act of 1763, a person obtaining possession of a trespassing horse or other animal, must advertise in the Pennsylvania Gazette three times, or otherwise suffer the penalty of five pounds. I do not object to the advertisement, but I can't find the Pennsylvania Gazette, nor do I know what pounds of what, with which I will be penalized. Must I give up five pounds of the horse or the animal? (Title 3, P. S. Section 625, March 4, 1763, 1 Sm. L 257, Sec. 3).

Under a law passed in 1857, in York and Philadelphia Counties it is unlawful to erect a slaughter-house, a manure, bone dust or soap factory, or distillery within 200 yards of an incorporated cemetery. If this is undesirable for York and Philadelphia counties, it must be undesirable for other counties, but why restrict it to an incorporated cemetery. If it is objectionable to a cemetery does it make any difference if it is incorporated or not? What is the objection to having a slaughter house near a cemetery or what is the objection to a bone dust factory? Certainly those occupying the cemetery won't object. (Title 9, P. S. Section 9, 1857 P. L. 144).

Under a law passed in 1835, an infant in consequence of vagrancy or incorrigible or vicious conduct may be a subject for guardianship of the managers of the house of refuge. It is possible that we still can conceive of an infant being a vagrant or a vicious infant and of vicious conduct beyond the control of a parent or guardian, requiring committment to a house of refuge? If we mean children why doesn't the act say so, or do we still believe that some vicious spell by some witch has obtained control of the infant. I thought we had become more civilized and that witchery finds its place only on Halloween day. (Title 11 P. S. Sec. 493, 1835, P. L. 133)

Under a law passed in 1725, a person cannot be arrested in a civil case if he is a freeholder, having 50 acres of land well seated and 12 acres well cleared and improved, or a dwelling house worth fifty pounds, cleared estate or unimproved land to the value of fifty pounds, unless it be in the King's Case and so forth. I am sure that there would be hardly a lawyer of the many thousands in Pennsylvania who could tell me what a King's Case is.

But why restrict the value of his estate to fifty pounds or to pounds at all. Certainly no one will contend that we still find it necessary to continue in our laws reference to the King of England or to English currency. After more than 150 years we certainly can amend our laws to bring them in conformity with American terms. Even when the above freeholder exempted from arrest is taken into custody, he shall be entitled to collect 30 shillings cost. Were such claim made today the courts would have to engage foreign exchange experts to calculate from day to day the conversion value of shillings into American money. (Title 12, P. S. Sec. 25, March 20, 1725, I Sm. L. 164, Sec. 1) (Title 12, Sec. 253, March 20, 1725 I Sm. L. 164, Sec. 3)

Where lawyers or justices, clerks of the courts, lawfully proceed against such a freeholder, the Supreme Court of this Province, and note that the law says province, not state, may place a fine of not exceeding ten pounds. Need I say further that this law requires overhauling if not repeal, and a new one enacted. (Title 12, P. S. Sec. 254, March 20, 1725, I Sm. L. 164, Sec. 4)

Under a law passed in 1842, it is unlawful to grant a tavern license to a sheriff or to a house occupied by a sheriff, unless situated in the county town, but the restriction is not to apply to the counties of Carbon, Clearfield, Juniata, Indiana, Luzerne, Mifflin and Montgomery. Of course this law would be obsolete by virtue of the enactment of the Liquor Laws, but why continue this law in effect? (Title 37 P. S. Sec. 1, 1842, P. L. 192)

Under a law passed in 1730, a sheriff or under-sheriff or keeper of the jail cannot conduct a tavern and is also prohibited from selling any liquor, cider or punch. (Title 37 P. S. Sec. 2, Feb. 14, 1730, I Sm. L. 181, Sec. 19.)

Under a law passed in 1834, under penalty of $5, an inn-keeper is compelled to provide good entertainment for a man and a horse. We know of many ways a man be entertained, but what about the horse? To entertain a horse imposes quite a problem on any inn-keeper. We can probably engage Tom Sawyer's Band for a horse, but then horses have all kinds of tastes too. (Title 37, P. S. Sec. 31, 1834, P. L. 117.)

Under an act passed in 1705, beer and ale are required to be sold by wine measure if the persons drink it in the ale-house or tavern, but by beer measure if carried off the premises, with a penalty of ten shillings for violation. Many of us who remember how beer was sold in the old days can understand that this means the old "growler", but try and get it in these quantities today. It may taste better but why kid ourselves with this law in our statute book. (Title 37 P. S. Sec. 32, 1705 I Sm. L. 43, Sec. 1.)

Under a law passed in 1731, "Bake Houses in the city of Philadelphia to be of brick, and so forth. No person, after the time aforesaid within the said city, shall occupy the trade of a biscuit or soft bread baker, but in a bake-house built of brick or stone, and arched over with brick, if the place will admit thereof, or otherwise to be well ceiled with plastering, the floor of the said bake-house paved with brick or stone; the crown of the oven to be secured by carrying up the foundation walls square and filling the same with gravel or sand at least six inches higher than the top of the oven; and the chimney to be arched in the said bake-house, without any timber in or near adjoining to the same." I imagine that the biscuits taste better when baked in such an establishment. (Title 43 P. S. Sec. 341, Feb. 6, 1731, I Sm. L. 194, Sec. 1.)

Do not make the mistake in believing that every later law repeals any prior law with which it is in conflict, or that a law which has not been referred to for many years, has become automatically obsolete. It is necessary that some action be taken to be sure that obsolete laws are wiped off the statute books by specific repeal, or declared obsolete.

In conclusion, it is interesting to observe that in 1777 the General Assembly declared that they were not bound by the laws that came down through the King or by virtue of the English statutes, but it became necessary in 1807 for a law to be enacted requiring the judges of the Supreme Court to determine which laws were still in effect.

There are too many laws on our statute books now. Some state legislatures have already passed legislation to remove obsolete laws now may be the proper time to undertake the thorough investigation which will determine what statutes are obsolete and of no value or might require some revision so that we may not wake up tomorrow and find some old statutes being dusted off to tell us how we must live. We read of such instances day after day.

PERMISSION TO ADDRESS HOUSE

Mr. JAMES asked and obtained unanimous consent to address the House.

Mr. Speaker, as Chairman of the committee having custody of the bill which Mr. Sarge has just referred to, I would like to say that some time ago I reached down in the very bottom of the old pickle barrel, and I didn't consign this bill to the place he supposes probably it might have been consigned to. I consigned it to the ethereal fastnesses where the ancient gods of our pagan forefather keep eternal watch in the corridors of time. I think that some of the purposes of the bill will be more interesting to those who have nothing more to do than look into the sins of the earth man. I should think, however, that it might be proper to inform the House of the real reason why the bill referred to has not had greater attention. The bill provides for so many things beyond those which Mr. Sarge has taken the time to tell us about that we simply need to refer to the appropriation provision. The bill call for an appropriation of ten thousand dollars to do two hundred thousand dollars worth of work, and the committee has felt, I think, that if Mr. Sarge had called for an appropriation of from a quarter to a half million dollars that we might have then felt that this bill should be reported out.

REPORTS FROM COMMITTEES

Mr. STONIER from the Committee on Elections, reported as committed, House Bill No. 267, entitled:

An Act to add section nine hundred seventy-eight and one-tenth to the act aproved the third day of June, one thousand nine hundred thirty-seven (P. L. 1333), entitled "An act concerning elections, including general, municipal, special and primary elections, the nomination of candidates, primary and election expenses and election contests; creating and defining membership of county boards of elections; imposing duties upon the Secretary of the Commonwealth, courts, county boards of elections, county commissioners; imposing penalties for violation of the act, codifying, revising and consolidating the laws relating thereto; and repealing certain acts and parts of acts relating to elections," requiring persons nominated for office at a primary election who have not paid the filing fee required for the filing of nomination petitions for such office to pay such fee, and declaring vacancies in party nominations for failure to pay the same.

Mr. WALTER E. ROSE from the Committee on Cities—Third Class reported as committed, House Bill No. 666, entitled:

An Act to further amend section two thousand five hundred and sixty-six of the act, approved the twenty-third day of June, one thousand nine hundred and thirty-one (P. L. 932), entitled "An act relating to cities of the third class; and amending, revising, and consolidating the law relating thereto," providing for the appointment of delinquent tax collectors and defining their powers, duties and responsibilities.

Mr. COOPER from the Committee on Judiciary General reported as committed, House Bill No. 718, entitled:

An Act to repeal sections twenty-nine and thirty-two, and to amend sections thirty-one and thirty-three of the act, approved the sixteenth day of May, one thousand nine hundred and twenty-three (P. L. 207), entitled "An act providing when, how, upon what property and to what extent, liens shall be allowed for taxes and for municipal improvements, for the removal of nuisances and for water rents or rates, sewer rates, and lighting rates; for the procedure upon claims filed therefor; the methods for preserving such liens and enforcing payment of such claims; the effect of judicial sales for the properties liened; the distribution of the proceeds of such sales, and the redemption of the property therefrom; for the lien and collection of certain taxes heretofore assessed, and of claims for municipal improvements made and nuisances removed, within six months before the passage of this act; and for the procedure on tax and municipal claims filed under other and prior acts of Assembly," further regulating the sale of real property for the non-payment of tax and municipal claims where a municipality is the claimant; providing for the discharge of all liens, mortgages, ground rents, estates and claims against such property by such sale, and eliminating the right of redemption after such sales.

Mr. FOX from the Committee on Highways reported as committed, House Bill No. 1036, entitled:

An Act providing for the survey and establishment of a relief highway in the County of Dauphin as a part of the State highway system; authorizing the taking of streets and roads and the laying out of new streets and roads; providing for the taking of private property under the power of eminent domain, the determination and payment of damages, and the construction, reconstruction, improvement and maintenance of said highway, by the Commonwealth; authorizing the Commonwealth to accept voluntary contributions from certain political subdivisions, and the use of Federal moneys if available; imposing certain duties on the Secretary of Highways, and making an appropriation.

Mr. O'CONNOR from the Committee on Ways and Means, reported as committed, House Bill No. 1108, entitled:

An Act to further amend the act, approved the seventh day of May, one thousand nine hundred and twenty-seven (P. L. 859), entitled "A supplement to the act, approved the twentieth day of June, one thousand nine hundred and nineteen (P. L. 521), entitled 'An act providing for the imposition and collection of certain taxes upon the transfer of property passing from a decedent who was a resident of this Commonwealth at the time of his death, and of property within this Commonwealth of a decedent who was a non-resident of the Commonwealth at the time of his death; and making it unlawful for any corporation of this Commonwealth, or national banking association located therein, to transfer the stock of such corporation or banking association, standing in the name of any such decedent, until the tax on the transfer thereof has been paid; and providing penalties; and citing certain acts for repeal,' imposing additional taxes equal to Federal credits," by further defining and imposing such additional taxes as estate taxes; prescribing and changing the method of computing such taxes; and decreasing the interest penalty on unpaid taxes.

Mr. TAHL from the Committee on Elections, reported as committed Senate Bill No. 305, entitled:

An Act to further amend the act approved the thirtieth day of May one thousand nine hundred thirty-seven (P. L. 115) entitled "An act to provide for the permanent personal registration of electors in cities of the first class as a condition of their right to vote at elections and primaries and their enrollment as members of political parties as a further condition of their right to vote at primaries prescribing certain procedure for the conduct of elections and primaries and the challenge and proof of qualifications of electors and prescribing the powers and duties of citizens parties bodies of electors registration commissions commissioners registrars inspectors of registration and other appointees of registration commission election officers municipal officers departments and bureaus police officers courts judges prothonotaries sheriffs

county commissioners peace officers county treasurers county controllers registrars of vital statistics real estate brokers rental agents certain public service companies persons firms and corporations operating vehicles for moving furniture and household goods and boards of school directors and imposing penalties" by changing certain provisions of said act relating to removal notices and eliminating electors' rights to file removal notices in certain cases.

Mr. MAHANY from the Committee on Judiciary General, reported as amended, House Bill No. 259, entitled:

An Act to validate certain acknowledgments and to regulate the effect thereof.

Mr. McCLESTER from the Committee on Cities—Third Class, reported as amended, House Bill No. 689, entitled:

An Act to enable cities of the third class to adopt the city manager plan of government; providing the procedure for the adoption or discontinuance thereof; making suitable provisions for the conduct of city government thereunder and in connection therewith imposing certain duties on mayors, city councils, county commissioners, and election officers.

Mr. ROOT from the Committee on Ways and Means reported as amended, House Bill No. 1037, entitled:

An Act to amend sections two three thirteen and twenty-seven of the act approved the twentieth day of June one thousand nine hundred and nineteen (P. L. 521) entitled as amended "An act providing for the imposition and collection of certain taxes upon the transfer of property passing from a decedent who was a resident of this Commonwealth at the time of his death and of property within this Commonwealth of a decedent who was a nonresident of the Commonwealth at the time of his death defining and taxing transfers made in contemplation of death defining as a transfer and taxing the right of survivorship in property as to which such right exists and making it unlawful for any corporation of this Commonwealth or national banking association located therein to transfer the stock of such corporation or banking association standing in the name of any such decedent until the tax on the transfer thereof has been paid and providing penalties and citing certain acts for repeal" by changing the requirements for the allowance of deductions for a decedent's debts by changing the provisions requiring security for the payment of inheritance tax by residents and nonresidents on future interests where payment is postponed by decreasing the interest penalty on unpaid taxes; by eliminating appeals to the Superior Courts; and by extending the time within which appeals may be taken from the appraisement of property of resident and nonresident decedents for inheritance tax purposes.

Mr. McKINNEY from the Committee on Judiciary General reported as amended, Senate Bill No. 53, entitled:

An Act relating to the practice procedure regulations and adjudications of departments departmental administrative boards and commissions independent administrative boards and commissions officers and other administrative agencies of this Commonwealth and judicial review thereof and preserving equitable jurisdiction in certain cases and providing for certain exceptions.

Mr. McKINNEY from the Committee on Judiciary General reported as amended, Senate Bill No. 54, entitled:

An Act providing for the Pennsylvania Register for the publication and distribution of certain orders regulations rules notices proclamations and similar instruments imposing powers and duties on the Legislative Reference Bureau the Department of Property and Suplies creating the Pennsylvania Register Board and defining its powers and duties and making an appropriation for payment of expenses and costs of publication and distribution of the Pennsylvania Register.

Mr. ROWLEY from the Committee on Judiciary General reported as amended, Senate Bill No. 345, entitled

An Act to further amend the act approved the first day of June one thousand nine hundred thirty-seven (P. L. 1168) entitled "An act to protect the right of employes to organize and bargain collectively creating the Pennsylvania Labor Relations Board conferring powers and posing duties upon the Pennsylvania Labor Relations Board officers of the State government and courts providing for the right of employes to organize and bargain collectively declaring certain labor practices by employers to be unfair further providing that representatives of a majority of the employes be the exclusive representatives of all the employes authorizing the board to conduct hearings and elections and certify as to representatives of employes for purposes of collective bargaining empowering the board to prevent any person from engaging in any unfair labor practice and providing a procedure for such cases including the issuance of a complaint the conducting of a hearing and the making of an order empowering the board to petition a court of common pleas for the enforcement of its order and providing a procedure for such cases providing for the review of an order of the board by a court of common pleas on petition of any person aggrieved by such order and establishing a procedure for such cases providing for an appeal from the common pleas court to the Supreme Court providing the board with investigatory powers including the power to issue subpoenas and the compelling of obedience to them through application to the proper court providing for service of papers and process of the board prescribing certain penalties" further regulating the right to and procedure on appeals to court.

Mr. GATES from the Committee on Cities—Second Class reported as committed, House Bill No. 608, entitled:

An Act to further amend section six of the act approved the fifth day of May one thousand nine hundred and eleven (P. L. 198) entitled "An act to establish a county court for the county of Allegheny and prescribing its powers and duties regulating the procedure therein and providing for the expenses thereof" by conferring upon said county court jurisdiction in certain criminal actions and in divorce appeals from the Workmen's Compensation Board and appeals from the Pennsylvania Liquor Control Board.

SENATE MESSAGES

HOUSE BILL CONCURRED IN BY SENATE

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 222.

An Act to amend section one of the act approved the twenty-second day of May one thousand nine hundred thirty-three (P. L. 851) entitled "An act fixing the pay and mileage of jurors and witnesses" changing the pay of jurors

With the information that the Senate has passed the same without amendment.

AMENDED HOUSE BILL RECALLED FROM THE GOVERNOR CONCURRED IN BY SENATE

The Clerk of the Senate being introduced, returned

bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 440.

An Act to further amend section seven hundred two of the act approved the fifth day of May one thousand nine hundred thirty-three (P. L. 289) entitled "An act relating to nonprofit corporations defining and providing for the organization merger consolidation and dissolution of such corporations conferring certain rights powers duties and immunities upon them and their officers and members prescribing the conditions on which such corporations may exercise their powers providing for the inclusion of certain existing corporations of the first class within the provisions of this act prescribing the terms and conditions upon which foreign nonprofit corporations may be admitted or may continue to do business within the Commonwealth conferring powers and imposing duties on the courts of common pleas prothonotaries of such courts recorders of deeds and certain State departments commissions and officers authorizing certain local public officers and State departments to collect fees for services required to be rendered by this act imposing penalties and repealing certain acts and parts of acts relating to corporations" by further regulating the method of approval of amendments of articles of incorporation of nonprofit corporations by the members thereof

Said bill having been recalled from the Governor for the purpose of amendment, the vote had on final passage and third reading reconsidered in the House and the bill amended, in which amendments the Senate has concurred.

The SPEAKER. The Chair requests the gentleman from Cambria, Mr. Rose to preside.

MR. WALTER E. ROSE IN THE CHAIR

BILLS ON FIRST READING

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 34, entitled:

An Act prescribing temporary emergency war provisions with respect to the administration of certain provisions of the school laws of this Commonwealth relating to days for school to be in session closing schools and suspending classes temporary assignment and reassignment of teachers extension of transportation facilities payment of tuition on lieu of transportation and granting temporary farm and conservation employment certificates for certain pupils under certain conditions authorizing boards of school directors or boards of public education on the recommendation of the district or county superintendent and with the approval of the Superintendent of Public Instruction to put such provisions into operation and to suspend the provisions of existing school laws inconsistent therewith upon findings by such boards.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 165, entitled:

An Act to amend section six hundred seven, and to further amend section seven hundred one of the act, approved the ninth day of April, one thousand nine hundred and twenty-nine (P. L. 177), entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments, boards, commissions, and officers thereof, including the boards of trustees of State Normal Schools, or Teachers Colleges; abolishing, creating, reorganizing or authorizing the reorganization of certain administrative departments, boards, and commissions; defining the powers and duties of the Governor and other executive and administrative officers, and of the several administrative departments, boards, commissions, and officers; fixing the salaries of the Governor, Lieutenant Governor, and certain other executive and administrative officers; providing for the appointment of certain administrative officers, and of all deputies and other assistants and employes in certain departments, boards, and commissions; and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments, boards and commissions shall be determined," by authorizing the appointment of certified public accountants for the purpose of auditing the accounts of the Auditor General, and requiring the Auditor General to submit all books, records and papers to such accountants.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 311, entitled:

An Act relating to appointments reclassification and promotions made under any civil service system of this Commonwealth after the effective date of this act until a period after the cessation of hostilities making such appointments of war duration providing for examinations at the end of such period suspending inconsistent laws and prohibiting the establishment of civil service systems by rule or regulation for a limited period and suspending powers of the Personnel Director of the State Civil Service Commission and conferring powers on the State Civil Service Commission.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 388, entitled:

An Act to amend sections three and four of and to add section 6.1 to the act, approved the thirty-first day of July, one thousand nine hundred forty-one (P. L. 644), entitled "An act to authorize housing authorities to undertake the development or administration of projects to provide safe and sanitary dwellings for persons engaged in national defense activities who would not otherwise be able to secure such dwellings within the vicinity thereof; to limit the initiation of the development of such projects until December 31, 1943; to authorize housing authorities to cooperate with or act as agent of the Federal Government in the development and administration of such projects of the Federal Government, to acquire or lease projects and to sell or lease certain projects to the Federal Government; to authorize public bodies to assist such projects of housing authorities and of the Federal Government to provide safe and sanitary dwellings for persons engaged in national defense activities," by changing the definition of 'Persons engaged in national defense activities' extending the time in which the development of projects may be initiated thereunder and authorizing housing authorities to cooperate with and assist counties, cities, boroughs and incorporated towns.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 389, entitled:

An Act to amend clause (g) of section three of, and to add section fourteen and one-tenth to, the act approved

the twenty-eighth day of May, one thousand nine hundred thirty-seven, (P. L. 955), entitled "An act to promote public health, safety, morals, and welfare by declaring the necessity of creating public bodies, corporate and political, to be known as housing authorities to engage in slum clearance, and to undertake projects, to provide dwelling accommodations for persons in low income; providing for the organization of such housing authorities; defining their powers and duties; providing for the exercise of such powers, including the acquisition of property by purchase, gift or eminent domain, the renting and selling of property, and including borrowing money, issuing bonds, and other obligations, and giving security therefor; prescribing the remedies of obligees of housing authorities; authorizing housing authorities to enter into agreements, including agreements with the United States, the Commonwealth, and political subdivisions and municipalities thereof; defining the application of zoning, sanitary, and building laws and regulations to projects built or maintained by such housing authorities; exempting the propery and securities of such housing authorities from taxation; and imposing duties and conferring powers upon the State Board of Housing, and certain other State officers and departments," authorizing housing authorities to cooperate with and assist counties cities boroughs and incorporated towns..

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 11, entitled:

An Act to amend section eighteen of the act approved the thirteenth day of June one thousand eight hundred thirty-six (P. L. 551) entitled "An act relating to roads highways and bridges" authorizing vacation of parts of public roads where termini of remaining parts of road are not in public highway or place of public resort.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 63, entitled:

An Act to amend the act approved the twenty-second day of April, one thousand nine hundred and thirty-seven (P. L. 394), entitled "An act to authorize the Secretary of Highways to disregard terminal points in relocating State highway routes under certain conditions," by adding certain other conditions under which the Secretary of Highways may disregard terminal points.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 64, entitled:

An Act authorizing the Secretary of Highways to establish construct and maintain parallel or approximately parallel State highways in townships, boroughs, incorporated towns and cities in certain cases, providing for the payment of property damages resulting therefrom and authorizing the Secretary of Highways to control the direction of the flow of traffic thereover.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 65, entitled:

An Act to further amend section one of the act approved the twenty-seventh day of April one thousand nine hundred and twenty-seven (P. L. 392) entitled "An act providing that highways or sections thereof abandoned as State highway routes shall revert for maintenance to the party or parties responsible for the maintenance of said highways prior to their coming under the jurisdiction of the Department of Highways" by providing that sections of highways abandoned by relocation shall be maintained by and at the expense of the township borough incorporated town or city within which they are located after being improved and repaired by the Department of Highways and by adding a new section to provide that portions or sections of the old highway which are not included within the changed altered or established widths be considered vacated if such portions or sections are not of the full width of the highway as previously established.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 86, entitled:

An Act to amend paragraph (f) of section two thousand three and paragraph (e) of section two thousnd five of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the organization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commission shall be determined" by extending the authority of the Department of Highways to rent and sell certain equipment and material.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 105, entitled:

An Act to amend section two thousand three of the act approved the ninth day of April one thousand nine hundred and twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation

of the deputies and all other assistants and employes of certain department boards and commissions shall be determined" authorizing the Department of Highways to condemn rights-of-way as agent for the Federal Government.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of Senate Bill No. 220, entitled:

An Act to further amend section six of the act approved the eighteenth day of June one thousand nine hundred and twenty-three (P. L. 840) entitled "An act concerning declaratory judgments and decrees and to make uniform the law relating thereto" further defining the circumstances under which the remedy provided is available.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of Senate Bill No. 359, entitled:

An Act to amend section sixteen of the act approved the twelfth day of July one thousand nine hundred thirteen (P. L. 711) entitled "An act establishing a court for the county of Philadelphia prescribing its jurisdiction and powers providing for the service of its writs process or warrants by the proper officers of the county or city of Philadelphia regulating the procedure therein and appeals therefrom and providing for the expenses thereof" by extending its powers to include the issuance of writs of habeas corpus.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

THE SPEAKER (Ira T. Fiss) IN THE CHAIR

The SPEAKER. The Chair thanks the gentleman from Cambria, Mr. Rose, for presiding.

BILLS ON SECOND READING

There being no objection Senate Bill No. 472, Printer's No. 238, was passed over at the request of the SPEAKER.

Agreeably to order,
The House proceeded to the second reading and consideration of House Bill No. 387, entitled:

An Act relieving drivers of motor vehicles owned or used by volunteer fire companies from personal liability for damages to persons or property resulting from the operation of such vehicles in going to attending or returning from fires or while engaged in other proper uses.

The first section was read.
On the question,
Will the House agree to the section?

BILL RECOMMITTED

Mr. McKINNEY. Mr. Speaker, I move that this bill be recommitted to the Committee on Judiciary General for the purpose of further study and possible amendment.
The motion was agreed to.

Agreeably to order,
The House proceeded to the second reading and consideration of Senate Bill No. 521, entitled:

An Act relating to reservation of powers of the Commonwealth municipalities and political subdivisions thereof with respect to lands purchased or condemned by the United States.

And said bill having been read at length the second time and agreed to
Ordered, To be transcribed for third reading.

Agreeably to order,
The House proceeded to the second reading and consideration of Senate Bill No. 68, entitled:

An Act to further amend subsection one of section four of the act approved the eighteenth day of July one thousand nine hundred seventeen (P. L. 1043) entitled "An act establishing a public school employes' retirement system and creating a retirement board for the administration thereof establishing certain funds from contributions by the Commonwealth and contributing employes defining the uses and purposes thereof and the manner of payments therefrom and providing for the guaranty by the Commonwealth of certain of said funds imposing powers and duties upon boards having the employment of public school employes exempting annuities allowances returns benefits and rights from taxation and judicial process and providing penalties" increasing the membership of the Public School Employes' Retirement Board.

And said bill having been read at length the second time and agreed to
Ordered, To be transcribed for third reading.

Agreeably to order,
The House proceeded to the second reading and consideration of Senate Bill No. 137, entitled:

An Act to validate and quiet the title to real estate in this Commonwealth held by a foreign corporation unauthorized to transact business in Pennsylvania and heretofore conveyed to a citizen of the United States or a corporation authorized to hold such real estate.

And said bill having been read at length the second time and agreed to
Ordered, To be transcribed for third reading.

Agreeably to order,
The House proceeded to the second reading and consideration of House Bill No. 5, entitled:

An Act making an appropriation to The Glen Mills Schools situate in Delaware County Pennsylvania.

And said bill having been read at length the second time and agreed to
Ordered, To be transcribed for third reading.

Agreeably to order,
The House proceeded to the second reading and consideration of House Bill No. 445, entitled:

An Act making an appropriation to the Pennsylvania Historical Commission for the preservation restoration and rebuilding of certain structures at the Ephrata Cloisters.

And said bill having been read at length the second time and agreed to
Ordered, To be transcribed for third reading.

Agreeably to order,
The House proceeded to the second reading and consideration of House Bill No. 446, entitled:

An Act making an appropriation to the Department of Property and Supplies to be used with the advice and cooperation of the Pennsylvania Historical Commission for securing plans and specifications for the complete restoration rebuilding construction improvement and development of the Ephrata Cloisters and for the expenses of necessary archeological investigations relative thereto.

And said bill having been read at length the second time and agreed to

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 526, entitled:

An Act making an appropriation to the Pennsylvania Department of Highways.

And said bill having been read at length the second time and agreed to

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 560, entitled:

An Act to further amend section four hundred two of the act approved the fifth day of December one thousand nine hundred thirty-six (P. L. 2897 1937) entitled "An act establishing a system of unemployment compensation to be administered by the Department of Labor and Industry and its existing and newly created agencies with personnel (with certain exceptions) selected on a civil service basis requiring employers to keep records and make reports and certain employers to pay contributions based on payrolls to provide moneys for the payment of compensation to certain unemployed persons providing procedure and administrative details for the determination payment and collection of such contributions and the payment of such compensation providing for cooperation with the Federal Government and its agencies creating certain special funds in the custody of the State Treasurer and prescribing penalties" to correct an error in previous amendment in connection with provisions covering ineligibility for compensation.

And said bill having been read at length the second time and agreed to

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 714, entitled:

An Act to further amend section five hundred nine of the act approved the eleventh day of July one thousand nine hundred twenty-three (P. L. 998) entitled "An act for the prevention and treatment of mental diseases mental defect epilepsy and inebriety regulating the admission and commitment of mental patients to hospitals for mental diseases and institutions for mental defectives and epileptics governing the transfer discharge interstate rendition and deportation of mental patients providing for the payment by individuals counties or the Commonwealth of the cost of the admission care and discharge of mental patients and imposing penalties" by providing for the payment in certain cases of a portion of the sums collected by the Commonwealth from private sources to the political subdivisions which have contributed to the cost of care and maintenance of such patients.

And said bill having been read at length the second time and agreed to

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 721, entitled:

An Act to amend section six of the act approved the third day of June one thousand nine hundred and fifteen (P. L. 954) entitled "An act to protect the public health and safety by regulating the erection alteration repair use occupancy maintenance sanitation and condemnation of dwellings two-family dwellings rooming-houses and tenements by regulating the use maintenance and sanitation of the ground surrounding the same the adjoining buildings and all vacant land in cities of the first class providing for their inspection the abatement of nuisances the vacating of uninhabitable houses and the filing of liens creating a Division of Housing and Sanitation and providing penalties for violations of the provisions thereof and repealing all laws inconsistent therewith" by providing for certain exceptions to the applicability of the provisions of that section.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 745, entitled:

An Act to further amend clauses six and nine of section one of the act approved the twenty-seventh day of June one thousand nine hundred twenty-three (P. L. 858) entitled "An act establishing a State employes' retirement system and creating a retirement board for the administration thereof establishing certain funds from contributions by the Commonwealth and contributing State employes defining the uses and purposes thereof and the manner of payments therefrom and providing for the guaranty by the Commonwealth of certain of said funds imposing powers and duties upon the heads of departments in which State employes serve excepting annuities allowances returns benefits and rights from taxation and judicial process and providing penalties" further defining State employes and original members.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 763, entitled:

An Act to amend section one of the act approved the sixteenth day of July one thousand nine hundred forty-one (P. L. 405) entitled "An act providing a method for supplying perfecting and recording birth records of certain persons whose births have not heretofore been made a public record or whose record of birth is incomplete or incorrect making such records competent legal evidence prescribing fees and imposing certain duties upon the orphans' court and the Bureau of Vital Statistics of the Department of Health authorizing the orphans' court to appoint masters for the determination of certain questions and requiring counties to pay the compensation of such masters" further regulating the proofs required.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 814, entitled:

An Act to further amend section two of the act approved the seventh day of June one thousand nine hundred seventeen (P. L. 600) entitled "An act providing that appointive officers and employes employed by the Commonwealth of Pennsylvania in its civil service or by any department bureau commission or office thereof or by any county municipality township or school district shall not be deemed or held to have resigned or abandoned their offices or employments by reason of enlistment enrollment or draft in the military or naval service of the United States or any branch or unit thereof in time of war or contemplated war prohibiting the removal from their offices or employments of such officers and employes during the period of their service in the Army or Navy directing that one-half of the salaries or wages of such officers or employes as have dependent wives children or parents and not exceeding two thousand dollars per annum be paid during the term of their service in the Army or Navy to such dependents authorizing the employment during said term of substitutes to perform the duties theretofore performed by such officers or employes respectively and providing for the compensation of such substitutes" by changing the name Pennsylvania Motor Police Retirement System to Pennsylvania State Police Retirement System.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 923, entitled:

An Act making an appropriation to the Cresson Volunteer Fire Company for the protection of State Property.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 936, entitled:

An Act to further amend the first paragraph of section five hundred three of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 343) entitled "An act relating to the finances of the State government providing for the settlement assessment collection and lien of taxes bonus and all other accounts due the Commonwealth the collection and recovery of fees and other money or property due or belonging to the Commonwealth or any agency thereof including escheated property and the proceeds of its sale the custody and disbursement or other disposition of funds and securities belonging to or in the possession of the Commonwealth and the settlement of claims against the Commonwealth the resettlement of accounts and appeals to the courts refunds of moneys erroneously paid to the Commonwealth auditing the accounts of the Commonwealth and all agencies thereof of all public officers collecting moneys payable to the Commonwealth or any agency thereof and all receipts of appropriations from the Commonwealth and imposing penalties affecting every department board commission and officer of the State government every political subdivision of the State and certain officers of such subdivisions every person association and corporation required to pay assess or collect taxes or to make returns or reports under the laws imposing taxes for State purposes or to pay license fees or other moneys to the Commonwealth or any agency thereof every State depository and every debtor or creditor of the Commonwealth" by requiring cash payment of certain refunds due from the Commonwealth and making an appropriation to the Board of Finance and Revenue for such purposes.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 946, entitled:

An Act making an appropriation to the Women's Medical College of Pennsylvania located at East Falls Philadelphia Pennsylvania.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 947, entitled:

An Act making an appropriation to the Pennsylvania Museum and School of Industrial Art Philadelphia.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 949, entitled:

An Act making an appropriation to the Department of Public Assistance and providing for certain allocations therefrom for the purpose of carrying out the Public Assistance Law for the two fiscal years beginning June first one thousand nine hundred forty-three and for the payment of assistance and expenses accrued or incurred prior to and remaining unpaid on May thirty-first one thousand nine hundred forty-three.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 951, entitled:

An Act making an appropriation to the Board of Trustees of the Philadelphia Museum Philadelphia.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 954, entitled:

An Act making an appropriation to the Downingtown Industrial and Agricultural School Downingtown Pennsylvania.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 956, entitled:

An Act making an appropriation to the Department of Commerce out of the Motor License Fund for the proper conduct of a specific portion of its work.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 957, entitled:

An Act making an appropriation to the Trustees of Temple University at Philadelphia Pennsylvania.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 960, entitled:

An Act making an appropriation to the Trustees of the University of Pennsylvania.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 964, entitled:

An Act making an appropriation to Sleighton Farm School for Girls situate in Delaware County Pennsylvania.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 973, entitled:

An Act making an appropriation to the Trustees of the University of Pittsburgh for the general maintenance of and the purchase of apparatus and equipment for the University of Pittsburgh and for the maintenance of teaching facilities in hospitals for students in the School of Medicine.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 976, entitled:

An Act making an appropriation to the Moore Institute of Art Science and Industry formerly Philadelphia School of Design for Women at Philadelphia Pennsylvania.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 983, entitled:

An Act creating the Farm Labor Commission defining its objects powers and duties providing for the appointment of a secretary and other officers and employes and the fixing of their salaries imposing duties on the Governor and making an appropriation.

The first section was read.

On the question,

Will the House agree to the section?

BILL RECOMMITTED

Mr. STOCKHAM. Mr. Speaker, I move that this bill be recommitted to the Committee on Appropriations.

The motion was agreed to.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1029, entitled:

An Act making an appropriation to the Trustees of the Pennsylvania State College for the use of the School of Agriculture for the purpose of conducting research and investigation of problems affecting livestock and agricultural products.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1055, entitled:

An Act to further amend the act approved the fifth day of December one thousand nine hundred and thirty-six (P. L. 2897 1937) entitled "An act establishing a system of unemployment compensation to be administered by the Department of Labor and Industry and its existing and newly created agencies with personnel (with certain exceptions) selected on a civil service basis requiring employers to keep records and make reports and certain employers to pay contributions based on payrolls to provide moneys for the payment of compensation to certain unemployed persons providing procedure and administrative details for the determination payment and collection of such contributions and the payment of such compensation providing for cooperation with the Federal Government and its agencies creating certain special funds in the custody of the State Treasurer and prescribing penalties" changing the provisions thereof and the rights obligations and procedure thereunder.

The first section was read.

On the question,

Will the House agree to the section?

Mr. COHEN offered the following amendments:

Amend Sec. 1 (Sec. 4), page 3, line 3, by striking out the light-faced bracket at the beginning of said line.

Amend Sec. 1 (Sec. 4), page 3, line 7, by striking out the light-faced bracket at the end of said line.

Amend Sec. 1 (Sec. 4), page 3, line 8, by striking out the light-faced bracket at the beginning of said line.

Amend Sec. 1 (Sec. 4), page 3, line 10, by striking out the light-faced bracket at the end of said line.

Amend Sec. 1 (Sec. 4), page 3, line 11, by striking out the light-faced bracket at the beginning of said line.

Amend Sec. 1 (Sec. 4), page 3, line 27, by striking out the light-faced bracket at the end of said line.

Amend Sec. 1 (Sec. 4), page 3, line 28, by striking out the light-faced bracket at the beginning of said line.

Amend Sec. 1 (Sec. 4), page 3, line 29, by striking out the light-faced bracket at the end of said line.

Amend Sec. 1 (Sec. 4), page 4, line 1, by striking out the light-faced bracket at the beginning of said line.

Amend Sec. 1 (Sec. 4), page 4, line 12, by inserting after the word "unemployment" the following: "or the

first effective day of the first accumulation of four effective days."

Amend Sec. 1 (Sec. 4), page 4, line 15, by inserting after the word "or" the following: "for the first day of the first week subsequent to the thirtieth day of June, one thousand nine hundred forty-two for which such individual first claims."

Amend Sec. 1 (Sec. 4), page 4, line 15, by striking out the light-faced bracket at the end of said line.

Amend Sec. 1 (Sec. 4), page 4, lines 16 to 28, both inclusive, by striking out all of said lines.

Amend Sec. 1 (Sec. 4), page 5, lines 1 to 10, both inclusive, by striking out all of said lines.

Amend Sec. 1 (Sec. 4), page 6, line 16, by inserting a light-faced bracket before the word "twenty" and after the figure "(20)"

Amend Sec. 1 (Sec. 4), page 6, line 16, by inserting after the figure "(20)" the following: "two (2)."

Amend Sec. 1 (Sec. 4), page 6, line 18, by inserting after the word "week" the following: "in covered employment."

Amend Sec. 1 (Sec. 4), page 7, line 27, by inserting a light-faced bracket before the word "twenty" and after the figure "(20)"

Amend Sec. 1 (Sec. 4), page 7, line 27, by inserting after the figure "(20)" the following: "two (2)."

Amend Sec. 1 (Sec. 4), page 20, line 6, by inserting a light-faced bracket before the word "An"

Amend Sec. 1 (Sec. 4), page 20, line 11, by inserting a light-faced bracket at the end of said line.

Amend Sec. 1 (Sec. 4), page 20, line 11, by inserting at the end of said line, the following: "means the total lack of any employment or wages payable on any day including employment not subject to this act."

Amend Sec. 1 (Sec. 4), page 22, line 5, by inserting a light-faced bracket before the word "the"

Amend Sec. 1 (Sec. 4), page 22, line 6, by inserting a light-faced bracket at the end of said line.

Amend Sec. 1 (Sec. 4), page 22, line 6, by inserting at the end of said line, the following: "any seven consecutive calendar days, or each accumulation of four effective days, which need not be consecutive.

(w) "Effective day" means a full day of total unemployment, provided such day falls within a week in which an employe had four or more days of total unemployment, and provided further, that only those days of total unemployment in excess of three days within such week, shall be deemed "effective days." An employe who is employed on a shift continuing through midnight, shall be deemed to have been employed only on the day beginning before midnight with respect to such shift."

On the question,

Will the House agree to the amendments?

Mr. ALSPACH. Mr. Speaker, I desire to interrogate the gentleman from Philadelphia, Mr. Cohen.

The SPEAKER. Will the gentleman from Philadelphia permit himself to be interrogated?

Mr. COHEN. I will, Mr. Speaker.

Mr. ALSPACH. I would like to know from the gentleman what is the purport of these amendments that comprise possibly twenty typewritten pages?

Mr. COHEN. Mr. Speaker, with the permission of the Members of the House and of the gentleman from Lancaster, amendments were offered to various sections of the bill, and I believe we can dispose of the entire subject by discussing all the amendments and in that way save the time of the House. If there is no objection, I should like to do that.

The SPEAKER. Will the House give its unanimous consent to discuss all the amendments at the same time? The Chair hears no objection. The gentleman will proceed.

Mr. COHEN. Mr. Speaker, in answer to the gentleman I will say that the proposed amendments have two definite aims, two definite purposes. One is to put into effect the principle of payments for partial employment, which is incidentally directly requested for the alleviation of the unemployment situation in the mining areas of Pennsylvania. The other portion of the amendments is to raise the amount of the benefit weeks to twenty and to raise the benefit payments to ten minimum and twenty maximum, and reduce the waiting period to one week,—and certain other amendments.

For instance, one is further to strengthen the existing provision of the law to take into the law all persons under the act who pay the contribution rather than those employing persons twenty days in twenty weeks, to make it any two days in any week. The purpose of this is to get a lot of these fly-by-night industries that come into the state and last no longer than twenty weeks in the state, and therefore, make no contribution to the fund whatsoever.

Mr. ALSPACH. Mr. Speaker, is that the answer?

Mr. COHEN. Briefly, if the gentleman wants any particular phase of it, I will be glad to discuss it.

Mr. ALSPACH. Do I understand that this amendment simply provides for partial unemployment compensation?

Mr. COHEN. That is one of the purposes, Mr. Speaker, that is right.

Mr. ALSPACH. Does the gentleman know how many states of the union have partial unemployment compensation insurance?

Mr. COHEN. I do not know the exact number, but I will take the gentleman's statement on it.

Mr. ALSPACH. Does the gentleman know how many states have a maximum of twenty dollars a week benefit?

Mr. COHEN. No, Mr. Speaker. My recollection is that various states have various maximums. I believe—I am not certain,—the gentleman has a chart,—I believe that there are twenty states that have twenty dollars a week. I believe there are some states that have more, but I am not certain.

Mr. ALSPACH. For the information of the House, Mr. Speaker, since the question has been raised as to how many states do have a twenty dollar maximum benefit I would like to state that there are exactly three in the entire forty-eight that have maximum benefits of twenty dollars, and there are, I should say ten that have as high as we have and the balance of them have a maximum of fifteen dollars weekly benefit.

I don't propose particularly to debate the merits of this bill on second reading, but the proposed amendments as presented are simply to try to introduce into this bill the principle of partial unemployment compensation benefits. It is not proposed by this bill that this should be introduced into our unemployment compensation law at the present time. The purpose of this bill is simply in a very few words to more or less streamline the procedure by which these reports are processed in our department, and to liberalize the benefits payable, especially in the lower brackets.

You will notice we allow seven weeks compensation instead of the present minimum of three, which I think you must concede is a liberal basis. Furthermore, this particular bill provides that reports or returns shall be filed with the department yearly instead of quarterly as at the present time. At the present time we have ap-

proximately three hundred five thousand more or less persons for whom returns are being made by employers throughout the state. This means that four times a year the employer must make up a sworn statement of the wages to the Department of Labor and Industry in Harrisburg. They must be processed and filed. This particular bill seeks to amend the present act to provide that, instead of three million five hundred thousand being processed quarterly, that many shall be processed annually, and it provides for calling for reports should the occasion require and necessity demand.

I think the Members of the House will appreciate the tremendous saving that will be made to the Department and personnel in time and trouble, especially since the Department will be required to process just one-fourth as many reports because this is set up on an annual basis instead of a quarterly basis as at the present time.

I am asking you to vote down these amendments. I would like to call your attention first to the fact that this is a bill to simplify the procedure and payment of unemployment compensation benefits, and in so doing it also raises the amount payable in the lower brackets. Furthermore it is not the intent of the sponsors of this bill to provide for partial unemployment compensation benefits at this time. I understand the person who introduced these amendments has a bill which is at the present time in committee, providing for partial benefits. I understand there was another bill to accomplish the same purpose, and it was the opinion of the committee to which this bill was referred that these bills should not be brought out at this time, and therefore, I ask the Members of the House unanimously to vote down these amendments which seek to put into the present bill something that manifestly is not intended to be in the bill, and not germane to the question at issue.

Mr. COHEN. Mr. Speaker, I should like to interrogate the gentleman from Lancaster, Mr. Alspach.

The SPEAKER. Will the gentleman from Lancaster permit himself to be interrogated?

Mr. ALSPACH. I shall, Mr. Speaker.

Mr. COHEN. Mr. Speaker, the gentleman stated that the committee that considered the bills which would accomplish the purpose for which these amendments are introduced decided not to bring the bills out. Am I to understand then that it is the committee's action or the Administration's policy and decision not to permit increases of benefits and not to permit partial payments?

Mr. ALSPACH. No. Mr. Speaker, I stated just the opposite. I do not want to give the impression that the committee is refusing to bring the bill out. I simply stated that the committee has not brought these bills out.

Mr. COHEN. Will the gentleman tell me, Mr. Speaker, whether the committee has considered them?

Mr. ALSPACH. Mr. Speaker, I don't know that that would be proper at the present time. I don't know whether the gentleman is a member of the Workmen's Compensation Committee which considered those bills. I would suggest that he contact various Members of his own party who are members of that committee and to inquire of them. I do not propose to state on the floor of the House what the discussion was in committee on these bills.

Mr. COHEN. Mr. Speaker, the gentleman stated that the committee decided not to report the bill out, and I would ask whether or not in coming to that decision not to report the bill out whether they discussed the bill prior to deciding not to report it out? If the gentleman could give us that information I think he could give us the rest.

Mr. ALSPACH. Mr. Speaker, that would just be dragging the thing in by the other method. I do not propose to state what went on in committee. I think that answers itself.

Mr. COHEN. Then I ask the gentleman whether he offered the bill to the committee for discussion?

Mr. ALSPACH. All I can state, Mr. Speaker, is that I happen to be a member of the committee and I don't know a thing that went on in that committee so far as the floor of the House is concerned.

Mr. COHEN. Will the gentleman state to what extent the amount payable in the lower brackets is raised?

Mr. ALSPACH. By providing instead of the present three weeks it goes on to seven weeks. You will note that.

Mr. COHEN. Mr. Speaker, is there any difference in the minimum of the eight dollars per week?

Mr. ALSPACH. There is no listing of the minimum, no, but it will be payable for a greater number of weeks.

Mr. COHEN. Will the gentleman tell us how many persons will possibly be benefitted by this raise to seven weeks?

Mr. ALSPACH. That would be a mere guess, pure conjecture. The gentleman who asked the question does not know and I do not know the answer, and I do not know anybody who knows the answer. I do not think it is possible to estimate.

Mr. COHEN. Has the gentleman inquired of the Department how many persons in the past year came into that category?

Mr. ALSPACH. The gentleman has not.

Mr. COHEN. Does the gentleman think that a simple inquiry of the Department will develop that information?

Mr. ALSPACH. Is the gentleman inquiring whether I should or whether I will inquire of the department?

Mr. COHEN. I inquired if the gentleman does not think that it could be found out quickly? By making a call?

Mr. ALSPACH. I wouldn't say that it could be done quickly, but I would say that I do not see why we would have to go to the Department to find out how many people received payments in certain categories in the past year. If the Legislature in its wisdom desires to increase the benefits I do not think it is of particular moment to the Department.

Mr. COHEN. Will the gentleman admit that by increasing the number of weeks from three up to seven, more money will be spent out of the fund?

Mr. ALSPACH. I would concede that would be a very logical conclusion.

Mr. COHEN. But the gentleman says that the committee in its wisdom is making changes based upon no facts at all as to how much money will be spent out of the fund.

Mr. ALSPACH. Let me interrogate the gentleman from Philadelphia, Mr. Speaker.

The SPEAKER. Will the gentleman from Philadelphia permit himself to be interrogated?

Mr. COHEN. I will, Mr. Speaker.

Mr. ALSPACH. The gentleman asked me just how much money will be spent by increasing benefits. I will ask the gentleman whether he has inquired from the Department how much more money will be required for partial payments such as he has provided for in these amendments of today?

Mr. COHEN. About this time one year ago, based upon experience up to that time, I inquired as to the amount of money that would be spent to give the greatest possible rating and the amount that would be spent under these amendments offered. We found at the outside five million dollars a year would be paid in benefits for the ensuing year, taking, of course, the proper proportion, considering the decreasing rate generally, and based on the experience of the past year I would say approximately three or three and a half million dollars further burden might be added.

Mr. ALSPACH. I would ask further of the gentleman whether he proposes liberalization or—

Mr. COHEN. I do not propose liberalization, Mr. Speaker.

Mr. ALSPACH. In other words, the gentleman is in favor of that particular provision of this bill?

Mr. COHEN. Yes, Mr. Speaker, but I would like to know what it will cost. That is right. I want the workman's kind of liberalization, and that is precisely the point I raised. I don't want Arthur James' kind of liberalization. Is the gentleman through?

Mr. ALSPACH. I am, Mr. Speaker.

Mr. COHEN. May I go back to the other question that I propounded before?

The SPEAKER. Will the gentleman from Lancaster permit himself to be further interrogated?

Mr. ALSPACH. I will, Mr. Speaker.

Mr. COHEN. Does the gentleman know or has the gentleman inquired or can the gentleman tell us how much additional money his so-called liberalization may require; based on this year's experience, how much this will cost the fund?

Mr. ALSPACH. Might I answer as I did before, Mr. Speaker, that I do not know, and I cannot estimate; I defy anybody to estimate. At the present time we are in what we might call an abnormal economic condition, and I do not think that I can tell any more than Mr. Cohen can tell how many people will be unemployed tomorrow, how many people will be unemployed one-quarter of a year from now, how many people will be unemployed one year from now. I think an inquiry to the Department would result in a mere guess, and would be in the realm of mere conjecture.

Mr. COHEN. Does not the gentleman think, Mr. Speaker, that by intelligent inquiry of the Department we might be supplied with the facts and the knowledge concerning the past experience of the department in this matter, and then put to that our wisdom in arriving at a decision on the provisions of the bill?

Mr. ALSPACH. I might say, Mr. Speaker, in normal times that might be desirable, but under these abnormal conditions we have no way of determining what will happen in the future.

Mr. COHEN. Will the gentleman admit that employment in Pennsylvania is more stable than it has been in the past and possibly will be for the coming years?

Mr. ALSPACH. That is a question of what the gentleman means? Does the gentleman mean the unemployment rolls or the labor turnover or what does he mean?

Mr. COHEN. Mr. Speaker, let me put it this way, does the gentleman mean there is less unemployment and will be less unemployment in the coming year—and less unemployment in the past year than in previous years?

Mr. ALSPACH. I might say in answer to the gentleman that I remember the clerk in the Department referring to the amount of unemployment, particularly in the western part of the state. I suggest that the gentleman inquire of him. My opinion is that we have quite a few persons in this state presently employed.

Mr. COHEN. Presently employed?

Mr. ALSPACH. That is right, Mr. Speaker.

Mr. COHEN. I thank the gentleman.

Mr. Speaker, it must be admitted that these amendments are seeking to do indirectly what I have proposed to do directly when I offered my bills to establish the partial payment plan in Pennsylvania and also to increase benefits.

The bill that I introduced early in the session, as has been said, has quietly reposed in the Committee on Workmen's Compensation, and as far as I can find out or am able to determine, has not been considered and has not been presented to the membership of this House for a vote. Since we cannot get any discussion on the bill that I introduced and since this is an amendment to the Unemployment Compensation Act which my bill sought to amend, and since there is an increase in the payments to be made, I think I am entirely within my rights when I say that the amendments I offered are not repugnant to the purpose of this bill.

The history of this particular situation and the history of the Unemployment Compensation Act does not have too nice an odor in Pennsylvania. I say that because of this Administration's promise of liberalization of unemployment benefits, when that was refused in the 1941 Session, and it was made a part of the special call for the 1942 Special Session, at which time bills were again offered to liberalize unemployment benefit payments. The 1942 Special Session did not accomplish any real liberalization of unemployment benefits. Now, either we have got to take the stand that persons who must go on the unemployment compensation roll are entitled to proper recognition in the way of benefits, or they are not. We have got to take the position that we must be liberal in our attitude toward our people or not. If these amendments are turned down, then it will be an expression of this House again, and I charge that it is the expression of this Administration that the people who are thrown out of employment and are qualified under the act shall not be permitted any additional benefits when they all know that since a year ago the cost of living has increased.

I will quote a Member on the other side and use his figures only:

"the cost of living has increased sixteen percent."

The benefits that are asked for are an increase from eighteen to twenty dollars, just a matter of ten percent. In asking for the additional four weeks of benefits, or six weeks, it will make a total raise which the person receives under the act of twenty-two percent.

I know that the various labor organizations in Pennsylvania, because of pressure from the bottom up and because of their own far-seeing policy, have requested that these changes be made. They asked that they be made in 1942

and asked that they be made in 1941 because Arthur James promised a liberalization of the unemployment compensation benefits, and that is all we are asking now.

To substantiate my argument, Mr. Speaker, I would say to you that if these amendments are adopted, that in the next year and maybe in the next two years the fund will be expended possibly an additional six or seven million dollars. The gentleman says he is liberalizing the payments in certain cases, but cannot tell us how much money is going to be spent. Well, if you are going to spend any more money at all, why don't you say how much it is, and if you are ashamed to say so, then throw your amendments out entirely and say you are sticking to your position that the people are not entitled to any further benefits or any additional benefits. That is the issue, and that is what I say. Don't put in some very meager benefit raises and then go out to the public and be able to say without too much insincerity, "We increased the benefits of unemployment compensation." That is the issue, and that is why I want it on the record.

The gentleman, I know, is in a peculiar position; he has asked for an increase of some benefits in the lower brackets, and he is therefore going to insure himself and trying to assuage the conscience of the Republican party that they are doing something that they promised to do. If that is the idea then let them say so, and I will be just as frank on my side and say that that accomplishes the purpose, and that purpose is equally insincere if you are to say in your next campaign that you liberalized the benefits of the Workmen's Compensation in Pennsylvania.

On the other point, the coal industry,—and we heard last night rather eloquently about that, and I agree it is one of the industries of Pennsylvania that we must handle with considerable care, and listen to their demands very, very carefully. The main purpose of having a partial payment plan in Pennsylvania is to take care of the coal mining industry, because as a whole, as an industry there is more substantial partial employment in the coal region all over the state than in any other industry.

Right now they are working six days a week, and I hope that might be able to continue forever, but the gentleman knows and we know that the moment the demand for coal as fuel begins to recede, as soon as the war is over the coal industry will go back into a chaotic condition. What we want to do first is liberalize the payments to begin with, and secondly we want to supplement this by increased partial payments each week. We want to liberalize the payments by taking that money out of this fund, because that is what this fund is for, to help unemployment and to relieve the bad results of unemployment.

To my way of thinking it makes no difference whether a person is unemployed entirely or because of the condition of the industry to which he is assigned he is only employed a part of the week, if we take the broad social view that we must take care of persons unemployed, then there must be no distinction between a person unemployed a part of the week and a person unemployed the whole week. If you are not going to take this money out of the fund, then you say that when you go back to two days or one day per week, in the coal region your schools are going to be shut down again, we are going to be compelled to provide more money for aid to the school districts; there is going to be more unemployment—

QUESTION OF INQUIRY

Mr. JAMES. Mr. Speaker, I rise to a question of legislative inquiry.

The SPEAKER. The gentleman will state his question of inquiry.

Mr. JAMES. Mr. Speaker, I should like to know whether we are on interrogation or in debate.

The SPEAKER. The gentleman is debating the amendments. That is not interrogation. The gentleman will proceed.

Mr. JAMES. That satisfies my inquiry, Mr. Speaker.

Mr. COHEN. Mr. Speaker, the coal miner leaving his home in the morning with his pick in his hand and his lunch box on his way to work, he doesn't know whether he is going to work that day or whether he is going to work that week, but back in his mind he is wondering whether he is going to work one or two days a week. He is the fellow that we are particularly interested in now, and he is the fellow who is interested in these amendments by which we are attempting to set up a partial system, because he is the fellow that has got to buy the goods in the stores in the coal region. He is the fellow whose money is then translated into taxes which goes into the support of school districts of the municipalities. His is the money that is further translated into giving the people the essential services required to give decent living conditions in those regions. He is the fellow that I am worrying about, because if you are going to put money enough through our economic system the way it should be put through, you have to put it there through the workers themselves. If you don't, then you are going to raise your hands in horror at paying out money for the support of W. P. A. We want that money that is set aside solely to help over the rough spots in our economic system, to be spent when it should be spent and when it is called for to be spent, and if you are going to turn down that question on the theory of partial unemployment compensation payments, you are closing the door in the faces of the people of Pennsylvania, of the coal miners of Pennsylvania and of the coal operators of Pennsylvania, and in the face of the people of the coal regions, because if the people are not contented you are going to have difficulty.

That is the basic issue. If the Republican party wants to take the position that this is no time to do it, then I say that they are misleading them as to their purposes in the future. If my amendments are to be voted down, then let them vote them down, let each answer to his name and say that these amendments are proper amendments or not proper amendments.

Mr. ALSPACH. Mr. Speaker, I desire to interrogate the gentleman from Philadelphia, Mr. Cohen.

The SPEAKER. Will the gentleman from Philadelphia permit himself to be interrogated?

Mr. COHEN. I will, Mr. Speaker.

Mr. ALSPACH. One question, please, assuming that these amendments the gentleman is offering are not agreed to by the Members of the House, does the gentleman intend to vote for this bill on final passage?

Mr. COHEN. I cannot tell you. I didn't want to debate this bill, Mr. Speaker.

Mr. ALSPACH. I will appreciate an answer "yes" or "no," Mr. Speaker.

Mr. COHEN. Mr. Speaker, I will debate the merits of this bill, but I certainly will not vote for this bill in its present form. I would if these amendments were in it, because I would take some bad for a lot of good.

Mr. ALSPACH. Mr. Speaker, I think the debate has very thoroughly brought to the attention of the Members of the House the reasons, or rather should I say the purpose behind these amendments which were offered by the gentleman from Philadelphia. I would like to oppose, and I would like to ask the Members on this side of the House as well as the entire House to oppose these amendments. The present bill, as I said before, does two things chiefly; it liberalizes in the lower brackets the amount of payments to those entitled to receive payments, and second it simplifies the procedure which the department must go through in order to process the records and file the various reports the employers make. For those reasons I ask the House to vote down the amendments.

Mr. COHEN. Mr. Speaker, the question that was asked preceding the remarks of the gentleman and the remarks following, I trust were not inferentially interpreted that I was trying to cripple this bill merely because I couldn't have what I wanted. That is not the case. If that inference was made, then I should resolve every possible doubt by stating definitely that that is not so. This bill has its defects and must stand on its own legs. I did not want to discuss the bill, I wanted to stick to the rules of the House and discuss the amendments. That discussion has been full and complete, but the bill on its merits will be debated tomorrow. It has good points, but it has other points that definitely are not good, and it will be debated properly tomorrow.

On the question recurring,

Will the House agree to the amendments?

The yeas and nays were required by Mr. Baker and Mr. Lovett.

Messrs. Lovett, Baker, and Petrosky asked for a verification of the roll.

The roll was verified and was as follows:

YEAS—76

Baker,	Elliott,	Leonard,	Reynolds,
Barrett,	Finnerty,	Levy,	Rose, S.,
Bentley,	Flynn,	Longo,	Rose, W. E.,
Bentzel,	Gates,	Lovett,	Sarraf,
Boies,	Goodwin,	McAtee,	Scanlon,
Brigerman,	Grant,	Modell,	Skale,
Brown,	Green,	Mooney,	Smith,
Brunner, P. A.,	Haberlen,	Moran,	Snider,
Burns,	Hamilton,	Munley,	Stank,
Chervenak,	Harris,	O'Brien,	Tate,
Chudoff,	Heatherington,	O'Connor,	Thompson,
Cohen,	Herman,	O'Neill,	Trent,
Coleman,	Hoggard,	Owens,	Verona,
Cordier,	Holmes,	Petrosky,	Wachhaus,
Corrigan,	Hunter, B. F.,	Pettit,	Wallin,
Croop,	Kennedy,	Polaski,	Weiss,
Cullen,	Kirley,	Powers,	Welsh,
Dillon,	Kolankiewicz,	Reese, R. E.,	Wright,
Duffy,	Lane,	Regan,	Yester,

NAYS—102

Alspach,	Fullerton,	Lichtenwalter,	Sarge,
Auker,	Gillan,	Livingstone,	Serrill,
Barton,	Goodling,	Lyons,	Simons,
Bonawitz,	Gorman,	Madigan,	Sollenberger,
Boorse,	Gyger,	McClester,	Sorg,
Bower,	Hall,	McKinney,	Stockham,
Bretherick,	Hare,	McSurdy,	Stonier,
Brice,	Haudenshield,	Menna,	Tahl,
Brunner, C. H.,	Helm,	Miller,	Taylor,
Cadwalader,	Hewitt,	Mintess,	Thrasher,
Campbell,	Hocke,	Mock,	Tiemann,
Cook,	Hoffman,	Moore,	Trout,
Cooper,	Hoopes,	Moser,	Turbett,
Costa,	Hunter, W. M.,	Muir,	Van Allsburg,
Coulson,	Huntley,	Murray,	Wagner, P. L.,
Dalrymple,	Imbrie,	Nowak,	Wagner, K. H.,
Denman,	Irvin,	O'Dare,	Walton,
Dennison,	James,	Reagan,	Watkins,
Dix,	Jones,	Reese, D. P.,	Winner,
Elder,	Kitchen,	Reilly,	Wood, L. H.,
Ely,	Kline,	Riley,	Wood, N.,
Figlock,	Krepps,	Robertson,	Worley,
Flack,	Krise,	Root,	Yeakel,
Foor,	Laughner,	Rowley,	Fiss,
Fox,	Lee,	Royer,	Speaker.
Freed,	Leisey,	Salus,	

So the question was determined in the negative and the amendments were not agreed to.

On the question recurring.

Will the House agree to the section?

It was agreed to.

The second section was read and agreed to.

Third section was read.

On the question,

Will the House agree to the section?

Mr. COHEN offered the following amendments:

Amend Sec. 3, page 23, line 15, by inserting after the word "Sections" the following: "303".

Amend Sec. 3, page 23, line 15, by inserting after the figure "401" the following: "402".

Amend Sec. 3, page 23, line 15, by inserting after the figure "407" the following: "501, 504, 505".

Amend Sec. 3, page 23, by inserting between lines 19 and 20, the following:

"Section 303. Period and Termination of Contributions. (a) Any employer who or which becomes subject to this act during any calendar year, shall be subject to, and shall pay the contributions required, by this act during the whole of such calendar year.

(b) Any employer subject to this act shall cease to be so subject only upon written application to the department and finding by the department that he has not, during the previous calendar year [neither (1) during the previous calendar year, nor (2) during that part of the current calendar year which precedes the date on which such application was filed has he] employed any employe (whether or not the same employe) in employment subject to this act for some portion of each of some [twenty] two (2) days each day being in a different week, whether or not such weeks are consecutive, and that he has not, during the part of the current calendar year preceding the filing of his application, employed any employe (whether or not the same employe) in employment subject to this act for some portion of each of some two (2) days, each day being in a different week, whether or not such weeks are consecutive. An employer shall be relieved of the payment of contributions for any calendar year in which the department, upon application by such employer, or upon its own motion, shall find that such employer has failed to employ any employe (whether or not the same employe) in employment subject to this act for some portion of each of some two (2) days, each day being in a different week, whether or not such weeks are consecutive."

Amend Sec. 3 (Sec. 401), page 25, line 5, by inserting a light-faced bracket before the word "two" and after the word "weeks".

Amend Sec. 3 (Sec. 401), page 25, line 5, by inserting after the word "weeks" the following: "one week."

Amend Sec. 3 (Sec. 401), page 25, line 6, by inserting a light-faced bracket before the word "The".

Amend Sec. 3 (Sec. 401), page 25, line 7, by inserting a light-faced bracket at the end of said line.

Amend Sec. 3 (Sec. 401), page 25, line 12, by inserting

a light-faced bracket before the word "two" and after the word "weeks".

Amend Sec. 3 (Sec. 401), page 25, line 12, by inserting after the word "weeks" the following: "week".

Amend Sec. 3, page 25, by inserting between lines 27 and 28, the following:

"Section 402. Ineligibility for Compensation. An employe shall be ineligible for compensation for any week or accumulation of four effective days, or waiting period credit for any week.

(a) In which his unemployment is due to failure without good cause, either to apply for suitable work at such time and in such manner as the department may prescribe or by his previous employer. In determining whether or not any work is suitable for an individual, the department shall consider the degree of risk involved to his health, safety and morals, his physical fitness and prior training and experience, and the distance of the available work from his residence.

(b) In which his unemployment is due to voluntarily leaving work without good cause: Provided, That no employe shall be deemed to be ineligible under this section where, as a condition of continuing in employment, such employe would be required to join or remain a member of a company union, or to resign from or refrain from joining any bona fide labor organization, or to accept wages, hours or conditions of employment not desired by a majority of the employes in the establishment, or the occupation or would be denied the right of collective bargaining under generally prevailing conditions.

(c) With respect to which or a part of which he has received or is seeking unemployment benefits under an unemployment compensation law of any other state or of the United States: Provided, That if the appropriate agency of such other state or of the United States finally determines that he is not entitled to such unemployment benefits, the disqualification shall not apply.

(d) In which the employe's total unemployment is due to a voluntary suspension of work resulting from an industrial dispute, but this disqualification shall apply only to the week in which the suspension occurred, and for the three consecutive weeks of total unemployment which immediately follow such week."

Amend Sec. 3 (Sec. 404), page 26, line 1, by striking out the light-faced bracket before the word "July".

Amend Sec. 3 (Sec. 404), page 26, line 2, by striking out the light-faced bracket after the word "forty-two".

Amend Sec. 3 (Sec. 404), page 26, lines 2 and 3, by striking out the words "June first one thousand nine hundred and forty-three".

Amend Sec. 3 (Sec. 404), page 26, line 6, by striking out the light-faced bracket before the word "June".

Amend Sec. 3 (Sec. 404), page 26, line 7, by striking out the light-faced bracket after the word "forty-two".

Amend Sec. 3 (Sec. 404), page 26, lines 7 and 8, by striking out the words "May thirty-first one thousand nine hundred and forty-three".

Amend Sec. 3 (Sec. 404), page 26, line 9, by inserting a light-faced bracket before and after the word "weekly".

Amend Sec. 3 (Sec. 404), page 26, line 10, by inserting after the word "weeks" the following: "or accumulations of four effective days".

Amend Sec. 3 (Sec. 404), page 26, line 20, by striking out the light-faced bracket at the beginning of said line.

Amend Sec. 3 (Sec. 404), page 26, line 21, by inserting a light-faced bracket before and after the word "weekly".

Amend Sec. 3 (Sec. 404), page 26, line 25, by striking out the light-faced bracket at the end of said line.

Amend Sec. 3 (Sec. 404), page 26, line 26, by striking out the light-faced bracket at the beginning of said line.

Amend Sec. 3 (Sec. 404), page 26, line 28, by striking out the light-faced bracket at the end of said line.

Amend Sec. 3 (Sec. 404), page 27, line 1, by striking out the light-faced bracket at the beginning of said line.

Amend Sec. 3 (Sec. 404), page 27, line 8, by inserting a light-faced bracket before and after the word "weekly".

Amend Sec. 3 (Sec. 404), page 27, line 12, by striking out the light-faced bracket at the beginning of said line.

Amend Sec. 3 (Sec. 404), page 27, line 16, by striking out the light-faced bracket at the end of said line.

Amend Sec. 3 (Sec. 404), page 27, lines 17 to 20, both inclusive, by striking out all of said lines.

Amend Sec. 3 (Sec. 404), page 27, line 26, by inserting after the word "weeks" the following: "or accumulations of four effective days".

Amend Sec. 3 (Sec. 404), page 28, line 1, by striking out the following "[D] C" and inserting in lieu thereof: "D".

Amend Sec. 3 (Sec. 404), page 28, line 2, by inserting a light-faced bracket before and after the word "weekly".

Amend Sec. 3 (Sec. 404), page 28, line 3, by striking out the light-faced bracket before the word "his".

Amend Sec. 3 (Sec. 404), page 28, line 4, by striking out the light-faced bracket after the word "period".

Amend Sec. 3 (Sec. 404), page 28, lines 4 and 5, by striking out the words "the total wages paid to him during his base year".

Amend Sec. 3 (Sec. 404), page 28, lines 6 to 24, both inclusive, by striking out all of said lines.

Amend Sec. 3 (Sec. 404), page 29, lines 1 to 16, both inclusive, by striking out all of said lines.

Amend Sec. 3 (Sec. 404), page 30, lines 1 to 20, both inclusive, by striking out all of said lines.

Amend Sec. 3 (Sec. 404), page 31, lines 1 to 17, both inclusive, by striking out all of said lines.

Amend Sec. 3 (Sec. 404), page 32, lines 1 to 20, both inclusive, by striking out all of said lines.

Amend Sec. 3 (Sec. 404), page 33, lines 1 to 17, both inclusive, by striking out all of said lines.

Amend Sec. 3 (Sec. 404), page 34, lines 1 to 22, both inclusive, by striking out all of said lines.

Amend Sec. 3 (Sec. 404), page 35, lines 1 to 23, both inclusive, by striking out all of said lines.

Amend Sec. 3 (Sec. 404), page 36, lines 1 to 20, both inclusive, by striking out all of said lines.

Amend Sec. 3 (Sec. 404), page 37, lines 1 to 20, both inclusive, by striking out all of said lines, and inserting in lieu thereof:

Table I

Part A Full-Time Weekly Wage		Part B Highest Quarter Earnings		Part C Weekly Benefit Rate	
Less than $[17.00]	21.00	$[50-220]	50-227	$[8]	10
$[17.00-18.99]	21.00-22.99	[221-246]	273-298	[9]	11
[19.00-20.99]	23.00-24.99	[247-272]	299-324	[10]	12
[21.00-22.99]	25.00-26.99	[273-298]	325-350	[11]	13
[23.00-24.99]	27.00-28.99	[299-324]	351-376	[12]	14
[25.00-26.99]	29.00-30.99	[325-350]	377-402	[13]	15
[27.00-28.99]	31.00-32.99	[351-376]	403-428	[14]	16
[29.00-30.99]	33.00-34.99	[377-402]	429-454	[15]	17
[31.00-32.99]	35.00-36.99	[403-428]	455-480	[16]	18
[33.00-34.99]	37.00-38.99	[429-454]	481-506	[17]	19
[35.00]	39.00 and over	[455]	507 and over	[18]	20

Table I

Part D

Number of Benefit Weeks According to Base Period Earnings

3 Weeks	4 Weeks	5 Weeks	6 Weeks	7 Weeks	8 Weeks
$100-195	$196-251	$252-307	$308-363	$364-419	$420-475
157-219	220-282	283-345	346-408	409-471	472-534
175-244	245-314	315-384	385-454	455-524	525-594
192-268	269-345	346-422	423-499	500-576	577-653
210-293	294-377	378-461	462-545	546-629	630-713
227-317	318-408	409-499	500-590	591-681	682-772
245-342	343-440	441-538	539-636	637-734	735-832
262-366	367-471	472-576	577-681	682-786	787-891
230-391	392-503	504-615	616-727	728-839	840-951
297-415	416-534	535-653	654-772	773-891	892-1010
315-440	441-566	567-692	693-818	819-944	945-1070

Table I

Part D

Number of Benefit Weeks According to Base Period Earnings

9 Weeks	10 Weeks	11 Weeks	12 Weeks	13 Weeks	14 Weeks
$476-531	$532-587	$588-643	$644-699	$700-755	$756-811
535-597	598-660	661-723	724-786	787-849	850-912
595-664	665-734	735-804	805-874	875-944	945-1014
654-730	731-807	808-884	885-961	962-1038	1039-1115
714-797	798-881	882-965	966-1049	1050-1133	1134-1217
773-863	864-954	955-1045	1046-1136	1137-1227	1228-1318
833-930	931-1028	1029-1126	1127-1224	1225-1322	1323-1420
892-996	997-1101	1102-1206	1207-1311	1312-1416	1417-1521
952-1063	1064-1175	1176-1287	1288-1399	1400-1511	1512-1623
1011-1129	1130-1248	1249-1367	1368-1486	1487-1605	1606-1724
1071-1196	1197-1322	1323-1448	1449-1574	1575-1700	1701-1826

Table I

Part D

Number of Benefit Weeks According to Base Period Earnings

15 Weeks	16 Weeks	17 Weeks	18 Weeks	19 Weeks	20 Weeks
$812-867	$868-923	$924-979	$980-1035	$1036-1091	$1092 or more
913-975	976-1038	1039-1101	1102-1164	1165-1227	1228 or more
1015-1084	1085-1154	1155-1224	1225-1294	1295-1364	1365 or more
1116-1192	1193-1269	1270-1346	1347-1423	1424-1500	1501 or more
1218-1301	1302-1385	1386-1469	1470-1553	1554-1637	1638 or more
1319-1409	1410-1500	1501-1591	1592-1682	1683-1773	1774 or more
1421-1518	1519-1616	1617-1714	1715-1812	1813-1910	1911 or more
1522-1626	1627-1731	1732-1836	1837-1941	1942-2046	2047 or more
1624-1735	1736-1847	1848-1959	1960-2071	2072-2183	2184 or more
1725-1843	1844-1962	1963-2081	2082-2200	2201-2319	2320 or more
1827-1952	1953 [and over] 2078	2079-2204	2205-2330	2331-2456	2457 or more

Table II

Part A Full-Time Weekly Wage	Part B Highest Quarter Earnings	Part C Weekly Benefit Rate
Less than $17.00	$50-220	$8
$17.00-18.99	221-246	9
19.00-20.99	247-272	10
21.00-22.99	273-298	11
23.00-24.99	299-324	12
25.00-26.99	325-350	13
27.00-28.99	351-376	14
29.99 and over	377 and over	15

Table II

Part D

Number of Benefit Weeks According to Base Period Earnings

3 Weeks	4 Weeks	5 Weeks	6 Weeks	7 Weeks	8 Weeks
$100-223	$224-287	$288-351	$352-415	$416-479	$480-543
180-251	252-323	324-395	396-467	468-539	540-611
200-279	280-359	360-439	440-519	520-599	600-679
220-307	308-395	396-483	484-571	572-659	660-747
240-335	336-431	432-527	528-623	624-719	720-815
260-363	364-467	468-571	572-675	676-779	780-883
280-391	392-503	504-615	616-727	728-839	840-951
300-419	420-539	540-659	660-779	780-899	900-1019

Table II

Part D

Number of Benefit Weeks According to Base Period Earnings

9 Weeks	10 Weeks	11 Weeks	12 Weeks	13 Weeks	14 Weeks
$544-607	$608-671	$672-735	$736-799	$800-863	$864-927
612-683	684-755	756-827	828-899	900-971	972-1043
680-759	760-839	840-919	920-999	1000-1079	1080-1159
748-835	836-923	924-1011	1012-1099	1100-1187	1188-1275
816-911	912-1007	1008-1103	1104-1199	1200-1295	1296-1391
884-987	988-1091	1092-1195	1196-1299	1300-1403	1404-1507
952-1063	1064-1175	1176-1287	1288-1399	1400-1511	1512-1623
1020-1139	1140-1259	1260-1379	1380-1499	1500-1619	1620-1739

Table II

Part D

Number of Benefit Weeks According to Base Period Earnings

15 Weeks	16 Weeks	17 Weeks	18 Weeks	19 Weeks	20 Weeks
$928-991	$992-1055	$1056-1119	$1120-1183	$1184-1247	$1248 or more
1044-1115	1116-1187	1188-1259	1260-1331	1332-1403	1404 or more
1160-1239	1240-1319	1320-1399	1400-1479	1480-1559	1560 or more
1276-1363	1364-1451	1452-1539	1540-1627	1628-1715	1716 or more
1392-1487	1488-1583	1584-1679	1680-1775	1776-1871	1872 or more
1508-1611	1612-1715	1716-1819	1820-1923	1924-2027	2082 or more
1624-1735	1736-1847	1848-1959	1960-2071	2072-2183	2184 or more
1740-1859	1860 [and over] 1979	1980-2099	2100-2219	2220-2339	2340 or more

Amend Sec. 3, page 38, by inserting between lines 23 and 24, the following:

"Section 501. Initial Determination of Compensation: Appeals. The department shall promptly examine any application for benefits or claim filed, and on the basis of the facts found by it, shall determine whether or not the application for benefits or claim is valid. The determination of any application for benefits shall include the determination of the first day of the benefit year, the [weekly] benefit rate, and the number of benefit weeks, or accumulations of four effective days, payable. The claimant and other affected parties shall be promptly notified of the decision and the reasons therefor in writing, except that no notification shall be necessary when the department shall approve a claim for a week of total unemployment. Unless the claimant or other affected parties files an appeal from such decision with the board within ten calendar days after such notification was delivered to him personally or was mailed to his last known post office address and applies for a hearing, such decision of the department shall be final and compensation shall be paid or denied in accordance therewith. In the event that an appeal is filed with the board, the payment of any contested amount of compensation shall be withheld pending determination of the claim, but any uncontested amount of compensation allowed in any decision shall be paid, notwithstanding any appeal which may thereafter be taken: Provided, That when a referee or the board affirms a decision of the department allowing compensation, such compensation shall be paid, notwithstanding any further appeal.

Section 504. Powers of Board Over Claims. The board shall have power on its own motion or on appeal to remove, transfer or review any claim pending before or decided by a referee, and, in any such case, and in cases where a further appeal is allowed by the board from the decision of a referee, may affirm, modify or reverse the determination or revised determination, as the case may be of the department or referee on the basis of the evidence previously submitted in the case or direct the taking of additional evidence. When any claim pending before a referee is removed or transferred to the board, the board shall afford the claimant person designated by him, and all other affected parties reasonable opportunity for a fair hearing. The parties shall be duly notified of the board's final decision and the reasons therefor. A complete record shall be kept of each case heard before the board. All testimony at any hearing before the board, whether on appeal or otherwise, shall be taken by a reporter, but need not be transcribed unless the disputed claim is further appealed.

Section 505. Rules of Procedure. The manner in which appeals shall be taken, the reports thereon required from the department, the claimant and employers, and the conduct of hearings and appeals, shall be in accordance with rules of procedure prescribed by the board, whether or not such rules conform to common law or statutory rules of evidence, and other technical rules of procedure.

When the same, or substantially similar evidence is relevant, and material to the matter in issue in applications and claims filed by more than one individual or in multiple applications and claims filed by a single individual, the same time and place for considering each

such application and claim may be fixed, hearings thereon jointly conducted, a single record of the proceedings made, and evidence introduced with respect to any application or claim considered as introduced with respect to all of such applications or claims: Provided, That in the judgment of the board or referee having jurisdiction of the proceedings, such consideration will not be prejudicial to any party: And provided further, That the board shall afford the claimant person designated by him, and all other affected parties, a reasonable opportunity for a fair hearing, which shall be public, and wherein all evidence shall be taken under oath or affirmation."

On the question,

Will the House agree to the amendments?

They were not agreed to.

On the question recurring,

Will the House agree to the section?

It was agreed to.

The fourth section and title were separately read and agreed to.

And said bill having been read at length the second time and agreed to as amended.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1064, entitled:

An Act to amend the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 343) entitled "An act relating to the finances of the State government providing for the settlement assessment collection and lien of taxes bonus and all other accounts due the Commonwealth the collection and recovery of fees and other money or property due or belonging to the Commonwealth or any agency thereof including escheated property and the proceeds of its sale the custody and disbursement or other disposition of funds and securities belonging to or in the possession of the Commonwealth and the settlement of claims against the Commonwealth the resettlement of accounts and appeals to the courts refund the moneys erroneously paid to the Commonwealth auditing the accounts of the Commonwealth and all agencies thereof of all public officers collecting moneys payable to the Commonwealth or any agency thereof and all receipts of appropriations from the Commonwealth and imposing penalties affecting every department board commission and officer of the State government every political subdivision of the State and certain officers of such subdivisions every person association and corporation required to pay assess or collect taxes or to make returns or reports under the laws imposing taxes for State purposes or to pay license fees or other moneys to the Commonwealth or any agency thereof every State depository and every debtor or creditor of the Commonwealth" by providing for the manner of payment of escheators' fees informants' commissions and other lawful charges due from moneys escheated to the Commonwealth and escheatable moneys paid to the Commonwealth without escheat designating the funds to which such moneys shall be credited and making an appropriation

And said bill having been read at length the second time, and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1074, entitled:

An Act authorizing the Department of Property and Supplies with the approval of the Governor and the Board of Trustees of Allentown State Hospital to acquire a certain tract of land for the use of said hospital and making an appropriation therefor

And said bill having been read at length the second time, and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1088, entitled:

An Act to amend sections one and two of the act approved the seventh day of August one thousand nine hundred forty-one (P. L. 887) entitled "An act authorizing the Department of Property and Supplies with the approval of the Governor and the Department of Welfare to acquire certain land adjacent to and for the use of the Scranton State Hopsital providing for the improvement and use thereof authorizing the City of Scranton to pay the costs of such improvements in whole or in part and making an appropriation" further providing as to the improvement and use of the land acquired under authority of said act

And said bill having been read at length the second time, and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1098, entitled:

An Act making an appropriation to the Pennsylvania Historical Commission to cover the expenses of restoring and refurnishing the Daniel Boone Homestead

And said bill having been read at length the second time, and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1105, entitled:

An Act making an appropriation to the Department of Property and Supplies for the restoration improvement and equipment of the Pottsgrove Mansion in the borough of Pottstown on the advice and subject to the approval of the Pennsylvania Historical Commission

And said bill having been read at length the second time, and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1107, entitled:

An Act making an appropriation to the Department of Welfare for the maintenance of certain hospitals

And said bill having been read at length the second time, and agreed to.

Ordered, To be transcribed for third reading.

PERMISSION GRANTED COMMITTEE TO MEET DURING SESSION

Mr. NORMAN WOOD asked and obtained permission for the Committee on Appropriations to meet during the session of the House.

BILLS ON SECOND READING

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 81, entitled:

An Act making an appropriation to the Elwyn Training School at Elwyn in the County of Delaware Commonwealth of Pennsylvania and prescribing certain conditions upon which the appropriation will be available to the school

And said bill having been read at length the second time and agreed to

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 106, entitled:

An Act making an appropriation to the Trustees of the Hahnemann Medical College and Hospital of Philadelphia Pennsylvania

And said bill having been read at length the second time and agreed to

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 177, entitled:

An Act making an appropriation to the State Veterans' Commission for certain expenses of the commission and for the assistance of needy Pennsylvania veterans of any war or their dependents

And said bill having been read at length the second time and agreed to

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 191, entitled:

An Act making an appropriation to the Pennsylvania State College for expenditure by the School of Mineral Industries thereof under the Supervision of the Department of Mines for the purpose of developing new uses and markets for anthracite and bituminous coal

And said bill having been read at length the second time and agreed to

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 278, entitled:

An Act making an appropriation for the maintenance repair and improvement of the Port of Philadelphia

And said bill having been read at length the second time and agreed to

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 307, entitled:

An Act making an appropriation to the Department of Forests and Waters to be used for the acquisition of land within the limits of the "Bucktail State Park" and prescribing the uses to be made of such land

And said bill having been read at length the second time and agreed to

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 327, entitled:

An Act making an appropriation to the several fire companies of the City of Harrisburg Pennsylvania

And said bill having been read at length the second time and agreed to

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 415, entitled:

An Act making an appropriation to the Department of Property and Supplies for the acquisition of lands and the erection of new buildings and service systems and the alteration and extension of existing buildings and service systems for the use of the Soldiers' Orphan School at Scotland Pennsylvania

And said bill having been read at length the second time and agreed to

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 428, entitled:

An Act making an appropriation to the Trustees of the Pennsylvania State College for expenditure by the School of Mineral Industries under the supervision of the Department of Mines for the purpose of developing new uses and markets for slate and slate products

The first section was read.

On the question,

Will the House agree to the section?

Mr. HOFFMAN offered the following amendment:

Amend Sec. 1, page 1, line 1, by striking out "thiry-five" and inserting in lieu thereof: "thirty-five".

It was agreed to.

The section was agreed to as amended.

The title was read and agreed to.

And said bill having been read at length the second time and agreed to as amended.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 493, entitled:

An Act making an appropriation to the Department of Forests and Waters for the use of the Pennsylvania State Park and Harbor Commission of Erie and for the joint use of the Federal Government and the Department of Forests and Waters of the Commonwealth of Pennsylvania

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 532, entitled:

An Act making an appropriation for aid to free public non-sectarian county libraries and for the purchase and transportation of books

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 671, entitled:

A Further Supplement to the act approved the first day of April one thousand eight hundred and sixty-three (P. L. 213) entitled "An act to accept the grant of Public Lands by the United States to the several states for the endowment of Agricultural Colleges" making an appropriation for carrying the same into effect

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 945, entitled:

An Act lapsing all unexpended or unencumbered balances of appropriations from all funds made by the General Assembly at its session of one thousand nine hundred and thirty-five and prior sessions and at its regular sessions of one thouand nine hundred and thirty-seven and one thousand nine hundred and thirty-nine and the Special Sessions of one thousand nine hundred and thirty-six and one thousand nine hundred and thirty-eight

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 961, entitled:

An Act making an appropriation to the National Farm School at Doylestown Pennsylvania

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 968, entitled:

An Act making an appropriation to aid certain school districts

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 975, entitled:

An Act making an appropriation to the Department of Forests and Waters for the use of the Valley Forge Park Commission in payment of lands acquired by condemnation

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1006, entitled:

An Act authorizing and directing the Department of Highways to erect and construct and maintain as a post war construction project a toll bridge over the Ohio River at a point in the Borough of Aliquippa in the vicinity of Franklin Avenue and to provide the necessary approaches thereto providing for the acceptance if Federal aid empowering counties to pay certain damages providing for the collection of tolls on such bridge and making an appropriation

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1030, entitled:

An Act making an appropriation to the Jefferson Medical College of Philadelphia Pennsylvania for medical education

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1101, entitled:

An Act to provide for the ordinary expenses of the Executive Legislative and Judicial Departments of the Commonwealth interest on the public debt and the support of the public schools for two years beginning June first one thousand nine hundred and forty-three and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending May thirty-first one thousand nine hundred and forty-three

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 759, entitled:

An Act to further amend section one of the act approved the twenty-ninth day of June one thousand nine hundred twenty-three (P. L. 944) entitled "An act relating to salaries compensation bonds offices and supplies of certain county officers their deputies and clerks in counties of the sixth class" by fixing the salary of the treasurer

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 531, entitled:

An Act making an appropriation to the Pennsylvania State College to advance the tobacco interest of this Commonwealth

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 974, entitled:

An Act making an appropriation to the Trustees of the College of Lincoln University Chester County

And said bill having been read at length the second time and agreed to

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1052, entitled:

An Act to further amend section five hundred eight of the act approved the eighteenth day of May one thousand nine hundred eleven (P. L. 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" by further regulating the incurring funding and refunding of indebtedness temporary and permanent the retirement of indebtedness and the borrowing in anticipation of current revenues

And said bill having been read at length the second time and agreed to

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the third reading and considera-atio nof House Bill No. 1106, entitled:

An Act making an appropriation to the Department of Welfare for the maintenance of certain homes

And said bill having been read at length the second time and agreed to

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 179, entitled:

An Act making an appropriation to Johnson Industrial School of Scranton Pennsylvania

And said bill having been read at length the second time and agreed to

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 627, entitled:

An Act making an appropriation to the Department of Public Instruction for the use of the Pennsylvania Historical Commission for the purpose of completing restoration and preparing for public use as a museum the property at Ambridge Beaver County Pennsylvania formerly owned and occupied by the Harmony Society and known as "Old Economy"

And said bill having been read at length the second time and agreed to

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 209, entitled:

An Act to further amend section eleven (b) of the act approved the nineteenth day of March one thousand nine hundred nine (P. L. 46) entitled "An act to regulate the practice of osteopathy in the State of Pennsylvania to provide for the establishment of a State Board of Osteopathic Examiners to define the powers and duties of said Board of Osteopathic Examiners to provide for the examining and licensing of osteopaths in this State and to provide penalties for the violation of this act" by further regulating the requirements for license as an osteopathic surgeon

And said bill having been read at length the second time and agreed to

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 244, entitled:

An Act reducing for a limited period of time the training period of internship in osteopathic hospitals in order to qualify for examination for license by the Osteopathic Surgeons' Examining Board to practice major surgery and suspending inconsistent laws

And said bill having been read at length the second time and agreed to

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 116, entitled:

An Act to amend the act approved the third day of June one thousand nine hundred and thirty-seven (P. L. 1333) entitled "An act concerning elections including general municipal special and primary elections the nomination of candidates primary and election expenses and election contests creating and defining membership of county boards of elections imposing duties upon the Secretary of the Commonwealth courts county boards of elections county commissioners imposing penalties for violation of the act and codifying revising and consolidating the laws relating thereto and repealing certain acts and parts of acts relating to elections" by adding thereto article nine A providing a general procedure for local option referendums

And said bill having been read at length the second time and agreed to

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 682, entitled:

An Act to further amend clause (b) of section twenty-seven of the act approved the seventh day of June one thousand nine hundred seventeen (P. L. 447) entitled as amended "An act relating to the administration and distribution of the estates of decedents and of minors and of trust estates including the appointment bonds rights powers duties liabilities accounts discharge and removal of executors administrators guardians and trustees herein designated as fiduciaries the administration and distribution of the estates of presumed decedents widow's and children's exemptions debts of decedents rents of real estate as assets for payment thereof the lien thereof sales and mortgages of real estate for the payment thereof judgments and executions therefor and the discharge of real estate from the lien thereof contracts of decedents for the sale or purchase of real estate legacies including legacies charged on land the discharge of residuary estates and of real estate from the lien of legacies and other charges the appraisement of real estate devised at a valuation the ascertainment of the curtilage of dwelling houses or other buildings devised the abatement and

survival of actions and the substitution of executors and administrators therein the survival of causes of action and suits thereupon by or against fiduciaries investments by fiduciaries the organization of corporations to carry on the business of decedents the audit and review of accounts of fiduciaries refunding bonds transcripts to the court of common pleas of balances due by fiduciaries the rights powers and liabilities of non-resident and foreign fiduciaries the appointment bonds rights powers duties and liabilities of trustees durante absentia the recording and registration of decrees reports and other proceedings and the fees therefor appeals in certain cases and also generally dealing with the jurisdiction powers and procedure of the orphans' court in all matters relating to fiduciaries concerned with the estates of decedents" by further regulating the discharge of charges on real estate

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 749, entitled:

An Act to further amend sections fifteen and eighteen of the act approved the twelfth day of June one thousand nine hundred nineteen (P. L. 466) entitled "An act to provide for the incorporation and regulation of cooperative agricultural associations not having a capital stock and not conducted for profit and defining agriculture so as to include persons engaged in agriculture dairying livestock raising poultry raising beekeeping and horticulture" by providing for the termination of memberships and exempting associations from payment of certain State county or municipal tax and the filing of reports relative to such taxes

The first section was read.

On the question,

Will the House agree to the section?

BILL RECOMMITTED

Mr. REAGAN. Mr. Speaker, I move that this bill be recommitted to the Committee on Agriculture for the purpose of further study and possible amendment.

The motion was agreed to.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 892, entitled:

An Act to amend sections two four five six seventeen and twenty of the act approved the thirtieth day of April one thousand nine hundred and twenty-nine (P. L. 885) entitled "An act to provide for the incorporation and regulation of cooperative agricultural associations having capital stock and defining agriculture so as to include persons engaged in agriculture dairying livestock raising poultry raising floriculture mushroom growing beekeeping horticulture and other allied occupations and providing penalties" by providing for associations to be formed by two or more cooperative agricultural associations removal of limitations on holding of common stock further regulating preferred stock dividends and patronage and further exempting certain classes of associations formed under such act from State county and municipal taxation and from the duty of filing certain tax reports

The first section was read.

On the question,

Will the House agree to the section?

BILL RECOMMITTED

Mr. REAGAN. Mr. Speaker, I move that this bill be recommitted to the Committee on Agriculture for the purpose of further study and possible amendment.

The motion was agreed to.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 901, entitled:

An Act to amend section one of the act approved the eighth day of May one thousand eight hundred ninety-five (P. L. 44) entitled "An act providing for the release and discharge of encumbrances or charges on land in all cases in which the period of twenty-one years has elapsed after the principal of the encumbrance or charge has become due and payable and no payment has been made within such period of twenty-one years on account of such encumbrance or charge by the owner or owners of the land sought to be released and discharged and no sufficient release is of record in the county and regulating proceedings for such release and discharge" further regulating the publication of notice in such proceedings to discharge encumbrances and charges on land

The first section was read.

On the question,

Will the House agree to the section?

Mr. STOCKHAM offered the following amendments:

Amend Section 1 (Sec. 1), Page 3, line 26, by striking out the light-faced bracket before the word "or."

Amend Section 1 (Sec. 1), Page 3, line 27, by striking out the light-faced bracket after the word "newspapers."

Amend Section 1 (Sec. 1), Page 3, line 27, by striking out before the word "published" the word "newspaper."

Amend Section 1 (Sec. 1), Page 4, line 1, by striking out the light-faced brackets before and after the word "four."

Amend Section 1 (Sec. 1), Page 4, line 1, by inserting dark-faced brackets before and after the word "two."

They were agreed to.

The section was agreed to as amended.

The title was read and agreed to.

And said bill having been read at length the second time and agreed to as amended.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1109, entitled:

An Act making an appropriation to the Department of Revenue for the payment of claims for legal services

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 613, entitled:

An Act creating a commission to investigate and consider various phases of aeronautics in order to keep the General Assembly advised as to legislation which may be needed to keep the Commonwealth of Pennsylvania abreast of present rapid developments in this field directing such commission to make a report and recommendations to the General Assembly conferring certain powers upon such commission including the power to issue subpoenas administer oaths and affirmations retain employes and expend funds and making an appropriation

The first section was read.

On the question,

Will the House agree to the section?

BILL RECOMMITED

Mr. WALTER E. ROSE. Mr. Speaker, I move that this bill be recommitted to the Committee on Appropriations.

The motion was agreed to.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 108, entitled:

An Act to authorize cities boroughs incorporated towns townships and school districts to file suggestions of nonpayment and averments of default or to sue out writs of scire facias on certain tax or municipal claims and to revive judgments where the lien of such claims or the judgments thereon have been lost and providing for the reinstatement of the liens of such claims and judgments

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 208, entitled:

An Act allowing costs and counsel fees to stakeholder in interpleader proceeding out of funds paid into court

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 241, entitled:

An Act to amend section six hundred twenty-eight of the act approved the twenty-fourth day of June one thousand nine hundred thirty-nine (P. L. 872) entitled "An act to consolidate amend and revise the penal laws of the Commonwealth" by providing for the prescribing issuing and filing of certain forms by and with the Commissioner of the Pennsylvania Motor Police instead of the Secretary of the Commonwealth

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 248, entitled:

An Act regulating and providing fees of the clerks of quarter sessions of counties of the fourth class

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 268, entitled:

An Act to amend section seventeen of the act approved the seventh day of June one thousand nine hundred and seventeen (P. L. 363) entitled "An act relating to the organization jurisdiction and procedure of the orphans courts the powers and duties of the judges thereof and appeals therefrom" by prescribing procedure in cases affecting the interest of any lunatic weak-minded person presumed decedent or any person who may be unknown or unborn or under disability or out of the jurisdiction under such circumstances that actual notice cannot reasonably be given to such person

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 842, entitled:

An Act to amend section one to further amend section five and to amend section six of the act approved and twenty-ninth day of April one thousand nine hundred thirty-seven (P. L. 551) entitled "An act prohibiting the employment of miners as herein defined in the bituminous coal mines unless certificated by a miners' examining board providing for the appointment of such boards and defining their powers and duties providing penalties and making an appropriation" by increasing the number of apprentice miners permitted to work with one miner redefining the word "miner" and reducing the number of years of experience necessary to qualify an apprentice to take examination for certificate

The first section was read.

On the question,

Will the House agree to the section?

Mr. LICHTENWALTER offered the following amendments:

Amend Section 1, page 2, line 19 by striking out with boldface brackets after the word "of" and before the word "persons" the word: "[five]" and inserting in lieu thereof the word: "two."

Amend Section 1, page 2, line 20 by striking out with boldface brackets after the word "as" and before the word "for" the words: "[an apprentice]" and inserting in lieu thereof the word: "apprentices."

Amend Section 1, page 2, line 28, by inserting after the word "place" "also timbermen and trackmen whose duties require them to set timbers and lay or repair tracks at the working faces."

On the question,

Will the House agree to the amendments?

BILL RECOMMITTED

Mr. PETROSKY. Mr. Speaker, I move that this bill together with the amendments be recommitted to the Committee on Mines and Mining for the purpose of further study and possible amendments.

On the question,

Will the House agree to the motion?

Mr. LICHTENWALTER. Mr. Speaker, I ask that the motion to recommit be voted down.

The yeas and nays were required by Mr. Petrosky and Mr. Modell.

Messrs. Petrosky, Skale and Lane asked for a verification of the roll.

The roll was verified and was as follows:

YEAS—67

Baker,	Denman,	Lane,	Reese, R. E.,
Barrett,	Dillon,	Leonard,	Regan,
Bentley,	Elliott	Levy,	Reynolds,
Bentzel,	Fleming	Longo,	Sarraf,
Boles,	Freed,	Lovett,	Schuster,
Boory,	Gates,	Maxwell,	Skale,
Brigerman,	Goodwin,	Modell,	Smith,
Brown,	Grant,	Mooney,	Snider,
Brunner, P. A.,	Green,	Moran,	Stank,
Burns,	Haberlen,	O'Brien,	Tate,

Chervenak,	Hamilton,	O'Connor,	Thrasher,
Chudoff,	Harris,	Owens,	Trent,
Cohen,	Hoggard,	Petrosky,	Weiss,
Coleman,	Holmes,	Pettit,	Welsh,
Croop,	Hunter, B. F.,	Polaski,	Wright,
Cullen,	Kirley,	Powers,	Yester,
Dague,	Kolankiewicz,	Readinger,	

NAYS—93

Alspach,	Fullerton,	Lee,	Rowley,
Barton,	Garber,	Leisey,	Royer,
Bonawitz,	Goodling,	Lichtenwalter,	Sarge,
Boorse,	Gorman,	Livingstone,	Serrill,
Bower,	Gyger,	Lyons,	Simons,
Boyd,	Hall,	Madigan,	Sollenberger,
Bretherick,	Hare,	McClester,	Sorg,
Brice,	Haudenshield,	McKinney,	Stockham,
Brunner, C. H.,	Helm,	Menna,	Stonier,
Calvin,	Hewitt,	Miller,	Tahl,
Campbell,	Hocke,	Mintess,	Taylor,
Cook,	Hoffman,	Moore,	Thompson,
Cooper,	Hoopes,	Moser,	Tiemann,
Cordier,	Hunter, W. M.,	Muir,	Trout,
Costa,	Huntley,	Murray,	Van Allsburg,
Coulson,	Imbrie,	Nowak,	Wagner, K. H.,
Dalrymple,	Irvin,	O'Dare,	Wallin,
Dennison,	James,	Reagan,	Walton,
Elder,	Jones,	Reese, D. P.,	Wood, N.,
Ely,	Kennedy,	Riley,	Worley,
Erb,	Kitchen,	Robertson,	Yeakel,
Flack,	Krepps,	Root,	Fiss,
Foor,	Krise,	Rose, W. E.,	Speaker.
Fox,	Laughner,		

So the question was determined in the negative and the motion was not agreed to.

On the question recurring,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the section as amended?

It was agreed to.

The second and third sections and title were separately read and agreed to.

And said bill having been read at length the second time and agreed to as amended.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 472, entitled:

An Act providing that every mine foreman assistant mine foreman and a fire boss under the Bituminous Mining Laws and the Anthracite Mining Laws of the Commonwealth represent and are officers of the Commonwealth in the mines in which employed for the suspension or cancellation of the certificates of such officials as shall hold same and for the disqualification of such as are uncertificated by the Secretary of Mines after or prior to hearing for failure or refusal to perform their respective duties defining the procedure in such hearing and the powers of the Secretary of mines with respect thereto and providing for a review of his decisions by the court of common pleas of Dauphin County and the Superior Court providing for reexamination by the examining board of any person whose certificate has been cancelled and for reinstatement of such as are uncertificated and prohibiting the employment by any operator of any person not possessing the requisite certificate of whose certificate is suspended or who has been disqualified

The first section was read and agreed to.

The second section was read.

On the question,

Will the House agree to the section?

Mr. LICHTENWALTER offered the following amendments:

Amend section 2, page 2, line 21 by striking out with boldface brackets at the end of the line the word: "[or]."

Amend section 2, page 2, line 22 by striking out with boldface brackets all of said line except the words "that a" at the end of the line, as follows: "[of any operator or his authorized representative]."

Amend Sec. 2, page 2, line 25, by striking out the word "engaged" and inserting in lieu thereof: "has engaged"

Amend Sec. 2, page 3, line 10, by striking out "fiscal" and inserting in lieu thereof: "ficial."

On the question,

Will the House agree to the amendments?

MOTION TO RECOMMIT

Mr. PETROSKY. Mr. Speaker, I move that the bill together with the amendments be recommitted to the Committee on Mines and mining for the purpose of further study and possible amendment.

On the question,

Will the House agree to the motion?

Mr. LICHTENWALTER. Mr. Speaker, I ask that the motion to recommit Senate Bill No. 472 to the Committee on Mines and Mining be voted down.

The yeas and nays were required by Mr. Petrosky and Mr. Lane.

Messrs. Lane, Petrosky and Russell E. Reese asked for a verification of the roll.

The roll was verified and was as follows:

YEAS—77

Baker,	Elliott,	Leonard,	Regan,
Barrett,	Finnerty,	Levy,	Reynolds,
Bentley,	Fleming,	Longo,	Sarraf,
Bentzel,	Freed,	Lovett,	Scanlon,
Boies,	Gates,	Maxwell,	Schuster,
Boory,	Goodwin,	McSurdy,	Smith,
Brigerman,	Grant,	Modell,	Snider,
Brunner, P. A.,	Green,	Mooney,	Stank,
Brown,	Hamilton,	Moran,	Tate,
Burns,	Harris,	Munley,	Thompson,
Chervenak,	Heatherington,	O'Brien,	Trent,
Chudoff,	Herman,	O'Connor,	Verona,
Cohen,	Hersch,	O'Neill,	Wachhaus,
Coleman,	Hoggard,	Owens,	Wagner, P. L.,
Cordier,	Holmes,	Petrosky,	Watkins,
Croop,	Hunter, B. F.,	Pettit,	Weiss,
Cullen,	Kirley,	Polaski,	Welsh,
Dague,	Kolankiewicz,	Powers,	Wright,
Denman,	Lane,	Reese, R. E.,	Yester,
Dillon,			

NAYS—99

Alspach,	Fox,	Lee,	Royer,
Auker,	Fullerton,	Leisey,	Salus,
Barton,	Gillan,	Lichtenwalter,	Sarge,
Bonawitz,	Goodling,	Livingstone,	Serrill,
Boorse,	Gorman,	Lyons,	Simons,
Bower,	Gyger,	Madigan,	Sollenberger,
Boyd,	Hall,	Mahany,	Sorg,
Bretherick,	Hannon,	McClester,	Stockham,
Brice,	Hare,	McKinney,	Stonier,
Brunner, C. H.,	Helm,	Menna,	Tahl,
Cadwalader,	Hewitt,	Miller,	Taylor,
Campbell,	Hoffman,	Mintess,	Thrasher,
Cook,	Hoopes,	Moore,	Tiemann,
Cooper,	Hunter, W. M.,	Moser,	Trout,
Costa,	Huntley,	Muir,	Van Allsburg,
Coulson,	Imbrie,	Murray,	Wagner, K. H.,
Dalrymple,	Irvin,	O'Dare,	Wallin,
Dennison,	James,	Reagan,	Walton,
Depuy,	Jones,	Reese, D. P.,	Winner,
Elder,	Kennedy,	Reilly,	Wood, L. H.,
Ely,	Kitchen,	Riley,	Wood, N.,
Erb,	Kowalski,	Robertson,	Worley,
Ewing,	Krepps,	Root,	Yeakel,
Flack,	Krise,	Rose, W. E.,	Fiss,
Foor,	Laughner,	Rowley,	Speaker.

So the question was determined in the negative and the motion was not agreed to.

On the question recurring,

Will the House agree to the section as amended?

It was agreed to.

The third section was read and agreed to.

The fourth section was read.

On the question,

Will the House agree to the section?

Mr. LICHTENWALTER offered the following amendments:

Amend Section 4, page 4, line 19 by striking out with boldface brackets the following: "[Dauphin County]"; and inserting in lieu thereof the following: "the county wherein said hearing was held."

Amend Sec. 4, page 4, line 16, by striking out the word "to" where it appears the first time in said line, and inserting in lieu thereof: "of."

They were agreed to.

The section was agreed to as amended.

The fifth and sixth sections were separately read and agreed to.

The seventh section was read.

On the question,

Will the House agree to the section?

Mr. LICHTENWALTER offered the following amendment:

Amend Sec. 7, page 6, line 10, by striking out the word "uncertified" and inserting in lieu thereof: "uncertificated."

It was agreed to.

The section was agreed to as amended.

The eighth section was read and agreed to.

The ninth section was read.

On the question,

Will the House agree to the section?

Mr. PETROSKY offered the following amendments:

Amend the bill, page 6, by inserting between lines 23 and 24 the following:

"Sec. 9. The provisions of this act shall not be so construed as to prohibit or prevent any mine foreman, assistant mine foreman or fire boss, or any other supervisory employe from joining any labor union or engaging in collective bargaining with his employer, nor in any wise to affect any right of any such person guaranteed to them by the National Labor Relations Act, or any other act protecting the rights of labor."

Amend Sec. 9, Page 6, line 24 by striking out the figure "9" and inserting in lieu thereof the figure, "10."

On the question,

Will the House agree to the amendments?

Mr. LICHTENWALTER. Mr. Speaker, it is my understanding that there is nothing in the bill at the present time that would prohibit men affected by this particular piece of legislation to organize or join any union that they might desire to join. Therefore, I think that the amendments are not necessary.

Mr. PETROSKY. Mr. Speaker, the Majority Leader was able to scrutinize the amendments so very hurriedly and find out that there was nothing in this bill which will thwart the efforts of the amendments as offered by myself to section nine.

Mr. Speaker, there is no doubt in my mind that in going through the bill and reading the same, it is absolutely the intent of the act and the amendments are offered to eliminate that purpose. There is no question in my mind but what the amendments that I have offered do nothing more than to eliminate the possibility of discrimination upon the membership of union locals or upon the membership of mine workers from being discriminated against by certain individuals acting under the provisions of this act. I am asking the membership of this House, both sides of the House, to support the amendments, in fairness to those who earn their wages by the sweat of their brows and toil in the bowels of the earth, and eliminate discrimination against those who earn their living in the manner which is befitting those who desire to work and earn such a living.

This amendment is not so wide in its scope and yet it means so much to that person who is engaged in this type of work. I feel it is time to pass some legislation of this sort. By casual observance I notice that many times there are discriminatory methods against people who are active within their own ranks in order to better their welfare, in order to make progress in social matters of working conditions for those whom they have represented. This is a measure which will absolutely deprive him of the right to go out and bargain collectively and deprive him of the right to go out and bargain for a decent honest-to-God standard of American way of living. I say to the Members of the House that in fairness to those who are employed in this production program in which we are engaged in the present war, in fairness to them and their families, should be no discrimination against the persons who would want to further their ambitions and further the welfare of their fellow workers. Let us not discriminate against them. Let us pass the amendments which will eliminate those provisions under this act and guarantee to them fair play by fair legislation.

Mr. LICHTENWALTER. Mr. Speaker, may I again repeat, as I have in the past, there is nothing that we want to do upon this side of the House that would jeopardize the rights of organized labor to organize or individuals to become members of a labor organization of their choice. I do not find anywhere in this bill that we are preventing men from becoming affiliated with any labor organization; I do not find any clause in this bill that will prevent them from doing that. I believe these men today are organized, they belong to labor organizations, and I certainly do not find anywhere in the bill that it would prohibit them from continuing to join labor organizations in the future. Therefore, I feel that the amendments are unnecessary and I ask the House to vote down the amendments.

Mr. PETROSKY. Mr. Speaker, I desire to interrogate the gentleman from Lehigh, Mr. Lichtenwalter.

The SPEAKER. Will the gentleman from Lehigh permit himself to be interrogated?

Mr. LICHTENWALTER. I shall, Mr. Speaker.

Mr. PETROSKY. Mr. Speaker, does not this act in section 1 make an officer of the Commonwealth out of the mine foreman, the assistant mine foreman or the fire boss?

Mr. LICHTENWALTER. That is right, Mr. Speaker, and I believe that the court decisions have held definitely that they are employes of the Commonwealth.

Mr. PETROSKY. Mr. Speaker, in section 4 of the act, does it not give the power to the Secretary of Mines to suspend or revoke certificates?

Mr. LICHTENWALTER. Only after proper hearing has been held, Mr. Speaker.

Mr. PETROSKY. What reasons, Mr. Speaker, will de-

terminte why a hearing should be held; what reasons determine the necessity for a hearing?

Mr. LICHTENWALTER. I believe if a mine inspector finds that injury has been caused to a particular miner or group of miners, that the mine inspector might feel was the result of negligence upon the part of the mine boss or fire boss, he could instigate proceedings for a hearing, at which time the facts would have to be set forth and be proven that there was negligence upon the part of the mine boss or the fire boss before any further action could be taken, as far as suspension or revocation of his certificate is concerned.

Mr. PETROSKY. Mr. Speaker, can not this be done today under the provisions of the present act?

Mr. LICHTENWALTER. Mr. Speaker, I thought we were talking about the amendments.

Mr. PETROSKY. Mr. Speaker, the subject matter of my discussion is relevant to the amendments, and I feel that the question is in order. Of course, if the Majority Leader does not wish to answer, that will be satisfactory to me.

Mr. LICHTENWALTER. Mr. Speaker, I will be very happy to discuss that on final passage, but right now we are discussing the amendments. I do not think the interrogation has anything to do with the amendments.

Mr. PETROSKY. Mr. Speaker, I further want to know from the Majority Floor Leader whether in his opinion he does not feel that it would be fair to put into this act a provision which would guarantee to those persons affected that no discrimination would be possible against various persons in the event that they decided to join a labor organization.

Mr. LICHTENWALTER. Mr. Speaker, I think I have repeated several times that I feel the amendment is very unnecessary because in reading the bill there is nothing in the bill to prevent these men from organizing just as they are organized today as members of a labor organization.

There is nothing in the bill anywhere that I can see that would prevent him from doing that. Therefore, I cannot see that the amendments are necessary.

Mr. PETROSKY. When was this bill sponsored? What was the date of the proposal of this measure in the Senate?

Mr. LICHTENWALTER. March 31st, according to the bill I have before me.

Mr. PETROSKY. Mr. Speaker, was not that approximately the time when it was made public that the United Mine Workers of America had been accosted by mine supervisory officials with respect to joining organized labor, and establishing a unit of the United Mine Workers of America?

Mr. LICHTENWALTER. I am sorry, Mr. Speaker, I cannot answer the gentleman. I did not read anything about that.

Mr. PETROSKY. I thank the gentleman.

Mr. Speaker, I can say that the amendments that I have proposed to section 9 are very necessary to this measure, inasmuch as on interrogation it has pointedly been shown that it is actually and absolutely an act to counteract the minds of the mine supervisory employes, such as mine foremen, assistant mine foremen, fire bosses, and so on, inasmuch as those points on interrogation have shown to you that the data in regard to the time when they have asked for enlistment in the United Mine Workers of America and the date of sponsorship are one and the same. There is nothing particularly in the act which we have before us, and the motive definitely behind it is just what I am trying to correct by the amendments that I have offered, and I would like every Member on both sides of the House to vote for my amendments.

On the question recurring,

Will the House agree to the amendments?

The yeas and nays were required by Mr. Petrosky and Mr. Weiss.

Messrs. Lane, Petrosky and Burns asked for a verification of the roll.

The roll was verified and was as follows:

YEAS—76

Baker,	Finnerty,	Leonard,	Regan,
Barton,	Fleming,	Levy,	Reynolds,
Bentley,	Flynn,	Longo,	Rose, S.,
Boory,	Garber,	Lovett,	Scanlon,
Brown,	Gates,	Maxwell,	Skale,
Burns,	Goodwin,	McSurdy,	Smith,
Chervenak,	Green,	Modell,	Snider,
Chudoff,	Hamilton,	Mooney,	Sorg,
Cohen,	Harris,	Moran,	Stank,
Coleman,	Heatherington,	Munley,	Tate,
Cordier,	Herman,	O'Connor,	Thompson,
Corrigan,	Hersch,	O'Neill,	Trent,
Croop,	Hoggard,	Owens,	Verona,
Cullen,	Holmes,	Petrosky,	Wachhaus,
Dague,	Hunter, B. F.,	Pettit,	Wagner, P. L.,
Denman,	Kirley,	Polaski,	Watkins,
Duffy,	Kolankiewicz,	Powers,	Weiss,
Elliott,	Krise,	Readinger,	Welsh,
Erb,	Lane,	Reese, R. E.,	Yester,

NAYS—98

Alspach,	Fullerton,	Lee,	Rowley,
Auker,	Gillan,	Leisey,	Royer,
Barrett,	Goodling,	Lichtenwalter,	Salus,
Bonawitz,	Gorman,	Livingstone,	Sarge,
Boorse,	Greenwood,	Lyons,	Serrill,
Bower,	Gyger,	Mahany,	Simons,
Boyd,	Hall,	McClester,	Sollenberger,
Bretherick,	Hare,	McKinney,	Stockham,
Brice,	Haudenshield,	Menna,	Stonier,
Brunner, C. H.,	Helm,	Miller,	Tahl,
Cadwalader,	Hewitt,	Mintess,	Taylor,
Campbell,	Hocke,	Moore,	Thrasher,
Cook,	Hoffman,	Moser,	Tiemann,
Cooper,	Hoopes,	Muir,	Trout,
Costa,	Hunter, W. M.,	Murray,	Turbett,
Coulson,	Huntley,	Nowak,	Van Allsburg,
Dalrymple,	Imbrie,	O'Dare,	Wagner, K. H.,
Dennison,	Irvin,	Reagan,	Wallin,
Depuy,	James,	Reese, D. P.,	Walton,
Dix,	Jones,	Reilly,	Wood, L. H.,
Elder,	Kennedy,	Riley,	Wood, N.,
Ely,	Kitchen,	Robertson,	Worley,
Ewing,	Kline,	Root,	Yeakel,
Flack,	Krepps,	Rose, W. E.,	Fiss,
Fox,	Laughner,		Speaker.

So the question was determined in the negative and the amendments were not agreed to.

On the question recurring,

Will the House agree to the section?

It was agreed to.

The tenth section was read.

On the question,

Will the House agree to the section?

Mr. PETROSKY. Mr. Speaker, I will withdraw my amendment to this section.

On the question recurring,

Will the House agree to the section?

It was agreed to.

The title was read.

On the question,

Will the House agree to the title?

Mr. LICHTENWALTER offered the following amendments:

Amend Title, page 1, line 4 of title, by striking out the words "represent and are officers" and inserting in lieu thereof: "represents and is an officer."

Amend Title, page 1, line 5 of title, by striking out the word "mines" and inserting in lieu thereof: "mine."

Amend Title, page 1, line 10 of title, by striking out the word "their' and inserting in lieu thereof: "his."

Amend Title, page 2, line 2 of title, by inserting after the word "operator" the following: "in such capacity."

Amend Title, page 2, line 3 of title, by striking out the word "person" and inserting in lieu thereof "mine foreman, assistant mine foreman or fire boss."

Amend line 13 of the title on page 1 by striking out with boldface brackets after the word "by" and before the word "of" the following: "[the court]" and inserting in lieu thereof the following: "courts."

Amend line 14 of the title on page 1 by striking out with boldface brackets after the word "pleas" and before the word "and" the following: "[of Dauphin County]."

They were agreed to.

The title was agreed to as amended.

And said bill having been read at length the second time and agreed to as amended.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 958, entitled:

An Act making an appropriation to the State Council for the Blind for use in supplying medical treatment surgical operations eyeglasses or other necessary aids or services to needy blind persons or persons with impaired vision

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

REPORTS FROM COMMITTEES

Mr. REYNOLDS, from the Committee on Cities—Second Class, reported as committed, House Bill No. 810, entitled:

An Act relating to the filing and revival of liens for taxes and water rates in the office of the prothonotary of common pleas court on real estate within the territorial limits of cities of the second class; prescribing duties and fees of prothonotaries; establishing the office of solicitor for delinquent tax and water rate liens; defining the powers and duties of said office, providing for enforced collection of said taxes and water rates; imposing duties upon cities of the second class and school districts within the territorial limits of cities of the second class.

Mr. WALTER E. ROSE, from the Committee on Appropriations, reported as committed, House Bill No. 275, entitled:

An Act authorizing and directing the Legislative Reference Bureau to compile, edit and publish a compilation of laws relating to townships of the first class; and making an appropriation.

Mr. MUIR, from the Committee on Appropriations, reported as committed, House Bill No. 1075, entitled:

An Act making an appropriation to the Department of Property and Supplies for the construction and improvement of buildings and equipment at certain State institutions operating under the Department of Welfare.

Mr. IMBRIE, from the Committee on Appropriations, reported as committed, House Bill No. 1110, entitled:

An Act making an appropriation to the George Jr., Republic Association, Grove City, Pennsylvania.

Mr. KENNEDY, from the Committee on Fisheries, reported as amended, House Bill No. 1066, entitled:

An Act to add section eight and one-tenth to the act approved the thirteenth day of April one thousand nine hundred and forty-two (P. L. 32) entitled "An act to protect property and prevent sabotage by prohibiting for a limited period of time certain intentional injuries to and interferences with real and personal property prohibiting certain intentional defects in workmanship limiting the privileges of certain witnesses prohibiting certain entres upon real property and waters authorizing the closing of highways or the regulation or restriction of travel thereon conferring powers on the Water and Power Resources Board and providing penalties" vesting for a limited period of time game protectors foresters forest rangers and fish wardens with the same powers vested in constables and other peace officers for the purpose of enforcing said act.

BILLS ON FIRST READING

By unanimous consent the following bills were read the first time.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 275, entitled:

An Act authorizing and directing the Legislative Reference Bureau to compile edit and publish a compilation of laws relating to townships of the first class; and making an appropriation.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1075, entitled:

An Act making an appropriation to the Department of Property and Supplies for the construction and improvement of buildings and equipment at certain State institutions operating under the Department of Welfare.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1110, entitled:

An Act making an appropriation to the George Jr., Republic Association, Grove City Pennsylvania.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

BILL INTRODUCED

Mr. TIEMANN asked and obtained unanimous consent to introduce a bill which was filed with the Clerk under the Rules.

BILLS ON FINAL PASSAGE

BILL PASSED OVER

There being no objection Senate Bill No. 296, Printer's No. 330, was passed over at the request of Mr. LICHTENWALTER.

Agreeably to order,

The House proceeded to the consideration on final passage of House Bill No. 558, as follows:

An Act to further amend section two to add Sections 2.1 2.2 2.3 and 2.4 to and to amend Section 5 of the act approved the twenty-ninth day of March one thousand eight hundred ninety-nine (P. L. 21) entitled "An act to establish a board for the examination of accountants to provide for the granting of certificates to accountants and to provide a punishment for the violation of this act" by increasing the number of examinations changing qualifications as to education and fitness necessary before taking examination further regulating the practice of accountancy prohibiting such practice by corporations and by individuals copartnerships or associations under any name other than that of the person or persons so practicing and fixing penalties

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section two of the act approved the twenty-ninth day of March one thousand eight hundred ninety-nine (P. L. 21) entitled "An act to establish a board for the examination of accountants to provide for the granting of certificates to accountants and to provide a punishment for the violation of this act" as last amended by the act approved the twenty-fourth day of May one thousand nine hundred twenty-one (P. L. 1073) is hereby further amended to read as follows

Section 2 The Governor of the State of Pennsylvania shall appoint a board of five examiners for the examinations of persons applying for certification under this act Two shall be appointed from the eastern part of the State two from the western part and one from the central part of the State Three of said examiners shall be certified public accountants each holding a degree of same from the Commonwealth of Pennsylvania one of whom shall be appointed for the term of one year one for two years and one for three years and upon the expiration of each of said terms an examiner shall be appointed for the term of three years The other two examiners shall be practicing attorneys in good standing in any of the courts of the State of Pennsylvania One of them shall be appointed for the term of one year and the other for two years and upon the expiration of each of said terms a successor shall be appointed for the term of three years The examination for certificates shall be based upon an examination in commercial law and general accounting said examination shall take place in Philadelphia and Pittsburgh [once] twice a year in the [month of] months of May and November of each year under such rules and regulations as may be adopted by the board In no event however shall a special examination be given or a degree granted to any person except by passing a regular examination as herein provided for but certified public accountants of other States of the United States who have been certified for at least one year may be recommended for certification at the discretion of the said board for certificates without any examination The fees provided by this act shall be twenty-five dollars for each applicant from which shall be paid the actual traveling expenses of the members of the board and expenses incident to such examination for office rent stationery printing and clerk hire a sum not exceeding three hundred dollars per annum and if any surplus above said expenses shall remain at the end of the year it shall be paid into the treasury of the Commonwealth The results of such examination shall be certified to the Governor within sixty days after said examination and filed in the office of the Secretary of Internal Affairs and kept for reference and inspection for a period not less than five years the Governor to issue the certificates Provided That before being admitted to examination each applicant shall submit to the board (1) a certificate of the Department of Public Instruction showing graduation from a complete high school course or equivalent educational attainment and (2) evidence of satisfactory experience in accounting not exceeding three years as the board may by rules require The board in promulgating such rules shall give due regard to the age and additional educational attainments of applicants and the character nature and period of their practical experience.

Section 2 The said act is hereby amended by adding thereto after Section 2 four new sections to read as follows:

Section 2.1 It shall hereafter be unlawful for any person individually or in association or partnership with another person or persons to practice or hold himself or herself out to the public as engaged or legally authorized to engage in practice as a certified public accountant or public accountant or as an auditor or accountant under a false fictitious or assumed name or under the name of a former associate associates partner or partners of such profession who is no longer actually associated with such practice by reason of death or otherwise Nothing contained in this act shall be construed prohibiting the use of a trade partnership association or company name if such name includes only the name or names of associates or partners actually engaged in practice under such name

Section 2.2 In the case of the dissolution of a partnership caused by the death of a partner and in the case of the death of an individual the name of the deceased partner or of such individual may be used by the surviving partner or partners and the employes of such individual for a period not exceeding three years in order to assist in the orderly liquidation of the estate of such deceased partner or individual

Section 2.3 No corporation shall hereafter be organized or registered in this Commonwealth to engage in practice as a certified public accountant or public accountant or as an auditor or accountant nor shall any person permit or aid any corporation in the doing of any act in violation of the provisions of this act

Section 2.4 Any corporation organized or registered in this Commonwealth to engage in practice as a certified public accountant or public accountant or as an auditor or accountant prior to the effective date of this act may continue to engage in such practice until the first day of January one thousand nine hundred forty-five but no such corporation so organized or registered shall be permitted to engage in such practice after said first day of January one thousand nine hundred forty-five

Section 3 Section five of said act is hereby amended to read as follows:

Section 5 If any person shall hold himself out as having received the certificate provided for in this act, or shall assume to practice thereunder as a certified public accountant or use the initials CPA without having received such certificate or after the same shall have been revoked, or if any person, copartnership, association or corporation shall violate any of the provisions of this amendatory act, he or it shall be deemed guilty of a misdemeanor, and, on conviction thereof, shall be sentenced to pay a fine not exceeding five hundred dollars, or imprisonment not exceeding three months, or both.

Section 4 All acts and parts of acts inconsistent with the provisions of this act are hereby repealed.

Section 5 The provisions of this act except as herein otherwise provided in Sections 2.1 and 2.4 shall become effective immediately upon final enactment.

On the question,

Shall the bill pass finally?

Mr. KRISE. Mr. Speaker, this bill has been on the calendar for some time and amended on several occasions, yet only this morning one of the Members made inquiry with regard to the bill which led me to believe that perhaps the intent or purport of the bill was not understood.

First of all, I want to tell you that this is not a licensing bill, it is a certification bill. The difference between a licensing and a certification bill is simply this, that in those provisions where we license, a board is established by examination and qualification to determine the individual's qualifications to practice in some profession or business. Then we grant that individual a license and say to the balance of the world, "You may not practice this profession under penalty." In certification, all we do is determine the eligibility of the individual or his qualifications, and then we set our stamp of approval upon that individual. We do not say to the balance of the world, "You cannot practice in that particular profession." There is quite a difference. Remarks have been made that if this bill were to be passed an individual could not go out and audit a set of books for his lodge or his church or perhaps for his particular municipality, unless he happened to be a certified public accountant.

Now, this bill has nothing to do with that. In other words, anything that a certified public accountant can do from an auditing standpoint can be done by an individual who does not have certification in the state of Pennsylvania. So this bill is not a licensing bill; it is purely and simply a certification bill. Since 1899, or for forty-three years the State Board of Accountancy has been granting certificates to accountants in Pennsylvania. That has been done by rules of the board. They have established the extent and the scope of the examination. They have established the prerequisites, that is the educational qualifications to take that examination. Up until September 11, 1942, the Pennsylvania Board of Accountancy have been establishing those rules. They have changed from time to time, but for about the last fifteen years they have been somewhat standard, mainly a high school education and five years of practical experience in the practice of accountancy.

On September 11, 1942 the Department of Justice upon inquiry as to whether the Board has the right to establish by rule such regulations, ruled adversely, so that we find ourselves in the peculiar paradox today of trying to conduct an examination for the practice of accountancy and the board having no right to establish or to set up requirements or even the extent or scope of the examination. So what we are attempting to do in this bill is to establish by statute practically what the State Board practiced by rule in the preceeding years. We are liberalizing it a little bit. In place of saying just "a high school education," we are saying "a high school education or its equivalent." That is quite a difference. That means that if an individual has not graduated from a high school he may be able by attendance at night school or by an examination before the State Board get the equivalent of a high school standing. We are saying from a practical standpoint he shall have three years experience in place of five. I submit to the Members of the House that five years of an individual's time to get the practical experience after his education has been completed is quite a long time. I don't know of any profession in the state of Pennsylvania requiring five years practical experience. We don't require it of our doctors. I will grant you that their educational requirements are higher, but five years are a long time. So we have amended the bill to three years. I believe this bill is fair. Many an individual has been taken from his training or from his profession in the past year, he is going to return a year or two years hence, and I think that we ought to provide so that he will know exactly what the qualifications or requirements will be. I ask you all to vote in favor of this bill.

Mr. STONIER. Mr. Speaker, I rise to oppose House Bill 558, Printer's No. 523. This bill has been on the postponed calendar for many weeks and has been amended many times, and I believe that the sponsor of the bill will fail to recognize his own brain child. Many of the amendments, I doubt whether a Philadelphia lawyer can figure them out and figure out what the intent of this bill is. I have been requested by the Certified Public Accountants of the state of Pennsylvania to oppose this measure because they feel it would lower the standards of their profession. I, therefore, request the Members of the House to vote "no" on this bill.

Mr. KRISE. Mr. Speaker, I desire to interrogate the gentleman from Lackawanna, Mr. Stonier.

The SPEAKER. Will the gentleman from Lackawanna permit himself to be interrogated?

Mr. STONIER. I shall, Mr. Speaker.

Mr. KRISE. Mr. Speaker, what are the present qualifications for a certified public accountant?

Mr. STONIER. Mr. Speaker, I understand by rule five years.

Mr. KRISE. And education, Mr. Speaker?

Mr. STONIER. I don't know, Mr. Speaker.

Mr. KRISE. Mr. Speaker, how would this bill lower the standards of certified public accountants?

Mr. STONIER. Mr. Speaker, it would reduce if from five years to three years.

Mr. KRISE. Mr. Speaker, does the gentleman think that five years are necessary for practical experience to become a certified public accountant?

Mr. STONIER. Mr. Speaker, the profession says "yes."

Mr. KRISE. The gentleman does not know that himself, does he?

Mr. STONIER. No, Mr. Speaker, I do not.

Mr. KRISE. Mr. Speaker, the gentleman is opposing this only because the certified public accountants asked him to, is that correct?

Mr. STONIER. That is correct, Mr. Speaker.

Mr. ROOT. Mr. Speaker, in view of the difference of opinion between the gentleman from Lackawanna and my friend from Clearfield county, as a practical accountant, I feel that I ought to say a word in behalf of House Bill 558.

It is a step forward in liberalizing the present rigid rules of the State Board of Accountancy. It reduces the high school requirements by allowing the board to recognize an equivalent business education. It reduces the number of years from five to three and makes two examinations a year instead of one examination. In view of the fact that almost every certified public accountant who is not connected with a large firm of accountants, who has had an opportunity to see this bill and study it, is in favor of this bill, I ask the members of this House to vote "aye."

Mr. SKALE. Mr. Speaker, as long as the gentleman has suggested that a Philadelphia lawyer explain the bill, I am voluntarily offering to give the gentleman the benefit of my legal knowledge and experience and because he is a colleague of mine I shall not send him a bill. I have read this bill which is now before the House and I have given it some thought. I think the bill is clear and I think it is

good and proper legislation and I would urge the gentleman who requested the advice to go along with it.

Mr. LOVETT. Mr. Speaker, there are a couple of questions that I want to ask the sponsor. May I interrogate the sponsor of the bill, the gentleman from Clearfield, Mr. Krise?

The SPEAKER. Will the gentleman from Clearfield permit himself to be interrogated?

Mr. KRISE. I will, Mr. Speaker.

Mr. LOVETT. Mr. Speaker, did I understand the gentleman to say that the courts have ruled that the Board now has no right to make rules and regulations in regard to public accountants?

Mr. KRISE. Mr. Speaker, no, not the courts, the Attorney-General suggested that the bill be amended, that they did not now have the power to establish rules or set up requirements prerequisite to examination.

Mr. LOVETT. Mr. Speaker, may I ask the gentleman how long this Board has been setting up these rules and regulations?

Mr. KRISE. Mr. Speaker, forty-three years, since 1899.

Mr. LOVETT. Mr. Speaker, may I ask the gentleman this, at the present date there are no qualifications whatever?

Mr. KRISE. No, Mr. Speaker, I wouldn't say that that is exactly true. There have been no examinations held since that time, and those individuals that were in of course came in under the old rulings previous to the decision of the Attorney-General.

Mr. LOVETT. Mr. Speaker, when was the decision of the Attorney-General?

Mr. KRISE. Mr. Speaker, September 11, 1942.

Mr. LOVETT. Mr. Speaker, do I understand that there has not been any examination or any qualification since that time?

Mr. KRISE. That is correct, Mr. Speaker.

Mr. LOVETT. Mr. Speaker, may I ask the gentleman what advantage the man has who passes the examination and is certified by the Board?

Mr. KRISE. Mr. Speaker, he has the right to use the degree or title of certified public accountant, and that might be somewhat debatable. If I were to employ an accountant I might feel that the individual that was certified, there would be no question with regard to his ability as an accountant, so I might prefer to hire him rather than an individual unknown to me. The individual certified might not be any better than the other individual but he has that certificate which comes as the result of an examination.

Mr. LOVETT. Mr. Speaker, may I ask the gentleman if this bill sets up anything in regard to examinations?

Mr. KRISE. Mr. Speaker, it does not.

Mr. LOVETT. Mr. Speaker, may I ask the gentleman if he thinks that it would be unfair then to give those men who qualified on the present examination or present rules an advantage over those men who did not take the examination and are not certified?

Mr. KRISE. Mr. Speaker, I do not quite get the question. Will the gentleman please repeat it?

Mr. LOVETT. In other words, Mr. Speaker, there is nothing compelling a man to take an examination?

Mr. KRISE. That is correct, Mr. Speaker.

Mr. LOVETT. Or be certified, Mr. Speaker?

Mr. KRISE. That is correct.

Mr. LOVETT. The gentleman feels that if he does take the examination and is certified he then has disadvantage over the man who does not?

Mr. KRISE. He dose not have a disadvantage. He probably has a little advantage inasmuch as he may be picked out as an individual upon whom the state has put its stamp of approval.

Mr. LOVETT. Mr. Speaker, I as one who have always condemned the right on the part of boards to make rules and regulations and set up examinations now find that the Attorney-General and some more of us here agree that they should not have those rights. The gentleman says that this has been going on for forty-three years in the state of Pennsylvania. We find out that for forty-three years we have been doing the thing wrong. I feel under this present bill it does not set up the examination and give the board the right to set up the examination. I think at a later date we will find the Attorney-General will possibly rule that the Board had no right to set up such an examination. I, therefore, think that unless the law itself sets up the examination and qualifies these things and gives to each individual the right to take that examination set up by the law of the state, that we should not pass this kind of legislation.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

Messrs. Stonier, Cordier and Flack requested a verification of the roll.

The roll was verified and was as follows:

YEAS—113

Alspach,	Finnerty,	Lee,	Scanlon,
Barrett,	Fullerton,	Leisey,	Serrill,
Bentzel,	Gates,	Levy,	Simons,
Bonawitz,	Gilian,	Madigan,	Skale,
Boory,	Gorman,	Mahany,	Smith,
Bower,	Grant,	Maxwell,	Sollenberger,
Boyd,	Green,	McClester,	Sorg,
Bretherick,	Gyger,	McKinney,	Stank,
Brown,	Hall,	Menna,	Stockham,
Brunner, P. A.,	Hare,	Mintess,	Tahl,
Campbell,	Haudenshield,	Modell,	Taylor,
Chervenak,	Helm,	Mooney,	Thompson,
Chudoff,	Herman,	Moore,	Thrasher,
Cohen,	Hersch,	Moran,	Tiemann,
Cook,	Hewitt,	Moser,	Van Allsburg,
Cooper,	Hoffman,	Muir,	Wachhaus,
Costa,	Hoggard,	O'Connor,	Wagner, K. H.,
Croop,	Hoopes,	O'Dare,	Wagner, P. L.,
Cullen,	Hunter, W. M.,	Owens,	Wallin,
Dague,	Huntley,	Polaski,	Walton,
Dalrymple,	Imbrie,	Readinger,	Watkins,
Denman,	Irvin,	Reese, R. E.,	Weiss,
Dillon,	James,	Reynolds,	Welsh,
Dix,	Jones,	Riley,	Wood, N.,
Duffy,	Kolankiewicz,	Root,	Worley,
Elder,	Krepps,	Rose, S.,	Wright,
Elliott,	Krise,	Rowley,	Yeakel,
Ely,	Laughner,	Sarraf,	Yester,
Ewing,			

NAYS—35

Auker,	Erb,	Kitchen,	Pettit,
Baker,	Flack,	Lane,	Powers,
Barton,	Garber,	Leonard,	Regan,
Bentley,	Goodwin,	Livingstone,	Reilly,
Boies,	Hamilton,	Lovett,	Robertson,
Burns,	Heatherington,	McAtee,	Snider,
Coleman,	Holmes,	McSurdy,	Stonier,
Cordier,	Kennedy,	Miller,	Verona,
Coulson,	Kirley,	Petrosky,	

The majority required by the Constitution having voted

in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

REASON FOR VOTE

Mr. BENTLEY offered the following reasons for his vote:

In my opinion protection to the public requires that safeguards and rigid standards should surround the several professions. I have thus invariably voted for a strengthening of such safeguards and a rigid application of all educational, character, experience, and similar prerequisites.

However, in this period of wartime, with its consequent shortage of manpower, in all fields, including the professions, this House has consistently refused to increase standards, thus depleting already shorthanded professions.

To be consistent, I must vote "no" on this bill at this time.

TIME EXTENDED ON BILL

Mr. YESTER. Mr. Speaker, I move that the time on House Bill No. 709, Printer's No. 224, entitled:

An Act authorizing the secretary of the board of health in the various cities of the third class throughout the Commonwealth during the continuation of the present war and for six months thereafter to search and issue certified copies of birth and death records maintained by such cities after the State-wide system for registering vital statistics was established requiring that such birth and death records be made availabe to the secretary of the board of health for the purposes of this act and authorizing the respective city councils to prescribe fees for such services

on page 45 of today's calendar, bills on third reading postponed, be extended five days.

The motion was agreed to.

BILLS ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 717, as follows:

An Act providing that when any city county school district or other political subdivision of this Commonwealth shall in the exercise of the power of eminent domain acquire real estate by appropriation and condemnation the title thereto which shall vest in such city county school district or other political subdivision shall be a title in fee simple unless otherwise provided in the ordinance or resolution authorizing the appropriation and condemnation thereof

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 When any city county school district or other political subdivision of this Commonwealth shall hereafter in the exercise of the power of eminent domain acquire by appropriation and condemnation any real estate the title thereto which shall vest in such city county school district or other political subdivision shall be a title in fee simple unless otherwise provided in the ordinance or resolution authorizing the appropriation and condemnation thereof

Section 2 All acts or parts of acts inconsistent herewith are hereby repealed

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—201

Alspach,	Flack,	Lane,	Riley,
Auker,	Fleming,	Laughner,	Robertson,
Baker,	Flynn,	Lee,	Root,
Barrett,	Foor,	Leisey,	Rose, S.,
Barton,	Fox,	Leonard,	Rose, W. E.,
Bentley,	Freed,	Levy,	Rowley,
Bentzel,	Fullerton,	Leydic,	Royer,
Boies,	Garber,	Lichtenwalter,	Salus,
Bonawitz,	Gardner,	Livingstone,	Sarge,
Boorse,	Gates,	Longo,	Sarraf,
Boory,	Gillan,	Lovett,	Scanlon,
Bower,	Goodling,	Lyons,	Schuster,
Boyd,	Goodwin,	Madigan,	Serrill,
Bradley,	Gorman,	Mahany,	Simons,
Bretherick,	Grant,	Maxwell,	Skale,
Brice,	Green,	McAtee,	Smith,
Brigerman,	Greenwood,	McClester,	Snider,
Brown,	Gross,	McKinney,	Sollenberger,
Brunner, C. H.,	Gyger,	McMillen,	Sorg,
Brunner, P. A.,	Haberlen,	McSurdy,	Stank,
Burns,	Hall,	Menna,	Stockham,
Cadwalader,	Hamilton,	Mihm,	Stonier,
Calvin,	Hannon,	Miller,	Tahl,
Campbell,	Hare,	Mintess,	Tate,
Chervenak,	Harris,	Mock,	Taylor,
Chudoff,	Haudenshield,	Modell,	Thompson,
Cohen,	Heatherington,	Mooney,	Thrasher,
Coleman,	Helm,	Moore,	Tiemann,
Cook,	Herman,	Moran,	Trent,
Cooper,	Hersch,	Moser,	Trout,
Cordier,	Hewitt,	Muir,	Turbett,
Corrigan,	Hocke,	Munley,	Van Allsburg,
Costa,	Hoffman,	Murray,	Verona,
Coulson,	Hoggard,	Nowak,	Wachhaus,
Croop,	Holmes,	O'Brien,	Wagner, K. H.,
Cullen,	Hoopes,	O'Connor,	Wagner, P. L.,
Dague,	Hunter, B. F.,	O'Dare,	Wallin,
Dalrymple,	Hunter, W. M.,	O'Neill,	Walton,
Denman,	Huntley,	Owens,	Watkins,
Dennison,	Imbrie,	Petrosky,	Weiss,
Depuy,	Irvin,	Pettit,	Welsh,
Dillon,	James,	Polaski,	Winner,
Dix,	Jones,	Powers,	Wood, L. H.,
Duffy	Kennedy,	Readinger,	Wood, N.,
Elliott,	Kirley,	Reagan,	Worley,
Elder,	Kitchen,	Reese, D. P.,	Wright,
Ely,	Kline,	Reese, R. E.,	Yeakel,
Erb,	Kolankiewicz,	Regan,	Yester,
Ewing,	Kowalski,	Reynolds,	Fiss,
Figlock,	Krepps,	Reilly,	Speaker.
Finnerty,	Krise,		

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

BILLS PASSED OVER

There being no objection

House Bill No. 944, Printer's No. 359;
House Bill No. 700, Printer's No. 421;
Senate Bill No. 347, Printer's No. 301;
Senate Bill No. 211, Printer's No. 302;
Senate Bill No. 48, Printer's No. 342;
Senate Bill No. 49, Printer's No. 164;
House Bill No. 839, Printer's No. 253;
House Bill No. 486, Printer's No. 591;
Senate Bill No. 177, Printer's No. 237;
House Bill No. 77, Printer's No. 384 and
House Bill No. 79, Printer's No. 385;

were passed over at the request of Mr. LICHTENWALTER.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 133, as follows:

An Act to repeal the act approved the twenty-first day of March one thousand nine hundred twenty-nine (P. L. 34) entitled "An act authorizing the judges of the courts of common pleas and orphans' courts in counties of the third class to employ stenographers typists and clerks to facilitate the business of the courts and to provide for the payment of their compensation by the county and validating former employments and payments therefor"

The General Assembly of the Commonwealth of Pennsylvaia hereby enacts as follows

Section 1 The act approved the twenty-first day of March one thousand nine hundred twenty-nine (P. L. 34) entitled "An act authorizing the judges of the courts of common pleas and orphans' courts in counties of the third class to employ stenographers typists and clerks to facilitate the business of the courts and to provide for the payment of their compensation by the county and validating former employments and payments therefor" is hereby repealed

Section 2 This act shall become effective immediately upon final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—195

Alspach,	Flack,	Krise,	Robertson,
Auker,	Fleming,	Lane,	Root,
Baker,	Flynn,	Laughner,	Rose, S.,
Barrett,	Foor,	Lee,	Rose, W. E.,
Barton,	Fox,	Leisey,	Rowley,
Bentley,	Freed,	Leonard,	Royer,
Bentzel,	Fullerton,	Levy,	Salus,
Boies,	Garber,	Leydic,	Sarge,
Bonawitz,	Gardner,	Lichtenwalter,	Sarraf,
Boorse,	Gates,	Livingstone,	Scanlon,
Boory,	Gillan	Longo,	Schuster,
Bower,	Goodling,	Lyons,	Serrill,
Boyd,	Goodwin,	Mahany,	Simons,
Bradley,	Gorman,	McAtee,	Skale,
Bretherick,	Grant,	Madigan,	Smith,
Brice,	Green,	McClester,	Snider,
Brigerman,	Greenwood,	McKinney,	Sollenberger,
Brown,	Gross,	McMillen,	Sorg,
Brunner, C. H.,	Gyger,	McSurdy,	Stank,
Brunner, P. A.,	Hall,	Menna,	Stockham
Burns,	Hamilton,	Mihm,	Stonier,
Cadwalader,	Hannon,	Miller,	Swope,
Calvin,	Hare,	Mintess,	Tahl,
Campbell,	Harris,	Mock,	Tate,
Chervenak,	Haudenshield,	Modell,	Taylor,
Chudoff,	Heatherington,	Mooney,	Thompson,
Cohen,	Helm,	Moore,	Thrasher,
Coleman,	Herman,	Moran,	Tiemann,
Cook,	Hersch,	Moser,	Trent,
Cooper,	Hewitt,	Muir,	Trout,
Cordier,	Hocke,	Munley,	Turbett,
Corrigan,	Hoffman,	Murray,	Van Allsburg,
Costa,	Hoggard,	Nowak,	Verona,
Coulson,	Holmes,	O'Brien,	Wachhaus,
Croop,	Hoopes,	O'Connor,	Wagner, K. H.,
Cullen,	Hunter, B. F.,	O'Dare,	Wagner, P. L.,
Dague,	Hunter, W. M.,	O'Neill,	Wallin,
Dalrymple,	Huntley,	Owens,	Walton,
Dennison,	Imbrie,	Pettit,	Watkins,
Depuy,	Irvin,	Polaski,	Welsh,
Dillon,	James,	Powers,	Winner,
Dix,	Jones,	Readinger,	Wood, L. H.,
Duffy,	Kennedy,	Reagan,	Wood, N.,
Elder,	Kirley,	Reese, D. P.,	Worley,
Elliott,	Kitchen,	Reese, R. E.,	Wright,
Ely,	Kline,	Regan,	Yeakel,
Erb,	Kolanklewicz,	Reilly,	Yester,
Ewing,	Kowalski,	Reynolds,	Fiss,
Figlock,	Krepps,	Riley,	Speaker.
Finnerty,			

NAYS—6

Denman,	Lovett,	Petrosky,	Weiss,
Haberlen,	Maxwell,		

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 245, as follows:

An Act making an appropriation to the Department of Welfare for use by the State Council for the Blind in supplying home instruction for adult blind persons

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The sum of sixty-nine thousand seven hundred dollars ($69,700) or so much thereof as may be necessary is hereby specifically appropriated to the Department of Welfare for the two fiscal years beginning June first one thousand nine hundred forty-three to be used by the State Council for the Blind for the improvement of the condition of the blind by supplying where not otherwise available home instruction and training for the adult blind in the reading and writing of embossed types in those handicrafts in which the blind can engage for remunerative or therapeutic value or for improving their personal civic and social well-being and in such other fields of endeavor as may be considered appropriate and beneficial and for meeting any additional expenses necessary and proper in the administration of this act

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—201

Alspach,	Flack,	Lane,	Riley,
Auker,	Fleming,	Laughner,	Robertson,
Baker,	Flynn,	Lee,	Root,
Barrett,	Foor,	Leisey,	Rose, S.
Barton,	Fox,	Leonard,	Rose, W. E.,
Bentley,	Freed,	Levy,	Rowley,
Bentzel,	Fullerton,	Leydic,	Royer,
Boies,	Garber,	Lichtenwalter,	Salus,
Bonawitz,	Gardner,	Livingstone,	Sarge,
Boorse,	Gates,	Longo,	Sarraf,
Boory,	Gillan,	Lovett,	Scanlon,
Bower,	Goodling,	Lyons,	Schuster,
Boyd,	Goodwin,	Madigan,	Serrill,
Bradley,	Gorman,	Mahany,	Simons,
Bretherick,	Grant,	McAtee,	Skale,
Brice,	Green,	Maxwell,	Smith,
Brigerman,	Greenwood,	McClester,	Snider,
Brown,	Gross,	McKinney,	Sollenberger,
Brunner, C. H.,	Gyger,	McMillen,	Sorg,
Brunner, P. A.,	Haberlen,	McSurdy,	Stank,
Burns,	Hall,	Menna,	Stonier,
Cadwalader,	Hamilton,	Mihm,	Stockham,
Calvin,	Hannon,	Miller,	Tahl,
Campbell,	Hare,	Mintess,	Tate,
Chervenak,	Harris,	Mock,	Taylor,
Chudoff,	Haudenshield,	Modell,	Thrasher,
Cohen,	Heatherington,	Mooney,	Thompson,
Coleman,	Helm,	Moore,	Tiemann,
Cook,	Herman,	Moran,	Trent,
Cooper,	Hersch,	Moser,	Trout,
Cordier,	Hewitt,	Muir,	Turbett,
Corrigan,	Hocke,	Munley,	Van Allsburg,
Costa,	Hoffman,	Murray,	Verona,

Coulson,	Hoggard,	Nowak,	Wachhaus,
Croop,	Holmes,	O'Brien,	Wagner, K. H.,
Cullen,	Hoopes,	O'Connor,	Wagner, P. L.,
Dague,	Hunter, B. F.,	O'Dare,	Wallin,
Dalrymple,	Hunter, W. M.,	Owens,	Walton,
Denman,	Huntley,	O'Neill,	Watkins,
Dennison,	Imbrie,	Petrosky,	Weiss,
Depuy,	Irvin,	Pettit,	Welsh,
Dillon,	James,	Polaski,	Winner,
Dix,	Jones,	Powers,	Wood, L. H.,
Duffy,	Kennedy,	Readinger,	Wood, N.,
Elder,	Kirley,	Reagan,	Worley,
Elliott,	Kitchen,	Reese, D. P.,	Wright,
Ely,	Kline,	Reese, R. E.,	Yeakel,
Erb,	Kolankiewicz,	Regan,	Yester,
Ewing,	Kowalski,	Reilly,	Fiss,
Figlock,	Krepps,	Reynolds,	Speaker.
Finnerty,	Krise,		

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

The SPEAKER. The Chair requests the gentleman from Blair, Mr. Sollenberger, to preside.

MR. SOLLENBERGER IN THE CHAIR

BILLS ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 491, as follows:

An Act making an appropriation to the Department of Highways out of the Motor License Fund for the purpose of rebuilding county bridges carried away or destroyed by fire flood or other casualty and of carrying out the provisions of existing laws relating thereto

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The sum of forty thousand dollars ($40,000) or so much thereof as may be necessary is hereby specifically appropriated out of the Motor License Fund to the Department of Highways for expenditure by said department until the first day of June one thousand nine hundred and forty-five for the purpose of rebuilding county bridges carried away or destroyed by fire flood or other casualty and to carry into effect the provisions of existing laws relating thereto

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—201

Alspach,	Flack,	Lane,	Riley,
Auker,	Fleming,	Laughner,	Robertson,
Baker,	Flynn,	Lee,	Root,
Barrett,	Foor,	Leisey,	Rose, S.
Barton,	Fox,	Leonard,	Rose, W. E.,
Bentley,	Freed,	Levy,	Rowley,
Bentzel,	Fullerton,	Leydic,	Royer,
Boles,	Garber,	Lichtenwalter,	Salus,
Bonawitz,	Gardner,	Livingstone,	Sarge,
Boorse,	Gates,	Longo,	Sarraf,
Boory,	Gillan,	Lovett,	Scanlon,
Bower,	Goodling,	Lyons,	Schuster,
Boyd,	Goodwin,	Madigan,	Serrill,
Bradley,	Gorman,	Mahany,	Simons,
Bretherick,	Grant,	McAtee,	Skale,
Brice,	Green,	Maxwell,	Smith,
Brigerman,	Greenwood,	McClester,	Snider,
Brown,	Gross,	McKinney,	Sollenberger,
Brunner, C. H.,	Gyger,	McMillen,	Sorg,
Brunner, P. A.,	Haberlen,	McSurdy,	Stank,
Burns,	Hall,	Menna,	Stonier,
Cadwalader,	Hamilton,	Mihm,	Stockham,
Calvin,	Hannon,	Miller,	Tahl,
Campbell,	Hare,	Mintess,	Tate,
Chervenak,	Harris,	Mock,	Taylor,
Chudoff,	Haudenshield,	Modell,	Thrasher,
Cohen,	Heatherington,	Mooney,	Thompson,
Coleman,	Helm,	Moore,	Tiemann,
Cook,	Herman,	Moran,	Trent,
Cooper,	Hersch,	Moser,	Trout,
Cordier,	Hewitt,	Muir,	Turbett,
Corrigan,	Hocke,	Munley,	Van Allsburg,
Costa,	Hoffman,	Murray,	Verona,
Coulson,	Hoggard,	Nowak,	Wachhaus,
Croop,	Holmes,	O'Brien,	Wagner, K. H.,
Cullen,	Hoopes,	O'Connor,	Wagner, P. L.,
Dague,	Hunter, B. F.,	O'Dare,	Wallin,
Dalrymple,	Hunter, W. M.,	Owens,	Walton,
Denman,	Huntley,	O'Neill,	Watkins,
Dennison,	Imbrie,	Petrosky,	Weiss,
Depuy,	Irvin,	Pettit,	Welsh,
Dillon,	James,	Polaski,	Winner,
Dix,	Jones,	Powers,	Wood, L. H.,
Duffy,	Kennedy,	Readinger,	Wood, N.,
Elder,	Kirley,	Reagan,	Worley,
Elliott,	Kitchen,	Reese, D. P.,	Wright,
Ely,	Kline,	Reese, R. E.,	Yeakel,
Erb,	Kolankiewicz,	Regan,	Yester,
Ewing,	Kowalski,	Reilly,	Fiss,
Figlock,	Krepps,	Reynolds,	Speaker.
Finnerty,	Krise,		

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 557, as follows:

An Act to add clause (m) to section two hundred four of the act approved the twenty-second day of May one thousand nine hundred thirty-three (P. L. 853) entitled "An act relating to taxation designating the subjects property and persons subject to and exempt from taxation for all local purposes providing for and regulating the assessment and valuation of persons property and subjects of taxation for county purposes and for the use of those municipal and quasi-municipal corporations which levy their taxes on county assessments and valuations amending revising and consolidating the law relating thereto and repealing existing laws" providing further exemptions from taxation and making the provisions for exemptions applicable to institution district taxes

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section two hundred four of the act approved the twenty-second day of May one thousand nine hundred thirty-three (P. L. 853) entitled "An act relating to taxation designating the subjects property and persons subject to and exempt from taxation for all local purposes providing for and regulating the assessment and valuation of persons property and subjects of taxation for county purposes and for the use of those municipal and quasi-municipal corporations which levy their taxes an county assessments and valuations amending revising and consolidating the law relating thereto and repealing existing laws" is hereby amended by adding at the end thereof a new clause to read as follows

Section 204 Exemptions from Taxation The following property shall be exempt from all county city borough town township institution district road poor and school tax to wit

* * *

(m) All buildings and lands actually and exclusively used in the work of associations and corporations organized exclusively for the moral mental and physical improvement of men women and children Provided That the buildings or the lands on which they stand or the associations or corporations using and occupying them are not conducted for profit except that the exemption of the buildings and lands used for such purposes shall extend to cases where the charitable benevolent or religious work therein carried on is supported partly by fees and charges received from or on behalf of beneficiaries using or occupying the building or any part thereof so long as the building is wholly controlled by and the entire income therefrom is used for said charitable benevolent or religious purposes

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—201

Alspach,	Flack,	Lane,	Riley,
Auker,	Fleming,	Laughner,	Robertson,
Baker,	Flynn,	Lee,	Root,
Barrett,	Foor,	Leisey,	Rose, S.
Barton,	Fox,	Leonard,	Rose, W. E.,
Bentley,	Freed,	Levy,	Rowley,
Bentzel,	Fullerton,	Leydic,	Royer,
Boles,	Garber,	Lichtenwalter,	Salus,
Bonawitz,	Gardner,	Livingstone,	Sarge,
Boorse,	Gates,	Longo,	Sarraf,
Boory,	Gillan,	Lovett,	Scanlon,
Bower,	Goodling,	Lyons,	Schuster,
Boyd,	Goodwin,	Madigan,	Serrill,
Bradley,	Gorman,	Mahany,	Simons,
Bretherick,	Grant,	McAtee,	Skale,
Brice,	Green,	Maxwell,	Smith,
Brigerman,	Greenwood,	McClester,	Snider,
Brown,	Gross,	McKinney,	Sollenberger,
Brunner, C. H.,	Gyger,	McMillen,	Sorg,
Brunner, P. A.,	Haberlen,	McSurdy,	Stank,
Burns,	Hall,	Menna,	Stonier,
Cadwalader,	Hamilton,	Mihm,	Stockham,
Calvin,	Hannon,	Miller,	Tahl,
Campbell,	Hare,	Mintess,	Tate,
Chervenak,	Harris,	Mock,	Taylor,
Chudoff,	Haudenshield,	Modell,	Thrasher,
Cohen,	Heatherington,	Mooney,	Thompson,
Coleman,	Helm,	Moore,	Tiemann,
Cook,	Herman,	Moran,	Trent,
Cooper,	Hersch,	Moser,	Trout,
Cordier,	Hewitt,	Muir,	Turbett,
Corrigan,	Hocke,	Munley,	Van Allsburg,
Costa,	Hoffman,	Murray,	Verona,
Coulson,	Hoggard,	Nowak,	Wachhaus,
Croop,	Holmes,	O'Brien,	Wagner, X. H.,
Cullen,	Hoopes,	O'Connor,	Wagner, P. L.,
Dague,	Hunter, B. F.,	O'Dare,	Wallin,
Dalrymple,	Hunter, W. M.,	Owens,	Walton,
Denman,	Huntley,	O'Neill,	Watkins,
Dennison,	Imbrie,	Petrosky,	Weiss,
Depuy,	Irvin,	Pettit,	Welsh,
Dillon,	James,	Polaski,	Winner,
Dix,	Jones,	Powers,	Wood, L. H.,
Duffy,	Kennedy,	Readinger,	Wood, N.,
Elder,	Kirley,	Reagan,	Worley,
Elliott,	Kitchen,	Reese, D. P.,	Wright,
Ely,	Kline,	Reese, R. E.,	Yeakel,
Erb,	Kolankiewicz,	Regan,	Yester,
Ewing,	Kowalski,	Reilly,	Fiss,
Figlock,	Krepps,	Reynolds,	Speaker.
Finnerty,	Krise,		

NAYS—0

The majority required by the Constitution having voted in the affirmaive, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 727, as follows:

An Act to further amend section twenty-seven of the act approved the first day of June one thousand eight hundred eighty-nine (P. L. 420) entitled "A further supplement to an act entitled 'An act to provide revenue by taxation' approved the seventh day of June Anno Domini one thousand eight hundred and seventy-nine" further limiting the application of the section

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section twenty-seven of the act approved the first day of June one thousand eight hundred eighty-nine (P. L. 420) entitled "A further supplement to an act entitled 'An act to provide revenue by taxation' approved the seventh day of June Anno Domini one thousand eight hundred and seventy-nine" as amended by the act approved the twenty-fifth day of April one thousand nine hundred twenty-nine (P. L. 668) is hereby further amended to read as follows

Section 27 That from and after the passage of this act every incorporated company or limited partnership whatever whether the same be incorporated formed or organized under the laws of this or any other State or Territory and doing business within this Commonwealth and liable to taxation therein which is not subject to the taxes imposed by the twenty-first or twenty-fourth sections of this act except incorporated banks and savings institutions having capital stock and foreign insurance companies shall annually upon the fifteenth day of March of each year make report to the Department of Revenue setting forth the entire amount of net earnings or income received by said company or limited partnership from all sources during the preceding year and such other information as the Department may require and upon such net earnings or income the said company association or limited partnership as the case may be shall pay into the State Treasury through the Department of Revenue for the use of the Commonwealth within the time prescribed by law for the payment of State taxes settled by the Department of Revenue three per centum upon such annual net earnings or income in addition to any taxes on personal property to which it may be subject under the first section of this act The penalty for failure to make such report shall be as provided by law Provided That this section shall not apply to corporations and limited partnerships chartered or organized for manufacturing purposes nor to cooperative agricultural associations organized under the laws of this or any other state

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—201

Alspach,	Flack,	Lane,	Riley,
Auker,	Fleming,	Laughner,	Robertson,
Baker,	Flynn,	Lee,	Root,
Barrett,	Foor,	Leisey,	Rose, S.
Barton,	Fox,	Leonard,	Rose, W. E.,
Bentley,	Freed,	Levy,	Rowley,
Bentzel,	Fullerton,	Leydic,	Royer,
Boles,	Garber,	Lichtenwalter,	Salus,
Bonawitz,	Gardner,	Livingstone,	Sarge,
Boorse,	Gates,	Longo,	Sarraf,
Boory,	Gillan,	Lovett,	Scanlon,
Bower,	Goodling,	Lyons,	Schuster,
Boyd,	Goodwin,	Madigan,	Serrill,
Bradley,	Gorman,	Mahany,	Simons,
Bretherick,	Grant,	McAtee,	Skale,
Brice,	Green,	Maxwell,	Smith,
Brigerman,	Greenwood,	McClester,	Snider,
Brown,	Gross,	McKinney,	Sollenberger,
Brunner, C. H.,	Gyger,	McMillen,	Sorg,

Brunner, P. A.,	Haberlen,	McSurdy,	Stank,
Burns,	Hall,	Menna,	Stonier,
Cadwalader,	Hamilton,	Mihm,	Stockham,
Calvin,	Hannon,	Miller,	Tahl,
Campbell,	Hare,	Mintess,	Tate,
Chervenak,	Harris,	Mock,	Taylor,
Chudoff,	Haudenshield,	Modell,	Thrasher,
Cohen,	Heatherington,	Mooney,	Thompson,
Coleman,	Helm,	Moore,	Tiemann,
Cook,	Herman,	Moran,	Trent,
Cooper,	Hersch,	Moser,	Trout,
Cordier,	Hewitt,	Muir,	Turbett,
Corrigan,	Hocke,	Munley,	Van Allsburg,
Costa,	Hoffman,	Murray,	Verona,
Coulson,	Hoggard,	Nowak,	Wachhaus,
Croop,	Holmes,	O'Brien,	Wagner, K. H.,
Cullen,	Hoopes,	O'Connor,	Wagner, P. L.,
Dague,	Hunter, B. F.,	O'Dare,	Wallin,
Dalrymple,	Hunter, W. M.,	Owens,	Walton,
Denman,	Huntley,	O'Neill,	Watkins,
Dennison,	Imbrie,	Petrosky,	Weiss,
Depuy,	Irvin,	Pettit,	Welsh,
Dillon,	James,	Polaski,	Winner,
Dix,	Jones,	Powers,	Wood, L. H.,
Duffy,	Kennedy,	Readinger,	Wood, N.,
Elder,	Kirley,	Reagan,	Worley,
Elliott,	Kitchen,	Reese, D. P.,	Wright,
Ely,	Kline,	Reese, R. E.,	Yeakel,
Erb,	Kolankiewicz,	Regan,	Yester,
Ewing,	Kowalski,	Reilly,	Fiss,
Figlock,	Krepps,	Reynolds,	Speaker.
Finnerty,	Krise,		

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

BILL PASSED OVER

There being no objection House Bill No. 904, Printer's No. 485, was passed over at the request of Mr. LICHTENWALTER.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 931, as follows:

An Act making an appropriation out of the Motor License Fund to the Department of Highways for allocation to and expenditure in the second class townships of the Commonwealth for maintenance construction reconstruction resurfacing or improvement of township roads and bridges during the calendar years one thousand nine hundred forty-four and one thousand nine hundred forty-five permitting the use of the funds for maintenance and repair to township roads and bridges under certain conditions and providing for the method of payment to townships

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The sum of eight million five hundred thousand dollars ($8,500,000) is hereby appropriated to the Department of Highways for the two calendar years beginning January first one thousand nine hundred forty-four out of the Motor License Fund for allocation to and expenditures in the townships of the second class of the Commonwealth in the amounts upon the terms in the manner and for the purposes hereinafter set forth in this act Provided however That the Secretary of Highways shall withhold payment out of said appropriation to townships of the second class in an amount equal to the total amount of money paid to all townships of the second class out of the Highway Aid Fund during the calendar years one thousand nine hundred forty-four and one thousand nine hundred forty-five

Section 2 The moneys hereby appropriated shall be allocated and apportioned among the second class townships of this Commonwealth in the ratio which the mileage of township roads in each township of the second class bears to the total mileage of township roads in all of the townships of the second class in the Commonwealth as of January first one thousand nine hundred forty-four

The funds so appropriated shall be expended by the supervisors of each township but only after consultation with the Department of Highways as to the most beneficial and efficient manner of making such expenditures and shall be used for the maintenance construction reconstruction resurfacing and improvement of township roads and the maintenance construction and reconstruction of township bridges in townships of the second class excepting that in townships which do not have sufficient funds from other sources for the maintenance and repair of all the roads and bridges under their jurisdiction the allocation to such townships shall be used in whole or in part for such maintenance and repair purposes

Section 3 Nothing in this act shall be construed to relieve any of the second class townships from any obligation they may have incurred under any contract or agreement entered into prior to January first one thousand nine hundred forty-four for the construction or repair of any highway or structure now under their jurisdiction

Section 4 The supervisors of each township shall appoint a foreman who may be a member of the board of supervisors to supervise the work to be done under the provisions of this act and in the event more than one foreman is required the Department of Highways may authorize the supervisors to appoint one or more additional foremen The Secretary of Highways shall have the right to remove any foreman so appointed for incompetency Said supervisors shall also employ any laborers required for said work and fix their wages

Nothing herein contained shall be construed to prevent work under the act being done by contact let by the township supervisors

Section 5 No payment shall be made from moneys allocated under this act to the townships of the second class except on warrants drawn by the Auditor General upon the State Treasurer as provided by the act of Assembly to the treasurer of the board of supervisors and such payment if approved by the Secretary of Highways shall be made in four equal installments payable the first day of March the first day of June the first day of September and the first day of December of each year

There shall be submitted to the Department of Highways by the board of township supervisors a report on the last days of May and November of each year showing the cost of the work done under the provisions of this act in such detail as may be required by the Department of Highways In case any records or reports required by law are not made in the manner or at the time required no further funds shall be approved for payment by the Secretary of Highways to such township until such reports have been made and approved

Nothing in this act shall be construed to permit the funds appropriated by the act to be paid for other than labor rental or equipment payrolls material purchases including repair parts necessary for the maintenance of equipment small tools road drags and snow fence on road and bridge work performed by the townships under the provisions of this act

Nothing herein contained shall be construed to prevent the use of any of the funds allocated under this act for Federal projects sponsored by the townships or for county-aid work relating to the improvement of roads and bridges

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—201

Alspach,	Flack,	Lane,	Riley,
Auker,	Fleming,	Laughner,	Robertson,
Baker,	Flynn,	Lee,	Root,
Barrett,	Foor,	Leisey,	Rose, S.
Barton,	Fox,	Leonard,	Rose, W. E.,
Bentley,	Freed,	Levy,	Rowley,
Bentzel,	Fullerton,	Leydic,	Royer,
Boies,	Garber,	Lichtenwalter,	Salus,
Bonawitz,	Gardner,	Livingstone,	Sarge,
Boorse,	Gates,	Longo,	Sarraf,
Boory,	Gillan,	Lovett,	Scanlon,
Bower,	Goodling,	Lyons,	Schuster,
Boyd,	Goodwin,	Madigan,	Serrill,
Bradley,	Gorman,	Mahany,	Simons,
Bretherick,	Grant,	McAtee,	Skale,
Brice,	Green,	Maxwell,	Smith,
Brigerman,	Greenwood,	McClester,	Snider,
Brown,	Gross,	McKinney,	Sollenberger,
Brunner, C. H.,	Gyger,	McMillen,	Sorg,
Brunner, P. A.,	Haberlen,	McSurdy,	Stank,
Burns,	Hall,	Menna,	Stonier,
Cadwalader,	Hamilton,	Mihm,	Stockham,
Calvin,	Hannon,	Miller,	Tahl,
Campbell,	Hare,	Mintess,	Tate,
Chervenak,	Harris,	Mock,	Taylor,
Chudoff,	Haudenshield,	Modell,	Thrasher,
Cohen,	Heatherington,	Mooney,	Thompson,
Coleman,	Helm,	Moore,	Tiemann,
Cook,	Herman,	Moran,	Trent,
Cooper,	Hersch,	Moser,	Trout,
Cordier,	Hewitt,	Muir,	Turbett,
Corrigan,	Hocke,	Munley,	Van Allsburg,
Costa,	Hoffman,	Murray,	Verona,
Coulson,	Hoggard,	Nowak,	Wachhaus,
Croop,	Holmes,	O'Brien,	Wagner, K. H.,
Cullen,	Hoopes,	O'Connor,	Wagner, P. L.,
Dague,	Hunter, B. F.,	O'Dare,	Wallin,
Dalrymple,	Hunter, W. M.,	Owens,	Walton,
Denman,	Huntley,	O'Neill,	Watkins,
Dennison,	Imbrie,	Petrosky,	Weiss,
Depuy,	Irvin,	Pettit,	Welsh,
Dillon,	James,	Polaski,	Winner,
Dix,	Jones,	Powers,	Wood, L. H.,
Duffy,	Kennedy,	Readinger,	Wood, N.,
Elder,	Kirley,	Reagan,	Worley,
Elliott,	Kitchen,	Reese, D. P.,	Wright,
Ely,	Kline,	Reese, R. E.,	Yeakel,
Erb,	Kolankiewicz,	Regan,	Yester,
Ewing,	Kowalski,	Reilly,	Fiss,
Figlock,	Krepps,	Reynolds,	Speaker.
Finnerty,	Krise,		

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

BILL PASSED OVER

There being no objection House Bill No. 933, Printer's No. 487, was passed over at the request of Mr. LICHTENWALTER.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 948, as follows:

An Act making an appropriation to the Department of Military Affairs for the maintenance and education of children of certain soldiers saliors marines female field clerks yeomen (female) and nurses

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The sum of twenty thousand dollars ($20,000) or as much thereof as may be necessary is hereby specifically appropriated to the Department of Military Affairs to be used during the fiscal biennium beginning June first one thousand nine hundred forty-three for paying gratuities for the children between the ages of sixteen and twenty-one years of soldirs sailors marines female field clerks yeomen (female) or members of the enlisted nurse corps of the United States who die or have died of Spanish-American War or World War service connected disabilities as certified from veteran administration records Such children must have lived in the Commonwealth of Pennsylvania for five years immediately preceding the date upon which the application is filed

Section 2 Gratuities shall be paid out of the appropriation made by this act for the account of such children as shall be certified by the State Veterans' Commission (1) as coming within the class described in section one of this act and (2) as attending any State or State-aided educational or training institution of a secondary or college grade or other institution of higher education business school trade school hospital providing training for nurses school or institution providing courses in beauty culture art radio or undertaking or embalming or such other educational training within this Commonwealth as approved by the State Veterans' Commission and (3) as being unable without such gratuity to pursue his or her education or training Payments not to exceed the sum of two hundred dollars ($200) per school year per child shall be made to such institutions upon the submission by them of proof that bills have been incurred or contracted for matriculation fees and other necessary fees tuition board room rent books and supplies for such children in a definite amount for the school year Such proof shall be submitted to the State Veterans' Commission which shall attach the same to the requisitions prepared for payments out of the appropriations made by this act

Where a child within the class described is completing an educational or training course and arrives at the age of twenty-one years before completing the course the gratuity may be paid until the course is completed Provided however That gratuities may not be paid for any child for a longer period than four scholastic years

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—201

Alspach,	Flack,	Lane,	Riley,
Auker,	Fleming,	Laughner,	Robertson,
Baker,	Flynn,	Lee,	Root,
Barrett,	Foor,	Leisey,	Rose, S.
Barton,	Fox,	Leonard,	Rose, W. E.,
Bentley,	Freed,	Levy,	Rowley,
Bentzel,	Fullerton,	Leydic,	Royer,
Boies,	Garber,	Lichtenwalter,	Salus,
Bonawitz,	Gardner,	Livingstone,	Sarge,
Boorse,	Gates,	Longo,	Sarraf,
Boory,	Gillan,	Lovett,	Scanlon,
Bower,	Goodling,	Lyons,	Schuster,
Boyd,	Goodwin,	Madigan,	Serrill,
Bradley,	Gorman,	Mahany,	Simons,
Bretherick,	Grant,	McAtee,	Skale,
Brice,	Green,	Maxwell,	Smith,
Brigerman,	Greenwood,	McClester,	Snider,
Brown,	Gross,	McKinney,	Sollenberger,
Brunner, C. H.,	Gyger,	McMillen,	Sorg,
Brunner, P. A.,	Haberlen,	McSurdy,	Stank,
Burns,	Hall,	Menna,	Stonier,
Cadwalader,	Hamilton,	Mihm,	Stockham,
Calvin,	Hannon,	Miller,	Tahl,
Campbell,	Hare,	Mintess,	Tate,
Chervenak,	Harris,	Mock,	Taylor,
Chudoff,	Haudenshield,	Modell,	Thrasher,
Cohen,	Heatherington,	Mooney,	Thompson,
Coleman,	Helm,	Moore,	Tiemann,
Cook,	Herman,	Moran,	Trent,
Cooper,	Hersch,	Moser,	Trout,
Cordier,	Hewitt,	Muir,	Turbett,
Corrigan,	Hocke,	Munley,	Van Allsburg,
Costa,	Hoffman,	Murray,	Verona,
Coulson,	Hoggard,	Nowak,	Wachhaus,

Croop,	Holmes,	O'Brien,	Wagner, K. H.,
Cullen,	Hoopes,	O'Connor,	Wagner, P. L.,
Dague,	Hunter, B. F.,	O'Dare,	Wallin,
Dalrymple,	Hunter, W. M.,	Owens,	Walton,
Denman,	Huntley,	O'Neill,	Watkins,
Dennison,	Imbrie,	Petrosky,	Weiss,
Depuy,	Irvin,	Pettit,	Welsh,
Dillon,	James,	Polaski,	Winner,
Dix,	Jones,	Powers,	Wood, L. H.,
Duffy,	Kennedy,	Readinger,	Wood, N.,
Elder,	Kirley,	Reagan,	Worley,
Elliott,	Kitchen,	Reese, D. P.,	Wright,
Ely,	Kline,	Reese, R. E.,	Yeakel,
Erb,	Kolankiewicz,	Regan,	Yester,
Ewing,	Kowalski,	Reilly,	Fiss,
Figlock,	Krepps,	Reynolds,	Speaker.
Finnerty,	Krise,		

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 950, as follows:

An Act making an appropriation to the Department of Labor and Industry for the rehabilitation of the deaf and hard of hearing and for the purpose of matching additional federal funds

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 In addition to the moneys appropriated for the rehabilitation of persons injured in industry and otherwise the sum of thirty thousand dollars ($30,000) or as much thereof as may be necessary is hereby appropriated to the Department of Labor and Industry for the two fiscal years beginning June first one thousand nine hundred and forty-three for the purpose of providing for the rehabilitation of those who are deaf and hard of hearing in order to secure for such persons placement in industry and for the payment of the compensation and expenses of persons employed by the department in such rehabilitation work In addition to the powers granted to the said department it shall have like powers for the rehabilitation of the deaf and hard of hearing as provided by existing law for the rehabilitation of those injured in industry and otherwise The moneys hereby appropriated shall be available for the purpose of matching any reallocations of federal moneys made available to the states through the Couzens' amendment or any other Federal Government appropriation for this purpose allotted to the states in any fiscal year

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—201

Alspach,	Flack,	Lane,	Riley,
Auker,	Fleming,	Laughner,	Robertson,
Baker,	Flynn,	Lee,	Root,
Barrett,	Foor,	Leisey,	Rose, S.
Barton,	Fox,	Leonard,	Rose, W. E.,
Bentley,	Freed,	Levy,	Rowley,
Bentzel,	Fullerton,	Leydic,	Royer,
Boies,	Garber,	Lichtenwalter,	Salus,
Bonawitz,	Gardner,	Livingstone,	Sarge,
Boorse,	Gates,	Longo,	Sarraf,
Boory,	Gillan,	Lovett,	Scanlon,
Bower,	Goodling,	Lyons,	Schuster,
Boyd,	Goodwin,	Madigan,	Serrill,
Bradley,	Gorman,	Mahany,	Simons,
Bretherick,	Grant,	McAtee,	Skale,
Brice,	Green,	Maxwell,	Smith,
Brigerman,	Greenwood,	McClester,	Snider,
Brown,	Gross,	McKinney,	Sollenberger,
Brunner, C. H.,	Gyger,	McMillen,	Sorg,
Brunner, P. A.,	Haberlen,	McSurdy,	Stank,
Burns,	Hall,	Menna,	Stonier,
Cadwalader,	Hamilton,	Mihm,	Stockham,
Calvin,	Hannon,	Miller,	Tahl,
Campbell,	Hare,	Mintess,	Tate,
Chervenak,	Harris,	Mock,	Taylor,
Chudoff,	Haudenshield,	Modell,	Thrasher,
Cohen,	Heatherington,	Mooney,	Thompson,
Coleman,	Helm,	Moore,	Tiemann,
Cook,	Herman,	Moran,	Trent,
Cooper,	Hersch,	Moser,	Trout,
Cordier,	Hewitt,	Muir,	Turbett,
Corrigan,	Hocke,	Munley,	Van Allsburg,
Costa,	Hoffman,	Murray,	Verona,
Coulson,	Hoggard,	Nowak,	Wachhaus,
Croop,	Holmes,	O'Brien,	Wagner, K. H.,
Cullen,	Hoopes,	O'Connor,	Wagner, P. L.,
Dague,	Hunter, B. F.,	O'Dare,	Wallin,
Dalrymple,	Hunter, W. M.,	Owens,	Walton,
Denman,	Huntley,	O'Neill,	Watkins,
Dennison,	Imbrie,	Petrosky,	Weiss,
Depuy,	Irvin,	Pettit,	Welsh,
Dillon,	James,	Polaski,	Winner,
Dix,	Jones,	Powers,	Wood, L. H.,
Duffy,	Kennedy,	Readinger,	Wood, N.,
Elder,	Kirley,	Reagan,	Worley,
Elliott,	Kitchen,	Reese, D. P.,	Wright,
Ely,	Kline,	Reese, R. E.,	Yeakel,
Erb,	Kolankiewicz,	Regan,	Yester,
Ewing,	Kowalski,	Reilly,	Fiss,
Figlock,	Krepps,	Reynolds,	Speaker.
Finnerty,	Krise,		

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 952, as follows:

An Act making an appropriation from the Banking Department Fund to the State Employes' Retirement Board to meet the obligations of the Commonwealth to the State Employes Retirement System with respect to State Employes receiving compensation from the Banking Department Fund

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The sum of thirty-five thousand four hundred dollars ($35,400) or as much thereof as may be necessary is hereby specifically appropriated out of the Banking Department Fund to the State Employes' Retirement Board for the two fiscal years commencing the first day of June one thousand nine hundred and forty-three for payment from time to time into the State Employes' Retirement Fund to meet the obligations of the Commonwealth to the State Employes' Retirement System with respect to State employes receiving compensation from the Banking Department Fund

Section 2 Of the sum appropriated by this act there shall be paid into the State Employes' Retirement Fund to the credit of the State Annuity Reserve Account Number Two the sum of twenty-five thousand dollars ($25,000) and to the credit of the Contingent Reserve Account the sum of ten thousand four hundred dollars ($10,400)

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—201

Alspach,	Flack,	Lane,	Riley,
Auker,	Fleming,	Laughner,	Robertson,
Baker,	Flynn,	Lee,	Root,
Barrett,	Foor,	Leisey,	Rose, S.
Barton,	Fox,	Leonard,	Rose, W. E.,
Bentley,	Freed,	Levy,	Rowley,
Bentzel,	Fullerton,	Leydic,	Royer,
Boles,	Garber,	Lichtenwalter,	Salus,
Bonawitz,	Gardner,	Livingstone,	Sarge,
Boorse,	Gates,	Longo,	Sarraf,
Boory,	Gillan,	Lovett,	Scanlon,
Bower,	Goodling,	Lyons,	Schuster,
Boyd,	Goodwin,	Madigan,	Serrill,
Bradley,	Gorman,	Mahany,	Simons,
Bretherick,	Grant,	McAtee,	Skale,
Brice,	Green,	Maxwell,	Smith,
Brigerman,	Greenwood,	McClester,	Snider,
Brown,	Gross,	McKinney,	Sollenberger,
Brunner, C. H.,	Gyger,	McMillen,	Sorg,
Brunner, P. A.,	Haberlen,	McSurdy,	Stank,
Burns,	Hall,	Menna,	Stonier,
Cadwalader,	Hamilton,	Mihm,	Stockham,
Calvin,	Hannon,	Miller,	Tahl,
Campbell,	Hare,	Mintess,	Tate,
Chervenak,	Harris,	Mock,	Taylor,
Chudoff,	Haudenshield,	Modell,	Thrasher,
Cohen,	Heatherington,	Mooney,	Thompson,
Coleman,	Helm,	Moore,	Tiemann,
Cook,	Herman,	Moran,	Trent,
Cooper,	Hersch,	Moser,	Trout,
Cordier,	Hewitt,	Muir,	Turbett,
Corrigan,	Hocke,	Munley,	Van Allsburg,
Costa,	Hoffman,	Murray,	Verona,
Coulson,	Hoggard,	Nowak,	Wachhaus,
Croop,	Holmes,	O'Brien,	Wagner, K. H.,
Cullen,	Hoopes,	O'Connor,	Wagner, P. L.,
Dague,	Hunter, B. F.,	O'Dare,	Wallin,
Dalrymple,	Hunter, W. M.,	Owens,	Walton,
Denman,	Huntley,	O'Neill,	Watkins,
Dennison,	Imbrie,	Petrosky,	Weiss,
Depuy,	Irvin,	Pettit,	Welsh,
Dillon,	James,	Polaski,	Winner,
Dix,	Jones,	Powers,	Wood, L. H.,
Duffy,	Kennedy,	Readinger,	Wood, N.,
Elder,	Kirley,	Reagan,	Worley,
Elliott,	Kitchen,	Reese, D P.,	Wright,
Ely,	Kline,	Reese, R. E.,	Yeakel,
Erb,	Kolankiewicz,	Regan,	Yester,
Ewing,	Kowalski,	Reilly,	Fiss,
Figlock,	Krepps,	Reynolds,	Speaker.
Finnerty,	Krise,		

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 953, as follows:

An Act making an appropriation from the Motor License Fund to the State Employes' Retirement Board to meet the obligations of the Commonwealth to the State Employes' Retirement System with respect to State employes receiving compensation from the Motor License Fund

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The sum of five hundred forty-five thousand dollars ($545,000) or as much thereof as may be necessary is hereby specifically appropriated out of the Motor License Fund to the State Employes' Retirement board for the two fiscal years commencing the first day of June one thousand nine hundred forty-three for payment from time to time into the State Employes' Retirement Fund to meet the obligations of the Commonwealth to the State Employes' Retirement System with respect to State Employes receiving compensation from the Motor License Fund

Section 2 Of the sum appropriated by this act there shall be paid into the State Employes' Retirement Fund to the credit of the State Annuity Reserve Account Number Two the sum of three hundred thirteen thousand four hundred dollars ($313,400) to the credit of the Contingent Reserve Account the sum of one hundred thirty-one thousand six hundred dollars ($131,600) and to the credit of the Pennsylvania Motor Police Retirement Account the sum of one hundred thousand dollars ($100,000)

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—201

Alspach,	Flack,	Lane,	Riley,
Auker,	Fleming,	Laughner,	Robertson,
Baker,	Flynn,	Lee,	Root,
Barrett,	Foor,	Leisey,	Rose, S.
Barton,	Fox,	Leonard,	Rose, W. E.,
Bentley,	Freed,	Levy,	Rowley,
Bentzel,	Fullerton,	Leydic,	Royer,
Boles,	Garber,	Lichtenwalter,	Salus,
Bonawitz,	Gardner,	Livingstone,	Sarge,
Boorse,	Gates,	Longo,	Sarraf,
Boory,	Gillan,	Lovett,	Scanlon,
Bower,	Goodling,	Lyons,	Schuster,
Boyd,	Goodwin,	Madigan,	Serrill,
Bradley,	Gorman,	Mahany,	Simons,
Bretherick,	Grant,	McAtee,	Skale,
Brice,	Green,	Maxwell,	Smith,
Brigerman,	Greenwood,	McClester,	Snider,
Brown,	Gross,	McKinney,	Sollenberger,
Brunner, C. H.,	Gyger,	McMillen,	Sorg,
Brunner, P. A.,	Haberlen,	McSurdy,	Stank,
Burns,	Hall,	Menna,	Stonier,
Cadwalader,	Hamilton,	Mihm,	Stockham,
Calvin,	Hannon,	Miller,	Tahl,
Campbell,	Hare,	Mintess,	Tate,
Chervenak,	Harris,	Mock,	Taylor,
Chudoff,	Haudenshield,	Modell,	Thrasher,
Cohen,	Heatherington,	Mooney,	Thompson,
Coleman,	Helm,	Moore,	Tiemann,
Cook,	Herman,	Moran,	Trent,
Cooper,	Hersch,	Moser,	Trout,
Cordier,	Hewitt,	Muir,	Turbett,
Corrigan,	Hocke,	Munley,	Van Allsburg,
Costa,	Hoffman,	Murray,	Verona,
Coulson,	Hoggard,	Nowak,	Wachhaus,
Croop,	Holmes,	O'Brien,	Wagner, K. H.,
Cullen,	Hoopes,	O'Connor,	Wagner, P. L.,
Dague,	Hunter, B. F.,	O'Dare,	Wallin,
Dalrymple,	Hunter, W. M.,	Owens,	Walton,
Denman,	Huntley,	O'Neill,	Watkins,
Dennison,	Imbrie,	Petrosky,	Weiss,
Depuy,	Irvin,	Pettit,	Welsh,
Dillon,	James,	Polaski,	Winner,
Dix,	Jones,	Powers,	Wood, L. H.,
Duffy,	Kennedy,	Readinger,	Wood, N.,
Elder,	Kirley,	Reagan,	Worley,
Elliott,	Kitchen,	Reese, D P.,	Wright,
Ely,	Kline,	Reese, R. E.,	Yeakel,
Erb,	Kolankiewicz,	Regan,	Yester,
Ewing,	Kowalski,	Reilly,	Fiss,
Figlock,	Krepps,	Reynolds,	Speaker.
Finnerty,	Krise,		

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 959, as follows:

An Act making an appropriation from the State Workmen's Insurance Fund to the State Employes' Retirement Board to meet the obligations of the Commonwealth to the State Employes' Retirement System with respect to State employes receiving compensation from the State Workmen's Insurance Fund

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The sum of thirty-four thousand dollars ($34,000) or as much thereof as may be necessary is hereby specifically appropriated out of the State Workmen's Insurance Fund to the State Employes' Retirement Board for the two fiscal years commencing the first day of June one thousand nine hundred forty-three for payment from time to time into the State Employes' Retirement Fund to meet the obligations of the Commonwealth to the State Employes' Retirement System with respect to State employes receiving compensation from the State Workmen's Insurance Fund

Section 2 Of the sum appropriated by this act there shall be paid into the State Employes' Retirement Fund to the credit of the State Annuity Reserve Account Number Two the sum of twenty-four thousand dollars ($24,000) and to the credit of the Contingent Reserve Account the sum of ten thousand dollars ($10,000)

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—201

Alspach,	Flack,	Lane,	Riley,
Auker,	Fleming,	Laughner,	Robertson,
Baker,	Flynn,	Lee,	Root,
Barrett,	Foor,	Leisey,	Rose, S.
Barton,	Fox,	Leonard,	Rose, W. E.,
Bentley,	Freed,	Levy,	Rowley,
Bentzel,	Fullerton,	Leydic,	Royer,
Boles,	Garber,	Lichtenwalter,	Salus,
Bonawitz,	Gardner,	Livingstone,	Sarge,
Boorse,	Gates,	Longo,	Sarraf,
Boory,	Gillan,	Lovett,	Scanlon,
Bower,	Goodling,	Lyons,	Schuster,
Boyd,	Goodwin,	Madigan,	Serrill,
Bradley,	Gorman,	Mahany,	Simons,
Bretherick,	Grant,	McAtee,	Skale,
Brice,	Green,	Maxwell,	Smith,
Brigerman,	Greenwood,	McClester,	Snider,
Brown,	Gross,	McKinney,	Sollenberger,
Brunner, C. H.,	Gyger,	McMillen,	Sorg,
Brunner, P. A.,	Haberlen,	McSurdy,	Stank,
Burns,	Hall,	Menna,	Stonier,
Cadwalader,	Hamilton,	Mihm,	Stockham,
Calvin,	Hannon,	Miller,	Tahl,
Campbell,	Hare,	Mintess,	Tate,
Chervenak,	Harris,	Mock,	Taylor,
Chudoff,	Haudenshield,	Modell,	Thrasher,
Cohen,	Heatherington,	Mooney,	Thompson,
Coleman,	Helm,	Moore,	Tiemann,
Cook,	Herman,	Moran,	Trent,
Cooper,	Hersch,	Moser,	Trout,
Cordier,	Hewitt,	Muir,	Turbett,
Corrigan,	Hocke,	Munley,	Van Allsburg,
Costa,	Hoffman,	Murray,	Verona,
Coulson,	Hoggard,	Nowak,	Wachhaus,
Croop,	Holmes,	O'Brien,	Wagner, K. H.,
Cullen,	Hoopes,	O'Connor,	Wagner, P. L.,
Dague,	Hunter, B. F.,	O'Dare,	Wallin,
Dalrymple,	Hunter, W. M.,	Owens,	Walton,
Denman,	Huntley,	O'Neill,	Watkins,
Dennison,	Imbrie,	Petrosky,	Weiss,
Depuy,	Irvin,	Pettit,	Welsh,
Dillon,	James,	Polaski,	Winner,
Dix,	Jones,	Powers,	Wood, L. H.,
Duffy,	Kenn	Readinger,	Wood, N.,
Elder,	Kirley,	Reagan,	Worley,
Elliott,	Kitchen,	Reese, D. P.,	Wright,
Ely,	Kline,	Reese, R. E.,	Yeakel,
Erb,	Kolanklewicz,	Regan,	Yester,
Ewing,	Kowalski,	Reilly,	Fiss,
Figlock,	Krepps,	Reynolds,	Speaker.
Finnerty,	Krise,		

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 962, as follows:

An Act making an appropriation of moneys in the Motor License Fund to the Board of Finance and Revenue to meet interest and sinking fund requirements on the State debt

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The Sum of ten million nine hundred forty-five thousand four hundred fourteen dollars and fifty-five cents ($10,945,414.55) is hereby specifically appropriated from the Motor License Fund to the Board of Finance and Revenue for payment into the Sinking Fund to meet interest and sinking fund requirements on the State debt for the two fiscal years commencing June first one thousand nine hundred and forty-three The amount hereinbefore appropriated shall be transferred by the Auditor General and the State Treasurer upon requisition of the Board of Finance and Revenue from the Motor License Fund to the Sinking Fund on or before the dates and in the amounts set forth in the following schedule

Dates	Principal	Interest	Total
July 1 1943	$683,972.69	$445,465.00	$1,129,437.69
August 2 1943	214,736.61	292,200.00	506,936.61
September 1 1943 .	660,138.29	188,440.00	848,578.29
October 1 1943	313,818.29	120,000.00	433,818.29
December 1, 1943 .	384,958.90	160,000.00	544,958.90
January 3 1944 ...	20,440.00	445,465.00	465,905.00
February 1 1944 ..	.....	292,200.00	292,200.00
March 1 1944	10,150.00	160,000.00	170,150.00
April 1 1944	687,591.66	120,000.00	807,591.66
June 1 1944	168,000.00	160,000.00	328,000.00
July 1 1944	683,972.69	445,465.00	1,129,437.69
August 1 1944 ...	214,736.61	292,200.00	506,936.61
September 1 1944 .	660,138.29	160,000.00	820,138.29
October 2 1944	313,818.29	120,000.00	433,818.29
December 1 1944 .	384,958.90	160,000.00	544,958.90
January 2 1945 ..	20,440.00	417,500.00	437,940.00
February 1 1945 ..	.....	292,200.00	292,200.00
March 1 1945	10,150.00	160,000.00	170,150.00
April 2 1945	687,591.66	106,666.67	794,258.33
June 1 1945	168,000.00	120,000.00	288,000.00
Total	$6,287,612.88	$4,657,801.67	$10,945,414.55

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—201

Alspach,	Flack,	Lane,	Riley,
Auker,	Fleming,	Laughner,	Robertson,
Baker,	Flynn,	Lee,	Root,
Barrett,	Foor,	Leisey,	Rose, S.
Barton,	Fox,	Leonard,	Rose, W. E.,
Bentley,	Freed,	Levy,	Rowley,

Bentzel,	Fullerton,	Leydic,	Royer,
Boies,	Garber,	Lichtenwalter,	Salus,
Bonawitz,	Gardner,	Livingstone,	Sarge,
Boorse,	Gates,	Longo,	Sarraf,
Boory,	Gillan,	Lovett,	Scanlon,
Bower,	Goodling,	Lyons,	Schuster,
Boyd,	Goodwin,	Madigan,	Serrill,
Bradley,	Gorman,	Mahany,	Simons,
Bretherick,	Grant,	McAtee,	Skale,
Brice,	Green,	Maxwell,	Smith,
Brigerman,	Greenwood,	McClester,	Snider,
Brown,	Gross,	McKinney,	Sollenberger,
Brunner, C. H.,	Gyger,	McMillen,	Sorg,
Brunner, P. A.,	Haberlen,	McSurdy,	Stank,
Burns,	Hall,	Menna,	Stonier,
Cadwalader,	Hamilton,	Mihm,	Stockham,
Calvin,	Hannon,	Miller,	Tahl,
Campbell,	Hare,	Mintess,	Tate,
Chervenak,	Harris,	Mock,	Taylor,
Chudoff,	Haudenshield,	Modell,	Thrasher,
Cohen,	Heatherington,	Mooney,	Thompson,
Coleman,	Helm,	Moore,	Tiemann,
Cook,	Herman,	Moran,	Trent,
Cooper,	Hersch,	Moser,	Trout,
Cordier,	Hewitt,	Muir,	Turbett,
Corrigan,	Hocke,	Munley,	Van Allsburg,
Costa,	Hoffman,	Murray,	Verona,
Coulson,	Hoggard,	Nowak,	Wachhaus,
Croop,	Holmes,	O'Brien,	Wagner, K. H.,
Cullen,	Hoopes,	O'Connor,	Wagner, P. L.,
Dague,	Hunter, B. F.,	O'Dare,	Wallin,
Dalrymple,	Hunter, W. M.,	Owens,	Walton,
Denman,	Huntley,	O'Neill,	Watkins,
Dennison,	Imbrie,	Petrosky,	Weiss,
Depuy,	Irvin,	Pettit,	Welsh,
Dillon,	James,	Polaski,	Winner,
Dix,	Jones,	Powers,	Wood, L. H.,
Duffy,	Kennedy,	Readinger,	Wood, N.,
Elder,	Kirley,	Reagan,	Worley,
Elliott,	Kitchen,	Reese, D. P.,	Wright,
Ely,	Kline,	Reese, R. E.,	Yeakel,
Erb,	Kolankiewicz,	Regan,	Yester,
Ewing,	Kowalski,	Reilly,	Fiss,
Figlock,	Krepps,	Reynolds,	Speaker.
Finnerty,	Krise,		

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 963, as follows:

An Act making an appropriation to the Department of Property and Supplies for the payment of rates rentals and other charges that may become due on leases and other contracts executed by The Pennsylvania State College with The General State Authority for the use and occupancy by such college of the various projects structures buildings and facilities of the Authority or for the services rendered by the Authority or its projects

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The sum of seven hundred thirty-one thousand dollars ($731,000) or as much thereof as may be necessary is hereby specifically appropriated to the Department of Property and Supplies for the use of The Pennsylvania State College for the two fiscal years beginning June first one thousand nine hundred forty-three for the payment of annual rates rentals and other charges for the use and occupancy or the right to use or occupy the projects structures buildings and facilities leased by The General State Authority to The Pennsylvania State College or for services rendered by the Authority or its projects Payment of such annual rates rentals and other charges shall be made in equal monthly or quarterly installments or otherwise as required by the respective leases

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—201

Alspach,	Flack,	Lane,	Riley,
Auker,	Fleming,	Laughner,	Robertson,
Baker,	Flynn,	Lee,	Root,
Barrett,	Foor,	Leisey,	Rose, S.
Barton,	Fox,	Leonard,	Rose, W. E.,
Bentley,	Freed,	Levy,	Rowley,
Bentzel,	Fullerton,	Leydic,	Royer,
Boies,	Garber,	Lichtenwalter,	Salus,
Bonawitz,	Gardner,	Livingstone,	Sarge,
Boorse,	Gates,	Longo,	Sarraf,
Boory,	Gillan,	Lovett,	Scanlon,
Bower,	Goodling,	Lyons,	Schuster,
Boyd,	Goodwin,	Madigan,	Serrill,
Bradley,	Gorman,	Mahany,	Simons,
Bretherick,	Grant,	McAtee,	Skale,
Brice,	Green,	Maxwell,	Smith,
Brigerman,	Greenwood,	McClester,	Snider,
Brown,	Gross,	McKinney,	Sollenberger,
Brunner, C. H.,	Gyger,	McMillen,	Sorg,
Brunner, P. A.,	Haberlen,	McSurdy,	Stank,
Burns,	Hall,	Menna,	Stonier,
Cadwalader,	Hamilton,	Mihm,	Stockham,
Calvin,	Hannon,	Miller,	Tahl,
Campbell,	Hare,	Mintess,	Tate,
Chervenak,	Harris,	Mock,	Taylor,
Chudoff,	Haudenshield,	Modell,	Thrasher,
Cohen,	Heatherington,	Mooney,	Thompson,
Coleman,	Helm,	Moore,	Tiemann,
Cook,	Herman,	Moran,	Trent,
Cooper,	Hersch,	Moser,	Trout,
Cordier,	Hewitt,	Muir,	Turbett,
Corrigan,	Hocke,	Munley,	Van Allsburg,
Costa,	Hoffman,	Murray,	Verona,
Coulson,	Hoggard,	Nowak,	Wachhaus,
Croop,	Holmes,	O'Brien,	Wagner, K. H.,
Cullen,	Hoopes,	O'Connor,	Wagner, P. L.,
Dague,	Hunter, B. F.,	O'Dare,	Wallin,
Dalrymple,	Hunter, W. M.,	Owens,	Walton,
Denman,	Huntley,	O'Neill,	Watkins,
Dennison,	Imbrie,	Petrosky,	Weiss,
Depuy,	Irvin,	Pettit,	Welsh,
Dillon,	James,	Polaski,	Winner,
Dix,	Jones,	Powers,	Wood, L. H.,
Duffy,	Kennedy,	Readinger,	Wood, N.,
Elder,	Kirley,	Reagan,	Worley,
Elliott,	Kitchen,	Reese, D. P.,	Wright,
Ely,	Kline,	Reese, R. E.,	Yeakel,
Erb,	Kolankiewicz,	Regan,	Yester,
Ewing,	Kowalski,	Reilly,	Fiss,
Figlock,	Krepps,	Reynolds,	Speaker.
Finnerty,	Krise,		

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 965, as follows:

An Act making an appropriation from the State Stores Fund to the State Employes' Retirement Board to meet the obligations of the Commonwealth to the State Employes' Retirement System with respect to State employes receiving compensation from the State Stores Fund

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The sum of four hundred fifty-nine thousand three hundred dollars ($459,300) or as much thereof as may be necessary is hereby specifically appropriated

out of the State Stores Fund to the State Employes' Retirement Board for the two fiscal years commencing the first day of June one thousand nine hundred forty-three for payment from time to time into the State Employes' Retirement Fund to meet the obligations of the Commonwealth to the State Employes' Retirement System with respect to State employes receiving compensation from the State Stores Fund

Section 2 Of the sum appropriated by this act there shall be paid into the State Employes' Retirement Fund to the credit of the State Annuity Reserve Account Number Two the sum of three hundred twenty-three thousand five hundred dollars ($323,500) and to the credit of the Contingent Reserve Account the sum of one hundred thirty-five thousand eight hundred dollars ($135,800)

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—201

Alspach,	Flack,	Lane,	Riley,
Auker,	Fleming,	Laughner,	Robertson,
Baker,	Flynn,	Lee,	Root,
Barrett,	Foor,	Leisey,	Rose, S.
Barton,	Fox,	Leonard,	Rose, W. E.,
Bentley,	Freed,	Levy,	Rowley,
Bentzel,	Fullerton,	Leydic,	Royer,
Boles,	Garber,	Lichtenwalter,	Salus,
Bonawitz,	Gardner,	Livingstone,	Sarge,
Boorse,	Gates,	Longo,	Sarraf,
Boory,	Gillan,	Lovett,	Scanlon,
Bower,	Goodling,	Lyons,	Schuster,
Boyd,	Goodwin,	Madigan,	Serrill,
Bradley,	Gorman,	Mahany,	Simons,
Bretherick,	Grant,	McAtee,	Skale,
Brice,	Green,	Maxwell,	Smith,
Brigerman,	Greenwood,	McClester,	Snider,
Brown,	Gross,	McKinney,	Sollenberger,
Brunner, C. H.,	Gyger,	McMillen,	Sorg,
Brunner, P. A.,	Haberlen,	McSurdy,	Stank,
Burns,	Hall,	Menna,	Stonier,
Cadwalader,	Hamilton,	Mihm,	Stockham,
Calvin,	Hannon,	Miller,	Tahl,
Campbell,	Hare,	Mintess,	Tate,
Chervenak,	Harris,	Mock,	Taylor,
Chudoff,	Haudenshield,	Modell,	Thrasher,
Cohen,	Heatherington,	Mooney,	Thompson,
Coleman,	Helm,	Moore,	Tiemann,
Cook,	Herman,	Moran,	Trent,
Cooper,	Hersch,	Moser,	Trout,
Cordier,	Hewitt,	Muir,	Turbett,
Corrigan,	Hocke,	Munley,	Van Allsburg,
Costa,	Hoffman,	Murray,	Verona,
Coulson,	Hoggard,	Nowak,	Wachhaus,
Croop,	Holmes,	O'Brien,	Wagner, K. H.,
Cullen,	Hoopes,	O'Connor,	Wagner, P. L.,
Dague,	Hunter, B. F.,	O'Dare,	Wallin,
Dalrymple,	Hunter, W. M.,	Owens,	Walton,
Denman,	Huntley,	O'Neill,	Watkins,
Dennison,	Imbrie,	Petrosky,	Weiss,
Depuy,	Irvin,	Pettit,	Welsh,
Dillon,	James,	Polaski,	Winner,
Dix,	Jones,	Powers,	Wood, L. H.,
Duffy,	Kennedy,	Readinger,	Wood, N.,
Elder,	Kirley,	Reagan,	Worley,
Elliott,	Kitchen,	Reese, D. P.,	Wright,
Ely,	Kline,	Reese, R. E.,	Yeakel,
Erb,	Kolankiewicz,	Regan,	Yester,
Ewing,	Kowalski,	Reilly,	Fiss,
Figlock,	Krepps,	Reynolds,	Speaker.
Finnerty,	Krise,		

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 966, as follows:

An Act making an appropriation from the Fish Fund to the State Employes' Retirement Board to meet the obligations of the Commonwealth to the State Employes' Retirement System with respect to State employes receiving compensation from the Fish Fund

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The sum of seven thousand seven hundred dollars ($7,700) or as much thereof as may be necessary is hereby specifically appropriated out of the Fish Fund to the State Employes' Retirement Board for the two fiscal years commencing the first day of June one thousand nine hundred forty-three for payment from time to time into the State Employes' Retirement Fund to meet the obligations of the Commonwealth to the State Employes Retirement System with respect to State employes receiving compensation from the Fish Fund

Section 2 Of the sum appropriated by this act there shall be paid into the State Employes' Retirement Fund to the credit of the State Annuity Reserve Account Number Two the sum of five thousand five hundred dollars ($5,500) and to the credit of the Contingent Reserve Account the sum of two thousand two hundred dollars ($2,200)

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—201

Alspach,	Flack,	Lane,	Riley,
Auker,	Fleming,	Laughner,	Robertson,
Baker,	Flynn,	Lee,	Root,
Barrett,	Foor,	Leisey,	Rose, S.
Barton,	Fox,	Leonard,	Rose, W. E.,
Bentley,	Freed,	Levy,	Rowley,
Bentzel,	Fullerton,	Leydic,	Royer,
Boles,	Garber,	Lichtenwalter,	Salus,
Bonawitz,	Gardner,	Livingstone,	Sarge,
Boorse,	Gates,	Longo,	Sarraf,
Boory,	Gillan,	Lovett,	Scanlon,
Bower,	Goodling,	Lyons,	Schuster,
Boyd,	Goodwin,	Madigan,	Serrill,
Bradley,	Gorman,	Mahany,	Simons,
Bretherick,	Grant,	McAtee,	Skale,
Brice,	Green,	Maxwell,	Smith,
Brigerman,	Greenwood,	McClester,	Snider,
Brown,	Gross,	McKinney,	Sollenberger,
Brunner, C. H.,	Gyger,	McMillen,	Sorg,
Brunner, P. A.,	Haberlen,	McSurdy,	Stank,
Burns,	Hall,	Menna,	Stonier,
Cadwalader,	Hamilton,	Mihm,	Stockham,
Calvin,	Hannon,	Miller,	Tahl,
Campbell,	Hare,	Mintess,	Tate,
Chervenak,	Harris,	Mock,	Taylor,
Chudoff,	Haudenshield,	Modell,	Thrasher,
Cohen,	Heatherington,	Mooney,	Thompson,
Coleman,	Helm,	Moore,	Tiemann,
Cook,	Herman,	Moran,	Trent,
Cooper,	Hersch,	Moser,	Trout,
Cordier,	Hewitt,	Muir,	Turbett,
Corrigan,	Hocke,	Munley,	Van Allsburg,
Costa,	Hoffman,	Murray,	Verona,
Coulson,	Hoggard,	Nowak,	Wachhaus,
Croop,	Holmes,	O'Brien,	Wagner, K. H.,
Cullen,	Hoopes,	O'Connor,	Wagner, P. L.,
Dague,	Hunter, B. F.,	O'Dare,	Wallin,
Dalrymple,	Hunter, W. M.,	Owens,	Walton,
Denman,	Huntley,	O'Neill,	Watkins,
Dennison,	Imbrie,	Petrosky,	Weiss,
Depuy,	Irvin,	Pettit,	Welsh,
Dillon,	James,	Polaski,	Winner,
Dix,	Jones,	Powers,	Wood, L. H.
Duffy,	Kennedy,	Readinger,	Wood, N.,
Elder,	Kirley,	Reagan,	Worley,
Elliott,	Kitchen,	Reese, D. P.,	Wright,
Ely,	Kline,	Reese, R. E.,	Yeakel,

Erb,	Kolankiewicz,	Regan,	Yester,
Ewing,	Kowalski,	Reilly,	Fiss,
Figlock,	Krepps,	Reynolds,	Speaker.
Finnerty,	Krise,		

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 969, as follows:

An Act making an appropriation of moneys in the Motor License Fund to the Board of Finance and Revenue for the payment of the Loan and Transfer Agent of the Commonwealth

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The sum of thirty thousand dollars ($30,000) or as much thereof as may be necessary is hereby specifically appropriated out of the Motor License Fund to the Board of Finance and Revenue for the two fiscal years commencing June first one thousand nine hundred and forty-three for the payment of the compensation to the Commonwealth's Loan and Transfer Agent for services rendered in connection with the registration transfer and payment of interest on highway bonds and for other services required to be performed by the said Loan and Transfer Agent Payments from such appropriation shall be made at such times and in such amounts and upon such basis as may be provided by law or agreed upon between the Board of Finance and Revenue and the said Loan and Transfer Agent

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—201

Alspach,	Flack,	Lane,	Riley,
Auker,	Fleming,	Laughner,	Robertson,
Baker,	Flynn,	Lee,	Root,
Barrett,	Foor,	Leisey,	Rose, S.
Barton,	Fox,	Leonard,	Rose, W. E.,
Bentley,	Freed,	Levy,	Rowley,
Bentzel,	Fullerton,	Leydic,	Royer,
Boles,	Garber,	Lichtenwalter,	Salus,
Bonawitz,	Gardner,	Livingstone,	Sarge,
Boorse,	Gates,	Longo,	Sarraf,
Boory,	Gillan,	Lovett,	Scanlon,
Bower,	Goodling,	Lyons,	Schuster,
Boyd,	Goodwin,	Madigan,	Serrill,
Bradley,	Gorman,	Mahany,	Simons,
Bretherick,	Grant,	McAtee,	Skale,
Brice,	Green,	Maxwell,	Smith,
Brigerman,	Greenwood,	McClester,	Snider,
Brown,	Gross,	McKinney,	Sollenberger,
Brunner, C. H.,	Gyger,	McMillen,	Sorg,
Brunner, P. A.,	Laberlen,	McSurdy,	Stank,
Burns,	Hall,	Menna,	Stonier,
Cadwalader,	Hamilton,	Mihm,	Stockham,
Calvin,	Hannon,	Miller,	Tahl,
Campbell,	Hare,	Mintess,	Tate,
Chervenak,	Harris,	Mock,	Taylor,
Chudoff,	Haudenshield,	Modell,	Thrasher,
Cohen,	Heatherington,	Mooney,	Thompson,
Coleman,	Helm,	Moore,	Tiemann,
Cook,	Herman,	Moran,	Trent,
Cooper,	Hersch,	Moser,	Trout,
Cordier,	Hewitt,	Muir,	Turbett,
Corrigan,	Hocke,	Munley,	Van Allsburg,
Costa,	Hoffman,	Murray,	Verona,
Coulson,	Hoggard,	Nowak,	Wachhaus,
Croop,	Holmes,	O'Brien,	Wagner, K. H.,
Cullen,	Hoopes,	O'Connor,	Wagner, P. L.,
Dague,	Hunter, B. F.,	O'Dare,	Wallin,
Dalrymple,	Hunter, W. M.,	Owens,	Walton,
Denman,	Huntley,	O'Neill,	Watkins,
Dennison,	Imbrie,	Petrosky,	Weiss,
Depuy,	Irvin,	Pettit,	Welsh,
Dillon,	James,	Polaski,	Winner,
Dix,	Jones,	Powers,	Wood, L. H.
Duffy,	Kennedy,	Readinger,	Wood, N.,
Elder,	Kirley,	Reagan,	Worley,
Elliott,	Kitchen,	Reese, D. P.,	Wright,
Ely,	Kline,	Reese, R. E.,	Yeakel,
Erb,	Kolankiewicz,	Regan,	Yester,
Ewing,	Kowalski,	Reilly,	Fiss,
Figlock,	Krepps,	Reynolds,	Speaker.
Finnerty,	Krise,		

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 970, as follows:

An Act making an appropriation to the Treasury Department out of various funds to pay replacement checks issued in lieu of outstanding checks when presented

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The following sums of moneys are hereby appropriated to the Treasury Department for the payment of replacement checks issued by that department in accordance with the provisions of the act approved the twelfth day of July one thousand nine hundred and thirty-five (P. L. 996)

Out of the General Fund	$10,000.00
Out of the Motor License Fund	12,000.00
Out of the Administration Fund	200.00
Out of the Federal Social Security Fund	50.00
Out of the Liquor License Fund	1,000.00
Out of the Milk Control Fund	25.00
Out of the State Stores Fund	1,000.00

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—201

Alspach,	Flack,	Lane,	Riley,
Auker,	Fleming,	Laughner,	Robertson,
Baker,	Flynn,	Lee,	Root,
Barrett,	Foor,	Leisey,	Rose, S.
Barton,	Fox,	Leonard,	Rose, W. E.,
Bentley,	Freed,	Levy,	Rowley,
Bentzel,	Fullerton,	Leydic,	Royer,
Boles,	Garber,	Lichtenwalter,	Salus,
Bonawitz,	Gardner,	Livingstone,	Sarge,
Boorse,	Gates,	Longo,	Sarraf,
Boory,	Gillan,	Lovett,	Scanlon,
Bower,	Goodling,	Lyons,	Schuster,
Boyd,	Goodwin,	Madigan,	Serrill,
Bradley,	Gorman,	Mahany,	Simons,
Bretherick,	Grant,	McAtee,	Skale,
Brice,	Green,	Maxwell,	Smith,
Brigerman,	Greenwood,	McClester,	Snider,
Brown,	Gross,	McKinney,	Sollenberger,
Brunner, C. H.,	Gyger,	McMillen,	Sorg,
Brunner, P. A.,	Laberlen,	McSurdy,	Stank,
Burns,	Hall,	Menna,	Stonier,
Cadwalader,	Hamilton,	Mihm,	Stockham,

Calvin,	Hannon,	Miller,	Tahl,
Campbell,	Hare,	Mintess,	Tate,
Chervenak,	Harris,	Mock,	Taylor,
Chudoff,	Haudenshield,	Modell,	Thrasher,
Cohen,	Heatherington,	Mooney,	Thompson,
Coleman,	Helm,	Moore,	Tiemann,
Cook,	Herman,	Moran,	Trent,
Cooper,	Hersch,	Moser,	Trout,
Cordier,	Hewitt,	Muir,	Turbett,
Corrigan,	Hocke,	Munley,	Van Allsburg,
Costa,	Hoffman,	Murray,	Verona,
Coulson,	Hoggard,	Nowak,	Wachhaus,
Croop,	Holmes,	O'Brien,	Wagner, K. H.,
Cullen,	Hoopes,	O'Connor,	Wagner, P. L.,
Dague,	Hunter, B. F.,	O'Dare,	Wallin,
Dalrymple,	Hunter, W. M.,	Owens,	Walton,
Denman,	Huntley,	O'Neill,	Watkins,
Dennison,	Imbrie,	Petrosky,	Weiss,
Depuy,	Irvin,	Pettit,	Welsh,
Dillon,	James,	Polaski,	Winner,
Dix,	Jones,	Powers,	Wood, L. H.,
Duffy,	Kennedy,	Readinger,	Wood, N.,
Elder,	Kirley,	Reagan,	Worley,
Elliott,	Kitchen,	Reese, D P.,	Wright,
Ely,	Kline,	Reese, R. E.,	Yeakel,
Erb,	Kolankiewicz,	Regan,	Yester,
Ewing,	Kowalski,	Reilly,	Fiss,
Figlock,	Krepps,	Reynolds,	Speaker.
Finnerty,	Krise,		

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 971, as follows:

An Act making an appropriation to The General State Authority to defray the costs and expenses of the said Authority in connection with the organization administration and operation thereof

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The sum of one hundred thousand dollars ($100,000) or as much thereof as may be necessary is hereby specifically appropriated to the General State Authority for the two fiscal years beginning June first one thousand nine hundred forty-three for the payment of all salaries and organization and general expenses of every description as provided by the act approved the twenty-eighth day of June one thousand nine hundred thirty-five (P. L. 452)

Section 2 Payments from the foregoing appropriation shall be made to the Treasurer of the General State Authority upon requisition by the Governor

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—201

Alspach,	Flack,	Lane,	Riley,
Auker,	Fleming,	Laughner,	Robertson,
Baker,	Flynn,	Lee,	Root,
Barrett,	Foor,	Leisey,	Rose, S.
Barton,	Fox,	Leonard,	Rose, W. E.,
Bentley,	Freed,	Levy,	Rowley,
Bentzel,	Fullerton,	Leydic,	Royer,
Boies,	Garber,	Lichtenwalter,	Salus,
Bonawitz,	Gardner,	Livingstone,	Sarge,
Boorse,	Gates,	Longo,	Sarraf,
Boory,	Gillan,	Lovett,	Scanlon,
Bower,	Goodling,	Lyons,	Schuster,
Boyd,	Goodwin,	Madigan,	Serrill,
Bradley,	Gorman,	Mahany,	Simons,
Bretherick,	Grant,	McAtee,	Skale,
Brice,	Green,	Maxwell,	Smith,
Brigerman,	Greenwood,	McClester,	Snider,
Brown,	Gross,	McKinney,	Sollenberger,
Brunner, C. H.,	Gyger,	McMillen,	Sorg,
Brunner, P. A.,	Haberlen,	McSurdy,	Stank,
Burns,	Hall,	Menna,	Stonier,
Cadwalader,	Hamilton,	Mihm,	Stockham,
Calvin,	Hannon,	Miller,	Tahl,
Campbell,	Hare,	Mintess,	Tate,
Chervenak,	Harris,	Mock,	Taylor,
Chudoff,	Haudenshield,	Modell,	Thrasher,
Cohen,	Heatherington,	Mooney,	Thompson,
Coleman,	Helm,	Moore,	Tiemann,
Cook,	Herman,	Moran,	Trent,
Cooper,	Hersch,	Moser,	Trout,
Cordier,	Hewitt,	Muir,	Turbett,
Corrigan,	Hocke,	Munley,	Van Allsburg,
Costa,	Hoffman,	Murray,	Verona,
Coulson,	Hoggard,	Nowak,	Wachhaus,
Croop,	Holmes,	O'Brien,	Wagner, K. H.,
Cullen,	Hoopes,	O'Connor,	Wagner, P. L.,
Dague,	Hunter, B. F.,	O'Dare,	Wallin,
Dalrymple,	Hunter, W. M.,	Owens,	Walton,
Denman,	Huntley,	O'Neill,	Watkins,
Dennison,	Imbrie,	Petrosky,	Weiss,
Depuy,	Irvin,	Pettit,	Welsh,
Dillon,	James,	Polaski,	Winner,
Dix,	Jones,	Powers,	Wood, L. H.,
Duffy,	Kennedy,	Readinger,	Wood, N.,
Elder,	Kirley,	Reagan,	Worley,
Elliott,	Kitchen,	Reese, D P.,	Wright,
Ely,	Kline,	Reese, R. E.,	Yeakel,
Erb,	Kolankiewicz,	Regan,	Yester,
Ewing,	Kowalski,	Reilly,	Fiss,
Figlock,	Krepps,	Reynolds,	Speaker.
Finnerty,	Krise,		

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 977, as follows:

An Act making an appropriation to the Department of Labor and Industry to meet the obligation of the Commonwealth to pay a part of the compensation payable for certain occupational diseases

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The sum of one million two hundred fifty thousand dollars ($1,250,000) or as much thereof as may be necessary is hereby appropriated out of the General Fund to the Department of Labor and Industry for the payment of amounts payable from time to time during the two fiscal years beginning June first one thousand nine hundred forty-three by the Commonwealth as its share of the compensation payable to claimants for certain occupational diseases in accordance with agreements entered into or awards handed down under the provisions of the "Occupational Disease Compensation Act" approved the second day of July one thousand nine hundred thirty-seven (P. L. 2714) or The Pennsylvania Occupational Disease Act approved the twenty-first day of June one thousand nine hundred thirty-nine (P. L. 566) as the case may be and for the payment of any such amounts whatsoever due and payable prior to May thirty-first one thousand nine hundred forty-three

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—201

Alspach,	Flack,	Lane,	Riley,
Auker,	Fleming,	Laughner,	Robertson,
Baker,	Flynn,	Lee,	Root,
Barrett,	Foor,	Leisey,	Rose, S.
Barton,	Fox,	Leonard,	Rose, W. E.,
Bentley,	Freed,	Levy,	Rowley,
Bentzel,	Fullerton,	Leydic,	Royer,
Boies,	Garber,	Lichtenwalter,	Salus,
Bonawitz,	Gardner,	Livingstone,	Sarge,
Boorse,	Gates,	Longo,	Sarraf,
Boory,	Gillan,	Lovett,	Scanlon,
Bower,	Goodling,	Lyons,	Schuster,
Boyd,	Goodwin,	Madigan,	Serrill,
Bradley,	Gorman,	Mahany,	Simons,
Bretherick,	Grant,	Maxwell,	Skale,
Brice,	Green,	McAtee,	Smith,
Brigerman,	Greenwood,	McClester,	Snider,
Brown,	Gross,	McKinney,	Sollenberger,
Brunner, C. H.,	Gyger,	McMillen,	Sorg,
Brunner, P. A.,	Haberlen,	McSurdy,	Stank,
Burns,	Hall,	Menna,	Stockham,
Cadwalader,	Hamilton,	Mihm,	Stonier,
Calvin,	Hannon,	Miller,	Tahl,
Campbell,	Hare,	Mintess,	Tate,
Chervenak,	Harris,	Mock,	Taylor,
Chudoff,	Haudenshield,	Modell,	Thompson,
Cohen,	Heatherington,	Mooney,	Thrasher,
Coleman,	Helm,	Moore,	Tiemann,
Cook,	Herman,	Moran,	Trent,
Cooper,	Hersch,	Moser,	Trout,
Cordier,	Hewitt,	Muir,	Turbett,
Corrigan,	Hocke,	Munley,	Van Allsburg,
Costa,	Hoffman,	Murray,	Verona,
Coulson,	Hoggard,	Nowak,	Wachhaus,
Croop,	Holmes,	O'Brien,	Wagner, K. H.,
Cullen,	Hoopes,	O'Connor,	Wagner, P. L.,
Dague,	Hunter, B. F.,	O'Dare,	Wallin,
Dalrymple,	Hunter, W. M.,	O'Neill,	Walton,
Denman,	Huntley,	Owens,	Watkins,
Dennison,	Imbrie,	Petrosky,	Weiss,
Depuy,	Irvin,	Pettit,	Welsh,
Dillon,	James,	Polaski,	Winner,
Dix,	Jones,	Powers,	Wood, L. H.,
Duffy,	Kennedy,	Readinger,	Wood, N.,
Elder,	Kirley,	Reagan,	Worley,
Elliott,	Kitchen,	Reese, D. P.,	Wright,
Ely,	Kline,	Reese, R. E.,	Yeakel,
Erb,	Kolankiewicz,	Regan,	Yester,
Ewing,	Kowalski,	Reilly,	Fiss,
Figlock,	Krepps,	Reynolds,	Speaker.
Finnerty,	Krise,		

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 978, as follows:

An Act making an appropriation to the Department of Forests and Waters for the repair or reconstruction of a dam across the Lehigh River at Easton Northampton County and dredging in the Lehigh River and the entrance of the Delaware Division Canal

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The sum of forty thousand dollars ($40,000) or as much thereof as may be necessary is hereby specifically appropriated to the Department of Forests and Waters to defray the cost of repairing or reconstructing a timber crib dam across the Lehigh River at Easton Northampton County and dredging in the Lehigh River and entrance of the Delaware Division Canal to provide an adequate flow of water in the Canal

Section 2 This act shall become effective immediately upon final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—201

Alspach,	Flack,	Lane,	Riley,
Auker,	Fleming,	Laughner,	Robertson,
Baker,	Flynn,	Lee,	Root,
Barrett,	Foor,	Leisey,	Rose, S.
Barton,	Fox,	Leonard,	Rose, W. E.,
Bentley,	Freed,	Levy,	Rowley,
Bentzel,	Fullerton,	Leydic,	Royer,
Boies,	Garber,	Lichtenwalter,	Salus,
Bonawitz,	Gardner,	Livingstone,	Sarge,
Boorse,	Gates,	Longo,	Sarraf,
Boory,	Gillan,	Lovett,	Scanlon,
Bower,	Goodling,	Lyons,	Schuster,
Boyd,	Goodwin,	Madigan,	Serrill,
Bradley,	Gorman,	Mahany,	Simons,
Bretherick,	Grant,	McAtee,	Skale,
Brice,	Green,	Maxwell,	Smith,
Brigerman,	Greenwood,	McClester,	Snider,
Brown,	Gross,	McKinney,	Sollenberger,
Brunner, C. H.,	Gyger,	McMillen,	Sorg,
Brunner, P. A.,	Haberlen,	McSurdy,	Stank,
Burns,	Hall,	Menna,	Stonier,
Cadwalader,	Hamilton,	Mihm,	Stockham,
Calvin,	Hannon,	Miller,	Tahl,
Campbell,	Hare,	Mintess,	Tate,
Chervenak,	Harris,	Mock,	Taylor,
Chudoff,	Haudenshield,	Modell,	Thrasher,
Cohen,	Heatherington,	Mooney,	Thompson,
Coleman,	Helm,	Moore,	Tiemann,
Cook,	Herman,	Moran,	Trent,
Cooper,	Hersch,	Moser,	Trout,
Cordier,	Hewitt,	Muir,	Turbett,
Corrigan,	Hocke,	Munley,	Van Allsburg,
Costa,	Hoffman,	Murray,	Verona,
Coulson,	Hoggard,	Nowak,	Wachhaus,
Croop,	Holmes,	O'Brien,	Wagner, K. H.,
Cullen,	Hoopes,	O'Connor,	Wagner, P. L.,
Dague,	Hunter, B. F.,	O'Dare,	Wallin,
Dalrymple,	Hunter, W. M.,	Owens,	Walton,
Denman,	Huntley,	O'Neill,	Watkins,
Dennison,	Imbrie,	Petrosky,	Weiss,
Depuy,	Irvin,	Pettit,	Welsh,
Dillon,	James,	Polaski,	Winner,
Dix,	Jones,	Powers,	Wood, L. H.,
Duffy,	Kennedy,	Readinger,	Wood, N.,
Elder,	Kirley,	Reagan,	Worley,
Elliott,	Kitchen,	Reese, D. P.,	Wright,
Ely,	Kline,	Reese, R. E.,	Yeakel,
Erb,	Kolankiewicz,	Regan,	Yester,
Ewing,	Kowalski,	Reilly,	Fiss,
Figlock,	Krepps,	Reynolds,	Speaker.
Finnerty,	Krise,		

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 979, as follows:

An Act making an appropriation from the Manufacturing Fund to the State Employes' Retirement Board to meet the obligations of the Commonwealth to the State Employes' Retirement System with respect to State employes receiving compensation from the Manufacturing Fund

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The sum of eleven thousand one hundred dollars ($11,100) or as much thereof as may be necessary is hereby specifically appropriated out of the Manufacturing Fund to the State Employes' Retirement Board for the two fiscal years commencing the first day of June one thousand nine hundred forty-three for payment from time to time into the State Employes' Retirement Fund to meet the obligations of the Commonwealth to the State Employes' Retirement System with respect to State employes receiving compensation from the Manufacturing Fund

Section 2 Of the sum appropriated by this act there shall be paid into the State Employes' Retirement Fund to the credit of the State Annuity Reserve Account Number Two the sum of seven thousand seven hundred dollars ($7,700) and to the credit of the Contingent Reserve Account the sum of three thousand four hundred dollars ($3,400)

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—201

Alspach,	Flack,	Lane,	Riley,
Auker,	Fleming,	Laughner,	Robertson,
Baker,	Flynn,	Lee,	Root,
Barrett,	Foor,	Leisey,	Rose, S.
Barton,	Fox,	Leonard,	Rose, W. E.,
Bentley,	Freed,	Levy,	Rowley,
Bentzel,	Fullerton,	Leydic,	Royer,
Boles,	Garber,	Lichtenwalter,	Salus,
Bonawitz,	Gardner,	Livingstone,	Sarge,
Boorse,	Gates,	Longo,	Sarraf,
Boory,	Gillan,	Lovett,	Scanlon,
Bower,	Goodling,	Lyons,	Schuster,
Boyd,	Goodwin,	Madigan,	Serrill,
Bradley,	Gorman,	Mahany,	Simons,
Bretherick,	Grant,	McAtee,	Skale,
Brice,	Green,	Maxwell,	Smith,
Brigerman,	Greenwood,	McClester,	Snider,
Brown,	Gross,	McKinney,	Sollenberger,
Brunner, C. H.,	Gyger,	McMillen,	Sorg,
Brunner, P. A.,	Haberlen,	McSurdy,	Stank,
Burns,	Hall,	Menna,	Stonier,
Cadwalader,	Hamilton,	Mihm,	Stockham,
Calvin,	Hannon,	Miller,	Tahl,
Campbell,	Hare,	Mintess,	Tate,
Chervenak,	Harris,	Mock,	Taylor,
Chudoff,	Haudenshield,	Modell,	Thrasher,
Cohen,	Heatherington,	Mooney,	Thompson,
Coleman,	Helm,	Moore,	Tiemann,
Cook,	Herman,	Moran,	Trent,
Cooper,	Hersch,	Moser,	Trout,
Cordier,	Hewitt,	Muir,	Turbett,
Corrigan,	Hocke,	Munley,	Van Allsburg,
Costa,	Hoffman,	Murray,	Verona,
Coulson,	Hoggard,	Nowak,	Wachhaus,
Croop,	Holmes,	O'Brien,	Wagner, K. H.,
Cullen,	Hoopes,	O'Connor,	Wagner, P. L.,
Dague,	Hunter, B. F.,	O'Dare,	Wallin,
Dalrymple,	Hunter, W. M.,	Owens,	Walton,
Denman,	Huntley,	O'Neill,	Watkins,
Dennison,	Imbrie,	Petrosky,	Weiss,
Depuy,	Irvin,	Pettit,	Welsh,
Dillon,	James,	Polaski,	Winner,
Dix,	Jones,	Powers,	Wood, L. H.,
Duffy,	Kennedy,	Readinger,	Wood, N.,
Elder,	Kirley,	Reagan,	Worley,
Elliott,	Kitchen,	Reese, D. P.,	Wright,
Ely,	Kline,	Reese, R. E.,	Yeakel,
Erb,	Kolankiewicz,	Regan,	Yester,
Ewing,	Kowalski,	Reilly,	Fiss,
Figlock,	Krepps,	Reynolds,	Speaker.
Finnerty,	Krise,		

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 980, as follows:

An Act making an appropriation from the Game Fund to the State Employes' Retirement Board to meet the obligations of the Commonwealth to the State Employes' Retirement System with respect to State employes receiving compensation from the Game Fund

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The sum of thirty thousand five hundred dollars ($30,500) or as much thereof as may be necessary is hereby specifically appropriated out of the Game Fund to the State Employes' Retirement Board for the two fiscal years commencing the first day of June one thousand nine hundred forty-three for payment from time to time into the State Employes' Retirement Fund to meet the obligations of the Commonwealth to the State Employes' Retirement System with respect to State employes receiving compensation from the Game Fund

Section 2 Of the sum appropriated by this act there shall be paid into the State Employes' Retirement Fund to the credit of the State Annuity Reserve Account Number Two the Sum of twenty-one thousand five hundred ($21,500) and to the credit of the Contingent Reserve Account the sum of nine thousand dollars ($9,000)

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—201

Alspach,	Flack,	Lane,	Riley,
Auker,	Fleming,	Laughner,	Robertson,
Baker,	Flynn,	Lee,	Root,
Barrett,	Foor,	Leisey,	Rose, S.
Barton,	Fox,	Leonard,	Rose, W. E.,
Bentley,	Freed,	Levy,	Rowley,
Bentzel,	Fullerton,	Leydic,	Royer,
Boles,	Garber,	Lichtenwalter,	Salus,
Bonawitz,	Gardner,	Livingstone,	Sarge,
Boorse,	Gates,	Longo,	Sarraf,
Boory,	Gillan,	Lovett,	Scanlon,
Bower,	Goodling,	Lyons,	Schuster,
Boyd,	Goodwin,	Madigan,	Serrill,
Bradley,	Gorman,	Mahany,	Simons,
Bretherick,	Grant,	McAtee,	Skale,
Brice,	Green,	Maxwell,	Smith,
Brigerman,	Greenwood,	McClester,	Snider,
Brown,	Gross,	McKinney,	Sollenberger,
Brunner, C. H.,	Gyger,	McMillen,	Sorg,
Brunner, P. A.,	Haberlen,	McSurdy,	Stank,
Burns,	Hall,	Menna,	Stonier,
Cadwalader,	Hamilton,	Mihm,	Stockham,
Calvin,	Hannon,	Miller,	Tahl,
Campbell,	Hare,	Mintess,	Tate,
Chervenak,	Harris,	Mock,	Taylor,
Chudoff,	Haudenshield,	Modell,	Thrasher,
Cohen,	Heatherington,	Mooney,	Thompson,
Coleman,	Helm,	Moore,	Tiemann,
Cook,	Herman,	Moran,	Trent,
Cooper,	Hersch,	Moser,	Trout,
Cordier,	Hewitt,	Muir,	Turbett,
Corrigan,	Hocke,	Munley,	Van Allsburg,
Costa,	Hoffman,	Murray,	Verona,
Coulson,	Hoggard,	Nowak,	Wachhaus,
Croop,	Holmes,	O'Brien,	Wagner, K. H.,
Cullen,	Hoopes,	O'Connor,	Wagner, P. L.,
Dague,	Hunter, B. F.,	O'Dare,	Wallin,
Dalrymple,	Hunter, W. M.,	Owens,	Walton,
Denman,	Huntley,	O'Neill,	Watkins,

Dennison,	Imbrie,	Petrosky,	Weiss,
Depuy,	Irvin,	Pettit,	Welsh,
Dillon,	James,	Polaski,	Winner,
Dix,	Jones,	Powers,	Wood, L. H.,
Duffy,	Kennedy,	Readinger,	Wood, N.,
Elder,	Kirley,	Reagan,	Worley,
Elliott,	Kitchen,	Reese, D. P.,	Wright,
Ely,	Kline,	Reese, R. E.,	Yeakel,
Erb,	Kolankiewicz,	Regan,	Yester,
Ewing,	Kowalski,	Reilly,	Fiss,
Figlock,	Krepps,	Reynolds,	Speaker.
Finnerty,	Krise,		

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1021, as follows:

An Act to amend section one of the act approved the seventh day of June one thousand nine hundred and seventeen (P. L. 403) entitled "An act relating to the form execution revocation and interpretation of wills to nuncupative wills to the appointment of testamentary guardians to spendthrift trusts to forfeiture of devise or legacy in case of murder of testator to elections to take under or against wills and to the recording and registering of such elections and of decrees relative thereto and to the fees therefor" authorizing certain minors to dispose of their real and personal estate by will

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section one of the act approved the seventh day of June one thousand nine hundred and seventeen (P. L. 403) entitled "An act relating to the form execution revocation and interpretation of wills to nuncupative wills to the appointment of testamentary guardians to spendthrift trusts to forfeiture of devise or legacy in case of murder of testator to elections to take under or against wills and to the recording and registering of such elections and of decrees relative thereto and to the fees therefor" is hereby amended to read as follows

Section 1 Be it enacted &c That every person of sound mind and of the age of [twenty-one] eighteen years or upwards whether married or single may dispose by will or his or her real estate whether such estate is held in fee simple or for the life or lives of any other person or persons and whether in severalty joint tenancy or common and also of his or her personal estate

Section 2 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—201

Alspach,	Flack,	Lane,	Riley,
Auker,	Fleming,	Laughner,	Robertson,
Baker,	Flynn,	Lee,	Root,
Barrett,	Foor,	Leisey,	Rose, S.
Barton,	Fox,	Leonard,	Rose, W. E.,
Bentley,	Freed,	Levy,	Rowley,
Bentzel,	Fullerton,	Leydic,	Royer,
Boles,	Garber,	Lichtenwalter,	Salus,
Bonawitz,	Gardner,	Livingstone,	Sarge,
Boorse,	Gates,	Longo,	Sarraf,
Boory,	Gillan,	Lovett,	Scanlon,
Bower,	Goodling,	Lyons,	Schuster,
Boyd,	Goodwin,	Madigan,	Serrill,
Bradley,	Gorman,	Mahany,	Simons,
Bretherick,	Grant,	McAtee,	Skale,
Brice,	Green,	Maxwell,	Smith,
Brigerman,	Greenwood,	McClester,	Snider,
Brown,	Gross,	McKinney,	Sollenberger,
Brunner, C. H.,	Gyger,	McMillen,	Sorg,
Brunner, P. A.,	Haberlen,	McSurdy,	Stank,
Burns,	Hall,	Menna,	Stonier,
Cadwalader,	Hamilton,	Mihm,	Stockham,
Calvin,	Hannon,	Miller,	Tahl,
Campbell,	Hare,	Mintess,	Tate,
Chervenak,	Harris,	Mock,	Taylor,
Chudoff,	Haudenshield,	Modell,	Thrasher,
Cohen,	Heatherington,	Mooney,	Thompson,
Coleman,	Helm,	Moore,	Tiemann,
Cook,	Herman,	Moran,	Trent,
Cooper,	Hersch,	Moser,	Trout,
Cordier,	Hewitt,	Muir,	Turbett,
Corrigan,	Hocke,	Munley,	Van Allsburg,
Costa,	Hoffman,	Murray,	Verona,
Coulson,	Hoggard,	Nowak,	Wachhaus,
Croop,	Holmes,	O'Brien,	Wagner, K. H.,
Cullen,	Hoopes,	O'Connor,	Wagner, P. L.,
Dague,	Hunter, B. F.,	O'Dare,	Wallin,
Dalrymple,	Hunter, W. M.,	Owens,	Walton,
Denman,	Huntley,	O'Neill,	Watkins,
Dennison,	Imbrie,	Petrosky,	Weiss,
Depuy,	Irvin,	Pettit,	Welsh,
Dillon,	James,	Polaski,	Winner,
Dix,	Jones,	Powers,	Wood, L. H.,
Duffy,	Kennedy,	Readinger,	Wood, N.,
Elder,	Kirley,	Reagan,	Worley,
Elliott,	Kitchen,	Reese, D P.,	Wright,
Ely,	Kline,	Reese, R. E.,	Yeakel,
Erb,	Kolankiewicz,	Regan,	Yester,
Ewing,	Kowalski,	Reilly,	Fiss,
Figlock,	Krepps,	Reynolds,	Speaker.
Finnerty,	Krise,		

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

BILL PASSED OVER

There being no objection House Bill No. 1097, Printer's No. 505, was passed over at the request of Mr. COHEN.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 69, as follows:

A Supplement to the act approved the eleventh day of May one thousand nine hundred and five (P. L. 518) entitled "An act making an appropriation for the erection of a home or school for indigent orphans to be called the Thaddeus Stevens Industrial and Reform School of Pennsylvania in which school provision shall be made for giving instruction in reading writing arithmetic drawing duties of citizenship elementary manual training the elements of farming and other requisite branches" authorizing the Thaddeus Stevens Industrial School to collect fees for board and tuition from certain special students

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Students admitted to the Thaddeus Stevens Industrial School at Lancaster Pennsylvania for the purpose of taking any special course of training at the request suggestion or by direction of the United States Government or any agency thereof shall pay board and tuition fees in such amount as the trustees of such school shall prescribe and the Secretary of Public Instruction shall approve

Section 2 All moneys collected by said school under the provisions of this supplement shall be paid into the State Treasury through the Department of Revenue and all

such moneys collected from time to time are hereby appropriated to the Thaddeus Stevens Industrial School for the expenses of maintenance and operation necessary for the proper conduct of the work of the said school

All moneys herein appropriated to the said school shall be in addition to any appropriation or appropriations hereafter made to the department of Public Instruction for the support and maintenance of the said Thaddeus Stevens Industrial School

Section 3 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—201

Alspach,	Flack,	Lane,	Riley,
Auker,	Fleming,	Laughner,	Robertson,
Baker,	Flynn,	Lee,	Root,
Barrett,	Foor,	Leisey,	Rose, S.
Barton,	Fox,	Leonard,	Rose, W. E.,
Bentley,	Freed,	Levy,	Rowley,
Bentzel,	Fullerton,	Leydic,	Royer,
Boles,	Garber,	Lichtenwalter,	Salus,
Bonawitz,	Gardner,	Livingstone,	Sarge,
Boorse,	Gates,	Longo,	Sarraf,
Boory,	Gillan,	Lovett,	Scanlon,
Bower,	Goodling,	Lyons,	Schuster,
Boyd,	Goodwin,	Madigan,	Serrill,
Bradley,	Gorman,	Mahany,	Simons,
Bretherick,	Grant,	McAtee,	Skale,
Brice,	Green,	Maxwell,	Smith,
Brigerman,	Greenwood,	McClester,	Snider,
Brown,	Gross,	McKinney,	Sollenberger
Brunner, C. H.,	Gyger,	McMillen,	Sorg,
Brunner, P. A.,	Haberlen,	McSurdy,	Stank,
Burns,	Hall,	Menna,	Stonier,
Cadwalader,	Hamilton,	Mihm,	Stockham,
Calvin,	Hannon,	Miller,	Tahl,
Campbell,	Hare,	Mintess,	Tate,
Chervenak,	Harris,	Mock,	Taylor,
Chudoff,	Haudenshield,	Modell,	Thrasher,
Cohen,	Heatherington,	Mooney,	Thompson,
Coleman,	Helm,	Moore,	Tiemann,
Cook,	Herman,	Moran,	Trent,
Cooper,	Hersch,	Moser,	Trout,
Cordier,	Hewitt,	Muir,	Turbett,
Corrigan,	Hocke,	Munley,	Van Allsburg,
Costa,	Hoffman,	Murray,	Verona,
Coulson,	Hoggard,	Nowak,	Wachhaus,
Croop,	Holmes,	O'Brien,	Wagner, K. H.,
Cullen,	Hoopes,	O'Connor,	Wagner, P. L.,
Dague,	Hunter, B. F.,	O'Dare,	Wallin,
Dalrymple	Hunter, W. M.,	Owens,	Walton,
Denman,	Huntley,	O'Neill,	Watkins,
Dennison,	Imbrie,	Petrosky,	Weiss,
Depuy,	Irvin,	Pettit,	Welsh,
Dillon,	James,	Polaski,	Winner,
Dix,	Jones,	Powers,	Wood, L. H.,
Duffy,	Kennedy,	Readinger,	Wood, N.,
Elder,	Kirley,	Reagan,	Worley,
Elliott,	Kitchen,	Reese, D. P.,	Wright,
Ely,	Kline,	Reese, R. E.,	Yeakel,
Erb,	Kolankiewicz,	Regan,	Yester,
Ewing,	Kowalski,	Reilly,	Fiss,
Figlock,	Krepps,	Reynolds,	Speaker.
Finnerty,	Krise,		

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 341, as follows:

An Act to further amend section two of the act approved the fourth day of June one thousand nine hundred and fifteen (P. L. 828) entitled "An act to provide revenue by imposing a State tax upon sales or agreements to sell or memoranda of sales upon deliveries or transfers of shares or certificates of stock in domestic and foreign corporations copartnership associations and joint-stock associations providing the manner of collecting such tax and prescribing penalties" by further extending the exemptions from the tax imposed by the said act

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section two of the act approved the fourth day of June one thousand nine hundred and fifteen (P. L. 828) entitled "An act to provide revenue by imposing a State tax upon sales or agreements to sell or memoranda of sales of stock and upon deliveries or transfers of share or certificates of stock in domestic and foreign corporations copartnerhip associations and joint-stock associations providing the manner of collecting such tax and prescribing penalties" as last amended by the act approved the fifteenth day of June one thousand nine hundred and thirty-nine (P. L. 403) is hereby further amended to read as follows

Section 2 This act does not impose a tax upon an agreement evidencing the deposit of stock certificates as collateral security for money loaned thereon if such stock certificates are not actually sold nor upon such stock certificates so deposited nor upon mere loans of stock or the return thereof nor shall the provisions of this act apply to transfers of certificates otherwise taxable from a trustee or trustees to a trustee or trustees substituted by court order or in accordance with the terms of the trust agreement or to a surviving trustees or trustees provided in either case the same continue to be held by such transferee or transferees for the same purposes for which they were held prior to such transfer nor to such transfers from a deceased person to his or her executor or administrator nor from a ward to his or her guardian nor from a guardian to the ward where such transfer is made pursuant to the relationship of executor or administrator or guardian and ward nor to deliveries or transfers to a broker or his registered nominee for sale nor to deliveries or transfers by a broker or his registered nominee to a customer for whom and upon whose order the broker has purchased the same nor to deliveries or transfers by a purchasing broker to his registered nominee if the shares or certificates so delivered or transferred are to be held by such nominee for the same purpose as if held by the broker but such deliveries or transfers to or from a broker or his registered nominee shall be accompanied by a certificate setting forth the facts nor to any sale agreement to sell memorandum of sale or delivery or transfer of shares or certificates of stock in domestic or foreign corporations copartnership associations or joint-stock associations made on an organized securities exchange within this Commonwealth registered with the Securities and Exchange Commission of the United States of less than one hundred shares and less than the unit of trading on such exchange by any person firm company association or corporation registered with such exchange and engaged thereon as dealer in less than the unit of trading but each such transaction shall be accompanied by a certificate setting forth the facts

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—201

Alspach,	Flack,	Lane,	Riley,
Auker,	Fleming,	Laughner,	Robertson,
Baker,	Flynn,	Lee,	Root,
Barrett,	Foor,	Leisey,	Rose, S.
Barton,	Fox,	Leonard,	Rose, W. E.,
Bentley,	Freed,	Levy,	Rowley,
Bentzel,	Fullerton,	Leydic,	Royer,
Boies,	Garber,	Lichtenwalter,	Salus,
Bonawitz,	Gardner,	Livingstone,	Sarge,
Boorse,	Gates,	Longo,	Sarraf,
Boory,	Gillan,	Lovett,	Scanlon,
Bower,	Goodling,	Lyons,	Schuster,
Boyd,	Goodwin,	Madigan,	Serrill,
Bradley,	Gorman,	Mahany,	Simons,
Bretherick,	Grant,	McAtee,	Skale,
Brice,	Green,	Maxwell,	Smith,
Brigerman,	Greenwood,	McClester,	Snider,
Brown,	Gross,	McKinney,	Sollenberger,
Brunner, C. H.,	Gyger,	McMillen,	Sorg,
Brunner, P. A.,	Haberlen,	McSurdy,	Stank,
Burns,	Hall,	Menna,	Stonier,
Cadwalader,	Hamilton,	Mihm,	Stockham,
Calvin,	Hannon,	Miller,	Tahl,
Campbell,	Hare,	Mintess,	Tate,
Chervenak,	Harris,	Mock,	Taylor,
Chudoff,	Haudenshield,	Modell,	Thrasher,
Cohen,	Heatherington,	Mooney,	Thompson,
Coleman,	Helm,	Moore,	Tiemann,
Cook,	Herman,	Moran,	Trent,
Cooper,	Hersch,	Moser,	Trout,
Cordier,	Hewitt,	Muir,	Turbett,
Corrigan,	Hocke,	Munley,	Van Allsburg,
Costa,	Hoffman,	Murray,	Verona,
Coulson,	Hoggard,	Nowak,	Wachhaus,
Croop,	Holmes,	O'Brien,	Wagner, K. H.,
Cullen,	Hoopes,	O'Connor,	Wagner, P. L.,
Dague,	Hunter, B. F.,	O'Dare,	Wallin,
Dalrymple,	Hunter, W. M.,	Owens,	Walton,
Denman,	Huntley,	O'Neill,	Watkins,
Dennison,	Imbrie,	Petrosky,	Weiss,
Depuy,	Irvin,	Pettit,	Welsh,
Dillon,	James,	Polaski,	Winner,
Dix,	Jones,	Powers,	Wood, L. H.,
Duffy,	Kennedy,	Readinger,	Wood, N.,
Elder,	Kirley,	Reagan,	Worley,
Elliott,	Kitchen,	Reese, D. P.,	Wright,
Ely,	Kline,	Reese, R. E.,	Yeakel,
Erb,	Kolankiewicz,	Regan,	Yester,
Ewing,	Kowalski,	Reilly,	Fiss,
Figlock,	Krepps,	Reynolds,	Speaker.
Finnerty,	Krise,		

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

BILL PASSED OVER

There being no objection Senate Bill No. 506, Printer's No. 235, was passed over at the request of Mr. LICHTENWALTER.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 516, as follows:

An Act to provide protection to estates interests funds and property rights of minors mental and incompents and absentees secured or to be secured by individual surety or sureties in courts of record or proceedings therein by specifying the requirements of such suretyship the qualifications of such sureties and imposing liens upon the collateral realty involved as well as providing for the revival thereof for execution thereon and for the release discharge or satisfaction thereof

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Whenever in any proceeding now pending or hereafter instituted in any Court of Record in this Commonwealth there shall be required of any party thereto either to qualify or to act as a committee for a mental incompetent or a guardian for a minor a mental incompetent or an absentee the filing of a bond or other undertaking whereon the surety is one or more individual freeholders no such bond or undertaking shall be approved accepted or filed if in the penal sum of more than two thousand dollars ($2,000) unless and until such individual surety or sureties shall have qualified in the manner herein provided

Section 2 Before any such bond or undertaking shall be approved accepted or filed there shall be submitted therewith and attached thereto a justification under oath executed by each individual surety containing the following information

(a) The full name and address of the surety

(b) A declaration that he is a resident of this Commonwealth and sole owner of the real estate offered by him as security

(c) A brief description by number street and municipality of the real estate offered as security or a metes and bounds description or such other identification or description as will clearly identify the real estate offered by him as security

(d) A certificate of the Board of Tax Assessors or other proper authority of the county wherein the real estate is situated showing the assessed value thereof

(e) An itemized statement of liens taxes and other encumbrances of record and of unpaid taxes not of record against each parcel of such real estate and the aggregate amount of said items

(f) The value of each parcel without deduction of encumbrances and the net value of the owner's equity after deduction of encumbrances

Section 3 Upon approval of such bond the justification required by section two hereof shall be filed at the number of the proceeding or suit and shall be indexed in the in rem judgment index of the office of the Prothonotary of the Court of Common Pleas in the County wherein the proceeding is pending

A copy of such justification certified by the clerk of the court in which such bond shall be filed shall be sent by the officer so certifying it to the prothonotary and when received by such prothonotary shall be filed by him in the proper record and indexed upon the in rem judgment index of his office

The bond or undertaking when so filed and recorded shall be a lien upon any and all real estate described in the justification from the date of entry upon the respective judgment index in the county wherein any parcel of real estate is situate against such real estate so offered as security for a period of five years unless sooner discharged by due compliance with the conditions thereof or otherwise by order or decree of the court wherein said bond was approved

Section 4 Whenever a final judgment order or decree shall have been entered in any proceedings or action in which any bond or undertaking has been required and given as hereinabove provided satisfaction of such judgment or acknowledgment of compliance with such final order or decree entered upon the record thereof by the parties for whose protection the bond or undertaking was given or by their duly accredited attorney in fact or of record shall effect the discharge of the lien of the bond or undertaking and upon request of the surety a note thereof shall be entered upon the docket record of the lien In any cases of satisfaction or compliance where such record may not be available the surety may present to the court in which such proceedings were had his motion setting up matters of record or his petition setting up matters not of record and if upon consideration of such motion or petition and of evidence if any required to be adduced in support thereof the court shall find such satisfaction or compliance to be a fact it shall enter an order of discharge of such lien

Section 5 In all proceedings wherein such bonds or undertakings are concerned or involved and no final

accounting and discharge is had within five years after the approval of the bond of suretyship hereinabove required before the expiration of said period of five years the committee or guardian shall or any other person may file of record a suggestion and averment setting forth the approval of said bond or undertaking the number of the proceedings name of the estate and the fact that no termination of liability on the bond appears of record and thereupon the lien of said bond shall be continued for a further period of five years and like proceedings shall operate to continue said lien until the same shall be finally discharged as herein provided

Section 6 The Prothonotary and the Clerk of any court of record where such bonds are taken and approved shall be entitled to charge and receive for each entry certificate transmittal of certificate to the prothonotary suggestion to continue lien and entry of satisfaction or discharge of surety such fee as he shall be entitled to receive for similar services under the existing laws or as may be fixed by the court in cases not within the purview of such laws

Section 7 All acts and parts of acts inconsistent with the provisions of this act are hereby repealed

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—201

Alspach,	Flack,	Lane,	Riley,
Auker,	Fleming,	Laughner,	Robertson,
Baker,	Flynn,	Lee,	Root,
Barrett,	Foor,	Leisey,	Rose, S.
Barton,	Fox,	Leonard,	Rose, W. E.,
Bentley,	Freed,	Levy,	Rowley,
Bentzel,	Fullerton,	Leydic,	Royer,
Boles,	Garber,	Lichtenwalter,	Salus,
Bonawitz,	Gardner,	Livingstone,	Sarge,
Boorse,	Gates,	Longo,	Sarraf,
Boory,	Gillan,	Lovett,	Scanlon,
Bower,	Goodling,	Lyons,	Schuster,
Boyd,	Goodwin,	Madigan,	Serrill,
Bradley,	Gorman,	Mahany,	Simons,
Bretherick,	Grant,	McAtee,	Skale,
Brice,	Green,	Maxwell,	Smith,
Brigerman,	Greenwood,	McClester,	Snider,
Brown,	Gross,	McKinney,	Sollenberger,
Brunner, C. H.,	Gyger,	McMillen,	Sorg,
Brunner, P. A.,	Haberlen,	McSurdy,	Stank,
Burns,	Hall,	Menna,	Stonier,
Cadwalader,	Hamilton,	Mihm,	Stockham,
Calvin,	Hannon,	Miller,	Tahl,
Campbell,	Hare,	Mintess,	Tate,
Chervenak,	Harris,	Mock,	Taylor,
Chudoff,	Haudenshield,	Modell,	Thrasher,
Cohen,	Heatherington,	Mooney,	Thompson,
Coleman,	Helm,	Moore,	Tiemann,
Cook,	Herman,	Moran,	Trent,
Cooper,	Hersch,	Moser,	Trout,
Cordier,	Hewitt,	Muir,	Turbett,
Corrigan,	Hocke,	Munley,	Van Allsburg,
Costa,	Hoffman,	Murray,	Verona,
Coulson,	Hoggard,	Nowak,	Wachhaus,
Croop,	Holmes,	O'Brien,	Wagner, K. H.,
Cullen,	Hoopes,	O'Connor,	Wagner, P. L.,
Dague,	Hunter, B. F.,	O'Dare,	Wallin,
Dalrymple,	Hunter, W. M.,	Owens,	Walton,
Denman,	Huntley,	O'Neill,	Watkins,
Dennison,	Imbrie,	Petrosky,	Weiss,
Depuy,	Irvin,	Pettit,	Welsh,
Dillon,	James,	Polaski,	Winner,
Dix,	Jones,	Powers,	Wood, L. H.,
Duffy,	Kennedy,	Readinger,	Wood, N.,
Elder,	Kirley,	Reagan,	Worley,
Elliott,	Kitchen,	Reese, D. P.,	Wright,
Ely,	Kline,	Reese, R. E.,	Yeakel,
Erb,	Kolankiewicz,	Regan,	Yester,
Ewing,	Kowalski,	Reilly,	Fiss,
Figlock,	Krepps,	Reynolds,	Speaker.
Finnerty,	Krise,		

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

BILL PASSED OVER

There being no objection House Bill No. 517 Printer's No. 510, was passed over at the request of Mr. LICHTENWALTER.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 640, as follows:

An Act requiring the names of all signers and witnesses to be printed or typewritten below their signatures on certain documents and other written instruments entitled to be recorded or filed and prohibiting the recording or filing thereof for failure to comply with such requirement

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 On all deeds mortgages articles of agreement and other instruments entitled to be recorded by or filed with recorders of deeds and prothonotaries in any county of this Commonwealth executed after January first one thousand nine hundred and forty-four all signatures of all persons executing the same attesting thereto or witnessing any signature or certifying to an affidavit or acknowledgment or appearing on such document or written instrument for any purpose whatsoever shall be clarified by printing or typewriting the names so signed immediately below each signature

Section 2 No recorder of deeds or prothonotary in any county of this Commonwealth shall accept for recording or filing any deed mortgage article of agreement or other instrument unless the provisions of section one hereof have been complied with or unless the person presenting said instrument for recording or filing or his attorney shall also present for recording or filing with said instrument his affidavit identifying the signatures of all persons appearing on said instrument and indicating their location on the instrument in which affidavit all names so identified shall be either printed or typewritten

Section 3 All acts and parts of acts inconsistent with the provisions of this act are hereby repealed

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—201

Alspach,	Flack,	Lane,	Riley,
Auker,	Fleming,	Laughner,	Robertson,
Baker,	Flynn,	Lee,	Root,
Barrett,	Foor,	Leisey,	Rose, S.
Barton,	Fox,	Leonard,	Rose, W. E.,
Bentley,	Freed,	Levy,	Rowley,
Bentzel,	Fullerton,	Leydic,	Royer,
Boles,	Garber,	Lichtenwalter,	Salus,
Bonawitz,	Gardner,	Livingstone,	Sarge,
Boorse,	Gates,	Longo,	Sarraf,
Boory,	Gillan,	Lovett,	Scanlon,
Bower,	Goodling,	Lyons,	Schuster,
Boyd,	Goodwin,	Madigan,	Serrill,
Bradley,	Gorman,	Mahany,	Simons,
Bretherick,	Grant,	McAtee,	Skale,
Brice,	Green,	Maxwell,	Smith,
Brigerman,	Greenwood,	McClester,	Snider,
Brown,	Gross,	McKinney,	Sollenberger,
Brunner, C. H.,	Gyger,	McMillen,	Sorg,
Brunner, P. A.,	Haberlen,	McSurdy,	Stank,
Burns,	Hall,	Menna,	Stonier,

Cadwalader,	Hamilton,	Mihm,	Stockham,
Calvin,	Hannon,	Miller,	Tahl,
Campbell,	Hare,	Mintess,	Tate,
Chervenak,	Harris,	Mock,	Taylor,
Chudoff,	Haudenshield,	Modell,	Thrasher,
Cohen,	Heatherington,	Mooney,	Thompson,
Coleman,	Helm,	Moore,	Tiemann,
Cook,	Herman,	Moran,	Trent,
Cooper,	Hersch,	Moser,	Trout,
Cordier,	Hewitt,	Muir,	Turbett,
Corrigan,	Hocke,	Munley,	Van Allsburg,
Costa,	Hoffman,	Murray,	Verona,
Coulson,	Hoggard,	Nowak,	Wachhaus,
Croop,	Holmes,	O'Brien,	Wagner, K. H.,
Cullen,	Hoopes,	O'Connor,	Wagner, P. L.,
Dague,	Hunter, B. F.,	O'Dare,	Wallin,
Dalrymple,	Hunter, W. M.,	Owens,	Walton,
Denman,	Huntley,	O'Neill,	Wa'kins,
Dennison,	Imbrie,	Petrosky,	Weiss,
Depuy,	Irvin,	Pettit,	Welsh,
Dillon,	James,	Polaski,	Winner,
Dix,	Jones,	Powers,	Wood, L. H.,
Duffy,	Kennedy,	Readinger,	Wood, N.,
Elder,	Kirley,	Reagan	Worley,
Elliott,	Kitchen,	Reese, D P.,	Wright,
Ely,	Kline,	Reese, R. E.,	Yeakel,
Erb,	Kolankiewicz,	Regan,	Yester,
Ewing,	Kowalski,	Reilly,	Fiss,
Figlock,	Krepps,	Reynolds,	Speaker.
Finnerty,	Krise,		

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 868, as follows:

An Act to amend clause two of section one thousand two hundred and ten of the act approved the eighteenth day of May one thousand nine hundred and eleven (P. L. 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" by further providing for the minimum salaries and increments of members of the teaching and supervisory staff in school districts of the first class

Section 1 Be it enacted &c That clause two of section one thousand two hundred and ten of the act approved the eighteenth day of May one thousand nine hundred and eleven (P. L. 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" which was amended by the act approved the twenty-third day of May one thousand nine hundred and twenty-three (P. L. 328) entitled "An act to further amend section one thousand two hundred ten as amended of an act approved the eighteenth day of May one thousand nine hundred and eleven (P. L. 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" which was amended by the act approved the twelfth day of March one thousand nine hundred and twenty-nine (P. L. 18) entitled "An act to amend clause two of section one thousand two hundred and ten of the act approved the eighteenth day of May one thousand nine hundred and eleven as amended" is hereby further amended to read as follows

Two Districts of the first class Elementary teachers minimum annual salary one thousand two hundred dollars ($1,200) minimum annual increment one hundred dollars ($100) minimum number of increments [ten (10)] twelve (12) assistant high school teachers minimum annual salary one thousand five hundred dollars ($1,500) minimum annual increment one hundred dollars ($100) minimum number of increments three (3) junior high school teachers and city normal school training teachers minimum annual salary one thousand eight hundred dollars ($1,800) minimum annual increment one hundred twenty-five dollars ($125) minimum number of increments (8) or minimum annual salary eighteen hundred dollars ($1,800) minimum annual increment one hundred seventy-five ($175) minimum number of increments six (6) high school teachers vocational school teachers and city normal school teachers minimum annual salary one thousand eight hundred dollars ($1,800) minimum annual increment one hundred seventy-five dollars ($175) minimum number of increments eight (8) provided that subject to regulations prescribed by the State Board of Education and such additional regulations as the local board of public education may prescribe the minimum maximum salary for high school teachers shall be advanced to at least three thousand six hundred dollars ($3,600) supervisors minimum annual salary one thousand eight hundred dollars ($1,800) minimum annual increment one hundred twenty-five dollars ($125) minimum number of increments eight (8) elementary school principals minimum annual salary two thousand one hundred dollars ($2,100) minimum annual increment two hundred thirty-seven dollars and fifty cents ($237.50) minimum number of increments eight (8) junior high school high school city normal school principals minimum annual salary four thousand dollars ($4,000) minimum annual increment two hundred fifty dollars ($250) minimum number of increments four (4) Vocational industrial manual training continuation school industrial art and similar teachers if classified in the elementary schools shall be entitled to the salary and increments prescribed in the schedule for elementary teachers or if classified in junior high schools they shall be entitled to the salary and increments prescribed in the schedule for junior high school teachers All teachers now holding valid licenses to teach in districts of the first class shall be deemed to have the minimum qualifications required by this act

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—201

Alspach,	Flack,	Lane,	Riley,
Auker,	Fleming	Laughner,	Robertson,
Baker,	Flynn,	Lee,	Root,
Barrett,	Foor,	Leisey,	Rose, S.
Barton,	Fox,	Leonard,	Rose, W. E.
Bentley,	Freed,	Levy,	Rowley,
Bentzel,	Fullerton,	Leydic,	Royer,
Boles,	Garber,	Lichtenwalter,	Salus,
Bonawitz,	Gardner,	Livingstone,	Sarge,
Boorse,	Gates,	Longo,	Sarraf,
Boory,	Gillan,	Lovett,	Scanlon,
Bower,	Goodling	Lyons,	Schuster,
Boyd,	Goodwin,	Madigan,	Serrill,
Bradley,	Gorman,	Mahany,	Simons,
Bretherick,	Grant,	McAtee,	Skale,
Brice,	Green,	Maxwell,	Smith,
Brigerman,	Greenwood,	McClester,	Snider,
Brown,	Gross,	McKinney,	Sollenberger,

Brunner, C. H.,	Gyger,	McMillen,	Sorg,
Brunner, P. A.,	Haberlen,	McSurdy,	Stank,
Burns,	Hall,	Menna,	Stonier,
Cadwalader,	Hamilton,	Mihm,	Stockham,
Calvin,	Hannon,	Miller,	Tahl,
Campbell,	Hare,	Mintess,	Tate,
Chervenak,	Harris,	Mock,	Taylor,
Chudoff,	Haudenshield,	Modell,	Thrasher,
Cohen,	Heatherington,	Mooney,	Thompson,
Coleman,	Helm,	Moore,	Tiemann,
Cook,	Herman,	Moran,	Trent,
Cooper,	Hersch,	Moser,	Trout,
Cordier,	Hewitt,	Muir,	Turbett,
Corrigan,	Hocke,	Munley,	Van Allsburg,
Costa,	Hoffman,	Murray,	Verona,
Coulson,	Hoggard,	Nowak,	Wachhaus,
Croop,	Holmes,	O'Brien,	Wagner, K. H.,
Cullen,	Hoopes,	O'Connor,	Wagner, P. L.,
Dague,	Hunter, B. F.,	O'Dare,	Wallin,
Dalrymple,	Hunter, W. M.,	Owens,	Walton,
Denman,	Huntley,	O'Neill,	Watkins,
Dennison,	Imbrie,	Petrosky,	Weiss,
Depuy,	Irvin,	Pettit,	Welsh,
Dillon,	James,	Polaski,	Winner,
Dix,	Jones,	Powers,	Wood, L. H.,
Duffy,	Kennedy,	Readinger,	Wood, N.,
Elder,	Kirley,	Reagan,	Worley,
Elliott,	Kitchen,	Reese, D. P.,	Wright,
Ely,	Kline,	Reese, R. E.,	Yeakel,
Erb,	Kolankiewicz,	Regan,	Yester,
Ewing,	Kowalski,	Reilly,	Fiss,
Figlock,	Krepps,	Reynolds,	Speaker.
Finnerty,	Krise,		

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 924, as follows:

An Act making an appropriation to the Department of Forests and Waters for the purpose of reconstructing and maintaining dikes along Darby Creek in Tinicum and Darby Townships Delaware County and in Philadelphia

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The sum of fourteen thousand dollars ($14,000) or as much thereof as may be necessary is hereby appropriated to the Department of Forests and Waters for the purpose of reconstructing the dikes along Darby Creek in Darby Township Delaware County and in Philadelphia

The further sum of ten thousand dollars ($10,000) or as much thereof as may be necessary is hereby appropriated to the Department of Forests and Waters for the purpose of maintaining dikes along Darby Creek in Darby and Tinicum Townships Delaware County and in Philadelphia County

Section 2 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—201

Alspach,	Flack,	Lane,	Riley,
Auker,	Fleming,	Laughner,	Robertson,
Baker,	Flynn,	Lee,	Root,
Barrett,	Foor,	Leisey,	Rose, S.,
Barton,	Fox,	Leonard,	Rose, W. E.,
Bentley,	Freed,	Levy,	Rowley,
Bentzel,	Fullerton,	Leydic,	Royer,
Boles,	Garber,	Lichtenwalter,	Salus,
Bonawitz,	Gardner,	Livingstone,	Sarge,
Boorse,	Gates,	Longo,	Sarraf,
Boory,	Gillan,	Lovett,	Scanlon,
Bower,	Goodling	Lyons,	Schuster,
Boyd,	Goodwin,	Madigan,	Serrill,
Bradley,	Gorman,	Mahany,	Simons,
Bretherick,	Grant,	McAtee,	Skale,
Brice,	Green,	Maxwell,	Smith,
Brigerman,	Greenwood,	McClester,	Snider,
Brown,	Gross,	McKinney,	Sollenberger,
Brunner, C. H.,	Gyger,	McMillen,	Sorg,
Brunner, P. A.,	Haberlen,	McSurdy,	Stank,
Burns,	Hall,	Menna,	Stonier,
Cadwalader,	Hamilton,	Mihm,	Stockham,
Calvin,	Hannon,	Miller,	Tahl,
Campbell,	Hare,	Mintess,	Tate,
Chervenak,	Harris,	Mock,	Taylor,
Chudoff,	Haudenshield,	Modell,	Thrasher,
Cohen,	Heatherington,	Mooney,	Thompson,
Coleman,	Helm,	Moore,	Tiemann,
Cook,	Herman,	Moran,	Trent,
Cooper,	Hersch,	Moser,	Trout,
Cordier,	Hewitt,	Muir,	Turbett,
Corrigan,	Hocke,	Munley,	Van Allsburg,
Costa,	Hoffman,	Murray,	Verona,
Coulson,	Hoggard,	Nowak,	Wachhaus,
Croop,	Holmes,	O'Brien,	Wagner, K. H.,
Cullen,	Hoopes,	O'Connor,	Wagner, P. L.,
Dague,	Hunter, B. F.,	O'Dare,	Wallin,
Dalrymple,	Hunter, W. M.,	Owens,	Walton,
Denman,	Huntley,	O'Neill,	Watkins,
Dennison,	Imbrie,	Petrosky,	Weiss,
Depuy,	Irvin,	Pettit,	Welsh,
Dillon,	James,	Polaski,	Winner,
Dix,	Jones,	Powers,	Wood, L. H.,
Duffy,	Kennedy,	Readinger,	Wood, N.,
Elder,	Kirley,	Reagan,	Worley,
Elliott,	Kitchen,	Reese, D. P.,	Wright,
Ely,	Kline,	Reese, R. E.,	Yeakel,
Erb,	Kolankiewicz,	Regan,	Yester,
Ewing,	Kowalski,	Reilly,	Fiss,
Figlock,	Krepps,	Reynolds,	Speaker.
Finnerty,	Krise,		

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

BILLS PASSED OVER

There being no objection

House Bill No. 1019, Printer's No. 511,

House Bill No. 853, Printer's No. 520,

were passed over at the request of Mr. LICHTENWALTER.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 827, as follows:

An Act to amend section two thousand four hundred and four of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and

officers fixing the salaries of the Governor Lieutenant-Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" as amended in order to provide automobile liability insurance on vehicles owned by the United States of America and its instrumentalities which are loaned to and operated by State employes and certain other persons

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section two thousand four hundred and four of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" as last amended by the act approved the twenty-first day of June one thousand nine hundred thirty-seven (P. L. 1865) is hereby further amended to read as follows

Section 2404 Bonds and Liability Insurance The Department of Property and Supplies shall have the power and its duty shall be

(a) To procure from a corporation or corporations authorized by law to act as sureties in the Commonwealth of Pennsylvania good and sufficient bonds which shall be approved by the Attorney General and filed with the State Treasurer or the Federal Government to meet the requirements of law in the case of all State officers and employes required by statute to give surety bonds to the Commonwealth or the Federal Government for the faithful performance of their official duties or to account for State funds in their possession Provided That if and when the Commonwealth shall establish its own indemnity fund such bonds shall be purchased only in such cases as the Executive Board may require

(b) [To procure liability insurance covering vehicles owned by the Commonwealth and operated by State officers and employes or State officers and employes and officers and enlisted men of the Pennsylvania National Guard operating vehicles loaned by the Federal Government] To procure automobile liability insurance covering vehicles owned by the Commonwealth of Pennsylvania or the United States of America or its instrumentalities which are loaned to and operated by State officers or employes or officers and enlisted men of the Pennsylvania National Guard the Pennsylvania Reserve Corps or its successor and in its discretion excess fire insurance on State Buildings and any other kind of insurance which it may be lawful for the Commonwealth or any department board commission or officer thereof to carry and for which an appropriation has been made to the department or to any other administrative department board or commission

The department shall pay for such insurance out of the moneys appropriated to it except that it shall not pay for insurance covering (1) officers employes or property of the departments boards and commissions whose expenses are wholly paid out of funds other than the General Fund of the State Treasury or (2) officers employes and property of departments boards and commissions receiving appropriations out of the General Fund for such purpose Insurance covering the officers employes and property of such departments boards and commissions shall be paid for out of the special funds appropriated to them or out of the moneys of the General Fund appropriated to them as the case may be

All automobile liability insurance procured by the Department of Property and Supplies hereunder shall protect both the Commonwealth and the State officer or employe operating the vehicle or State officers and employes and officers and enlisted men of the Pennsylvania National Guard the Pennsylvania Reserve Corps or its successor operating vehicles loaned by the Federal Government against claims for damages for injury to person or property within such limits as the department with the approval of the Executive Board shall prescribe

Section 2 This act shall become effective immediately upon its final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—201

Alspach,	Flack,	Lane,	Riley,
Auker,	Fleming,	Laughner,	Robertson,
Baker,	Flynn,	Lee,	Root,
Barrett,	Foor,	Leisey,	Rose, S.
Barton,	Fox,	Leonard,	Rose, W. E.,
Bentley,	Freed,	Levy,	Rowley,
Bentzel,	Fullerton,	Leydic,	Royer,
Boles,	Garber,	Lichtenwalter,	Salus,
Bonawitz,	Gardner,	Livingstone,	Sarge,
Boorse,	Gates,	Longo,	Sarraf,
Boory,	Gillan,	Lovett,	Scanlon,
Bower,	Goodling,	Lyons,	Schuster,
Boyd,	Goodwin,	Madigan,	Serrill,
Bradley,	Gorman,	Mahany,	Simons,
Bretherick,	Grant,	McAtee,	Skale,
Brice,	Green,	Maxwell,	Smith,
Brigerman,	Greenwood,	McClester,	Snider,
Brown,	Gross,	McKinney,	Sollenberger,
Brunner, C. H.,	Gyger,	McMillen,	Sorg,
Brunner, P. A.,	Haberlen,	McSurdy,	Stank,
Burns,	Hall,	Menna,	Stonier,
Cadwalader,	Hamilton,	Mihm,	Stockham,
Calvin,	Hannon,	Miller,	Tahl,
Campbell,	Hare,	Mintess,	Tate,
Chervenak,	Harris,	Mock,	Taylor,
Chudoff,	Haudenshield,	Modell,	Thrasher,
Cohen,	Heatherington,	Mooney,	Thompson,
Coleman,	Helm,	Moore,	Tiemann,
Cook,	Herman,	Moran,	Trent,
Cooper,	Hersch,	Moser,	Trout,
Cordier,	Hewitt,	Muir,	Turbett,
Corrigan,	Hocke,	Munley,	Van Allsburg,
Costa,	Hoffman,	Murray,	Verona,
Coulson,	Hoggard,	Nowak,	Wachhaus,
Croop,	Holmes,	O'Brien,	Wagner, K. H.,
Cullen,	Hoopes,	O'Connor,	Wagner, P. L.,
Dague,	Hunter, B. F.,	O'Dare,	Wallin,
Dalrymple,	Hunter, W. M.,	Owens,	Walton,
Denman,	Huntley,	O'Neill,	Watkins,
Dennison,	Imbrie,	Petrosky,	Weiss,
Depuy,	Irvin,	Pettit,	Welsh,
Dillon,	James,	Polaski,	Winner,
Dix,	Jones,	Powers,	Wood, L. H.,
Duffy,	Kennedy,	Readinger,	Wood, N.,
Elder,	Kirley,	Reagan,	Worley,
Elliott,	Kitchen,	Reese, D. P.,	Wright,
Ely,	Kline,	Reese, R. E.,	Yeakel,
Erb,	Kolankiewicz,	Regan,	Yester,
Ewing,	Kowalski,	Reilly,	Fiss,
Figlock,	Krepps,	Reynolds,	Speaker.
Finnerty,	Krise,		

NAYS—0

The majority required by the Constitution having voted

in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

BILL PASSED OVER

There being no objection Senate Bill No. 142, Printer's No. 154, was passed over at the request of Mr. LICHTENWALTER.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 178, as follows:

An Act to amend section one of the act approved the twenty-ninth day of May one thousand nine hundred and thirty-five (P. L. 244) entitled "An act creating a Local Government Commission to study and report on functions of local government their allocation and elimination the cost of local government and means of reducing it and the consolidation of local government and making an appropriation" fixing the terms of the members of said commission providing for the filling of vacancies and making an appropriation

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section one of the act approved the twenty-ninth day of May one thousand nine hundred and thirty-five (P. L. 244) entitled "An act creating a Local Government Commission to study and report on functions of local government their allocation and elimination the cost of local government and means of reducing it and the consolidation of local government and making an appropriation" is hereby amended to read as follows

Section 1 That a commission is hereby created which shall consist of ten members five of whom shall be appointed by the President Pro Tempore of the Senate and five shall be appointed by the Speaker of the House The commission shall be known as the "Local Government Commission" The term of each member of the commission shall run from the date of his respective appointment until the end of the next regular session of the General Assembly The terms of the present members of the commission shall expire at the end of the regular session of one thouand nine hundred and forty-three After the close of each regular session of the General Assembly the President Pro Tempore and the Speaker shall make the appointments authorized by this section Any vacancy happening in the membership of the commission shall be filled by the appointing power making the original appointment for the unexpired term The commission shall organize as soon as may be after the close of each regular session of the General Assembly at the call of the President Pro Tempore of the Senate by electing a chairman vice-chairman and a secretary The secretary need not be a member of the commission The members of the commission shall serve without compensation but shall be reimbursed for all necessary expenses incurred in the discharge of their duties

Section 2 The sum of ten thousand dollars ($10,000) together with the unexpended balance of the moneys appropriated for the two fiscal years ending May thirty-first one thousand nine hundred forty-one or so much thereof as may be necessary is hereby specifically appropriated and reappropriated to the Local Government Commission created by the act approved the twenty-ninth day of May one thousand nine hundred thirty-five (P. L. 244) for the two fiscal years beginning the first day of June one thousand nine hundred forty-three to continue the work of the commission and for the payment of the expenses of the members of the commission for the compensation and expenses of the secretary counsel and other appointees of the commission for printing postage supplies telephone telegraph and miscellaneous expenses and generally for the purpose of carrying into effect the provisions of said act

Section 3 This act shall become effective immediately upon final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—201

Alspach,	Flack,	Lane,	Riley,
Auker,	Fleming,	Laughner,	Robertson,
Baker,	Flynn,	Lee,	Root,
Barrett,	Foor,	Leisey,	Rose, S.,
Barton,	Fox,	Leonard,	Rose, W. E.,
Bentley,	Freed,	Levy,	Rowley,
Bentzel,	Fullerton,	Leydic,	Royer,
Boies,	Garber,	Lichtenwalter,	Salus,
Bonawitz,	Gardner,	Livingstone,	Sarge,
Boorse,	Gates,	Longo,	Sarraf,
Boory,	Gillan,	Lovett,	Scanlon,
Bower,	Goodling,	Lyons,	Schuster,
Boyd,	Goodwin,	Madigan,	Serrill,
Bradley,	Gorman,	Mahany,	Simons,
Bretherick,	Grant,	Maxwell,	Skale,
Brice,	Green,	McAtee,	Smith,
Brigerman,	Greenwood,	McClester,	Snider,
Brown,	Gross,	McKinney,	Sollenberger,
Brunner, C. H.,	Gyger,	McMillen,	Sorg,
Brunner, P. A.,	Haberlen,	McSurdy,	Stank,
Burns,	Hall,	Menna,	Stockham,
Cadwalader,	Hamilton,	Mihm,	Stonier,
Calvin,	Hannon,	Miller,	Tahl,
Campbell,	Hare,	Mintess,	Tate,
Chervenak,	Harris,	Mock,	Taylor,
Chudoff,	Haudenshield,	Modell,	Thompson,
Cohen,	Heatherington,	Mooney,	Thrasher,
Coleman,	Helm,	Moore,	Tiemann,
Cook,	Herman,	Moran,	Trent,
Cooper,	Hersch,	Moser,	Trout,
Cordier,	Hewitt,	Muir,	Turbett,
Corrigan,	Hocke,	Munley,	Van Allsburg,
Costa,	Hoffman,	Murray,	Verona,
Coulson,	Hoggard,	Nowak,	Wachhaus,
Croop,	Holmes,	O'Brien,	Wagner, K. H.,
Cullen,	Hoopes,	O'Connor,	Wagner, P. L.,
Dague,	Hunter, B. F.,	O'Dare,	Wallin,
Dalrymple,	Hunter, W. M.,	O'Neill,	Walton,
Denman,	Huntley,	Owens,	Watkins,
Dennison,	Imbrie,	Petrosky,	Weiss,
Depuy,	Irvin,	Pettit,	Welsh,
Dillon,	James,	Polaski,	Winner,
Dix,	Jones,	Powers,	Wood, L. H.,
Duffy,	Kennedy,	Readinger,	Wood, N.,
Elder,	Kirley,	Reagan,	Worley,
Elliott,	Kitchen,	Reese, D. P.,	Wright,
Ely,	Kline,	Reese, R. E.,	Yeakel,
Erb,	Kolankiewicz,	Regan,	Yester,
Ewing,	Kowalski,	Reilly,	Fiss,
Figlock,	Krepps,	Reynolds,	Speaker.
Finnerty,	Krise,		

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

BILL PASSED OVER

There being no objection Senate Bill No. 207, Printer's No. 131, was passed over at the request of Mr. LICHTENWALTER.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 261 as follows:

An Act to amend section one of the act approved the fifth day of August one thousand nine hundred and forty-one (P. L. 826) entitled "An act authorizing the Department of Property and Supplies with the approval of the Governor to sell and convey certain plots of land" by correcting the location of the plot of land described in paragraph Fourteen and providing for the sale of certain additional plots of land

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Paragraph Fourteen of section one of the act approved the fifth day of August one thousand nine hundred and forty-one (P. L. 826) entitled "An act authorizing the Department of Property and Supplies with the approval of the Governor to sell and convey certain plots of land" is hereby amended to read as follows

Fourteen In [Washington] Canton Township Washington County One plot of land containing .551 acres located in [the city of Washington] Canton Township Washington County facing Oakland and Ohio Avenues

Section 2 Section one of the said act is hereby further amended by adding immediately after paragraph Nineteen paragraphs to be known as Twenty Twenty-one and Twenty-two and to read as follows

Twenty In St Marys Elk County One plot of land containing 0.3903 acres located in St. Marys Borough facing Atlantic Street on the North side

Twenty-one In Coudersport Potter County One plot of land containing 0.6615 acres located in Coudersport Borough facing Locust Street on the North side and Vine Street on the West side

Twenty-two In Upper Providence Township Delaware County One plot of land containing 0.839 acres located on and facing Providence Road (Legislative Route 144) on the West side approximately one and one-half (1½) miles North of Media Borough

Section 3 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—201

Alspach,	Flack,	Lane,	Riley,
Auker,	Fleming,	Laughner,	Robertson,
Baker,	Flynn,	Lee,	Root,
Barrett,	Foor,	Leisey,	Rose, S.
Barton,	Fox,	Leonard,	Rose, W. E.,
Bentley,	Freed,	Levy,	Rowley,
Bentzel,	Fullerton,	Leydic,	Royer,
Boies,	Garber,	Lichtenwalter,	Salus,
Bonawitz,	Gardner,	Livingstone,	Sarge,
Boorse,	Gates,	Longo,	Sarraf,
Boory,	Gillan,	Lovett,	Scanlon,
Bower,	Goodling,	Lyons,	Schuster,
Boyd,	Goodwin,	Madigan,	Serrill,
Bradley,	Gorman,	Mahany,	Simons,
Bretherick,	Grant,	Maxwell,	Skale,
Brice,	Green,	McAtee,	Smith,
Brigerman,	Greenwood,	McClester,	Snider,
Brown,	Gross,	McKinney,	Sollenberger,
Brunner, C. H.,	Gyger,	McMillen,	Sorg,
Brunner, P. A.,	Haberlen,	McSurdy,	Stank,
Burns,	Hall,	Menna,	Stockham,
Cadwalader,	Hamilton,	Mihm,	Stonier,
Calvin,	Hannon,	Miller,	Tahl,
Campbell,	Hare,	Mintess,	Tate,
Chervenak,	Harris,	Mock,	Taylor,
Chudoff,	Haudenshield,	Modell,	Thompson,
Cohen,	Heatherington,	Mooney,	Thrasher,
Coleman,	Helm,	Moore,	Tiemann,
Cook,	Herman,	Moran,	Trent,
Cooper,	Hersch,	Moser,	Trout,
Cordier,	Hewitt,	Muir,	Turbett,
Corrigan,	Hocke,	Munley,	Van Allsburg,
Costa,	Hoffman,	Murray,	Verona,
Coulson,	Hoggard,	Nowak,	Wachhaus,
Croop,	Holmes,	O'Brien,	Wagner, K. H.,
Cullen,	Hoopes,	O'Connor,	Wagner, P. L.,
Dague,	Hunter, B. F.,	O'Dare,	Wallin,
Dalrymple,	Hunter, W. M.,	O'Neill,	Walton,
Denman,	Huntley,	Owens,	Watkins,
Dennison,	Imbrie,	Petrosky,	Weiss,
Depuy,	Irvin,	Pettit,	Welsh,
Dillon,	James,	Polaski,	Winner,
Dix,	Jones,	Powers,	Wood, L. H.,
Duffy,	Kennedy,	Readinger,	Wood, N.,
Elder,	Kirley,	Reagan,	Worley,
Elliott,	Kitchen,	Reese, D. P.,	Wright,
Ely,	Kline,	Reese, R. E.,	Yeakel,
Erb,	Kolankiewicz,	Regan,	Yester,
Ewing,	Kowalski,	Reilly,	Fiss,
Figlock,	Krepps,	Reynolds,	Speaker.
Finnerty,	Krise,		

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 266, as follows:

An Act to provide for the publication of the reports of the decisions of the Supreme Court of Pennsylvania and of the Superior Court in bound volumes and in advance sheets regulating the basis upon which bids shall be submitted and provisions of the contract for publication of such reports conferring powers and imposing duties on the State Reporter the Department of Property and Supplies and the Secretary of the Commonwealth providing for the custody and disposition of plates used in the printing of the bound volumes of such reports and of the advance sheets thereof and repealing certain acts and parts of acts

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The decisions of the Supreme Court of Pennsylvania and of the Superior Court shall be published under the supervision of the State Reporter in accordance with the terms of a contract to be entered into by the State Reporter with the responsible and capable person or persons who shall agree to publish and sell the bound volumes of reports of the Supreme Court and of the Superior Court and the advance sheets thereof at the lowest total price as hereinafter provided in this act The State Reporter shall have no pecuniary interest in such contract

Each bidder for the said contract shall designate the total price at which he will sell and deliver prepaid anywhere within the Commonwealth to any person one copy of each bound volume of reports of the Supreme Court and one copy of each bound volume of reports of the Superior Court and one subscription to the advance sheets of said bound volumes or the current equivalent thereof Upon award of the contract the contractor shall be entitled to charge for one bound volume of the reports of the Supreme Court and of the Superior Court and one subscription to the advance sheets of said bound volumes or the current equivalent thereof the price bid by him He shall also be entitled to charge for a single bound volume of reports of the Supreme Court or of the Superior Court or for a single subscription to the advance sheets of reports of the said courts or of either of them or for any combination of such services designated by the

State Reporter the price or prices determined by the State Reporter as hereinafter provided

A bidder who proposes to subcontract any part of the work to be done under the terms of the contract shall state that fact in his bid and shall attach the name and address of each proposed subcontractor and a statement of his qualifications and no part of the contract if awarded to such bidder shall be otherwise subcontracted without the prior approval of the State Reporter

Section 2 The contract shall be for a term of five years and shall (a) specify the total price for which the contractor agrees to sell the combination service of the bound volumes of the reports of the Supreme and Superior Courts and their advance sheets as stated in his bid (b) specify the price or prices expressed in percentages of the total price bid for which a single bound volume of the reports of each court or the advance sheets thereof or any combination of such services shall be sold (c) provide that the contractor shall furnish the State Librarian free of charge for library and exchange fifty copies of each bound volume of the reports of the said courts and of the advance sheets thereof and shall furnish the State Reporter free of charge three copies of each said bound volume and eight copies of said advance sheets (d) provide that the said bound volumes of reports and advance sheets shall be printed and published in this Commonwealth (e) provide that the contractor directly or under a written contract or contracts shall maintain in this Commonwealth for the term of the contract the plant facilities and place of business for printing and publishing the said bound volumes of reports and the advance sheets (f) provide that all bound volumes of reports of the said courts and of the advance sheets published under such contract shall be kept by the contractor at his place of business within this Commonwealth or at the direction of the State Reporter at some other convenient place within this Commonwealth to be designated by the State Reporter for sale to all persons at prices established in conformity with the provisions of section 1 of this act during the term of the said contract and (g) provide that the bound volumes of said reports shall be so kept for sale for five years thereafter

Section 3 The State Reporter shall have full power to formulate and prescribe terms and specifications of the contract for the printing and publication of the said bound volumes and of the advance sheets in addition to those enumerated in this act including but not limited to (a) the power to determine what part or parts of said contract may be subcontracted and the terms and conditions upon which part or parts or all of the said contract may be subcontracted (b) the form and the terms of the contract including penalty provisions deemed necessary or desirable by him to assure proper performance by the contractor and (c) the respective percentages of the total price bid for which a single bound volume of the reports of each court or the advance sheets thereof or any combination of such services shall be sold Provided That the total of the prices authorized for the component individual services or combinations thereof shall not exceed 135% of the contract price The State Reporter shall also have the power to reject any and every bid which he in his sole discretion deems unfavorable or disadvantagous to the State and to the public

Section 4 The said reports in the bound volumes shall (a) be printed lithographed or otherwise reproduced on first-class book paper (b) be bound in buckram airplane duck or any other first-class material or materials for binding of books in style and quality not inferior to volume 344 Pennsylvania State Reports (c) be in form and manner of execution similar thereto (d) contain not less than seven hundred pages of printed matter in each volume including an index and table of cases which shall be prepared and furnished by the State Reporter and including any other material directed to be published therein by the State Reporter with the approval of the Supreme Court or of the Superior Court as the case may be

There shall be printed on the back of the reports the matter specified by the State Reporter

The advance sheets of the said reports shall conform as nearly as may be practicable to the bound volumes in type style paging content and manner of execution and shall be published weekly or at such other intervals as the State Reporter may prescribe

Section 5 If the State Reporter in the exercise of his discretion shall determine that the bound volumes of reports shall be electrotyped or stereotyped the plates thereof shall (a) be preserved by the contractor (b) kept within the Commonwealth and (c) delivered to the Secretary of the Commonwealth as the property of the State within three years after the expiration of the contract Upon the receipt of such plates under any presently existing contract or any contract executed hereafter the Secretary of the Commonwealth may in his discretion dispose of them as unserviceable property in the manner provided by law

Section 6 Before the State Reporter awards any contract as provided by this act the Department of Property and Supplies on behalf of and under the supervision and direction of the State Reporter shall give notice of the time and place of awarding the contract and of the terms and specifications upon which sealed bids or proposals will be received by the State Reporter by advertisement in one daily newspaper of general circulation in each of the cities of Harrisburg Philadelphia and Pittsburgh once a week for six consecutive weeks immediately preceding the awarding of such contract

Section 7 Copyright of the advance sheets and of each bound volume of reports shall be obtained in the name of the Commonwealth of Pennsylvania by and at the expense of the contractor

Section 8 The person to whom any contract shall be awarded under this act shall at the time of executing such contract give bond to the Commonwealth with sufficient surety to be approved by the Department of Property and Supplies in the sum of $30,000 conditioned for the faithful performance of said contract

Section 9 Nothing in this act shall be construed to affect or change the rights duties and liabilities of the parties to presently existing contracts for the publication of reports of the Supreme Court or of the Superior Court or the advance sheets thereof

Section 10 The following acts and parts of acts are hereby specifically repealed

Section 5 7 8 9 and 11 of the Act approved the twelfth day of June one thousand eight hundred seventy-eight (Pamphlet Laws two hundred one) entitled "An act to provide for the publication of the decisions of the supreme court and the appointment of a state reporter"

Section 6 of the Act approved the twenty-fourth day of June one thousand eight hundred ninety-five (Pamphlet Laws two hundred twelve) entitled "An act to establish an intermediate court of appeal regulating its constitution officers jurisdiction powers practice and its relation to the Supreme Court and other courts providing for the reports of its decisions the compensation of the judges and other officers and the practice and costs on appeals from its judgments"

The Act approved the fifteenth day of May one thousand nine hundred forty-one (Pamphlet Laws forty) entitled "An act to amend sections seven and eight of the act approved the twelfth day of June one thousand eight hundred and seventy-eight (Pamphlet Laws two hundred one) entitled 'An act to provide for the publication of the decisions of the supreme court and the appointment of a state reporter' requiring the publication of advance sheets of such reports requiring printing and publication in this Commonwealth by a responsible person having a plant and facilities and place of business therein and furthere regulating the basis upon which bids shall be submitted and provisions of the contract for publication of such reports and advance sheets"

The Act approved the thirteenth day of April one thousand nine hundred forty-two (Pamphlet Laws twenty-four) entitled "An act to further amend section seven of the act approved the twelfth day of June one thousand eight hundred seventy-eight (Pamphlet Laws two hundred one) entitled 'An act to provide for the publication

of the decisions of the Supreme Court and the appointment of a state reporter' by making further provision relative to the custody and disposition of plates used in the printing of supreme court reports and supreme court advance sheets"

The Act approved the thirteenth day of April one thousand nine hundred forty-two (Pamphlet Laws twenty-six) entitled "An act to amend section six of the act approved the twenty-fourth day of June one thousand eight hundred ninety-five (Pamphlet Laws two hundred twelve) entitled 'An act to establish an intermediate court of appeal regulating its constitution officers jurisdiction powers practice and its relation to the Supreme Court and other courts providing for the reports of its decisions the compensation of the judges and other officers and the practice and costs on appeals from its judgments' by making further provision as to the preparation custody and disposition of plates used in the printing of Superior Court Reports"

All other acts or parts of acts inconsistent herewith are hereby repealed

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—201

Alspach,	Flack,	Lane,	Riley,
Auker,	Fleming,	Laughner,	Robertson,
Baker,	Flynn,	Lee,	Root,
Barrett,	Foor,	Leisey,	Rose, S.,
Barton,	Fox,	Leonard,	Rose, W. E.,
Bentley,	Freed,	Levy,	Rowley,
Bentzel,	Fullerton,	Leydic,	Royer,
Boies,	Garber,	Lichtenwalter,	Salus,
Bonawitz,	Gardner,	Livingstone,	Sarge,
Boorse,	Gates,	Longo,	Sarraf,
Boory,	Gillan,	Lovett,	Scanlon,
Bower,	Goodling,	Lyons,	Schuster,
Boyd,	Goodwin,	Madigan,	Serrill,
Bradley,	Gorman,	Mahany,	Simons,
Bretherick,	Grant,	Maxwell,	Skale,
Brice,	Green,	McAtee,	Smith,
Brigerman,	Greenwood,	McClester,	Snider,
Brown,	Gross,	McKinney,	Sollenberger,
Brunner, C. H.,	Gyger,	McMillen,	Sorg,
Brunner, P. A.,	Haberlen,	McSurdy,	Stank,
Burns,	Hall,	Menna,	Stockham,
Cadwalader,	Hamilton,	Mihm,	Stonier,
Calvin,	Hannon,	Miller,	Tahl,
Campbell,	Hare,	Mintess,	Tate,
Chervenak,	Harris,	Mock,	Taylor,
Chudoff,	Haudenshield,	Modell,	Thompson,
Cohen,	Heatherington,	Mooney,	Thrasher,
Coleman,	Helm,	Moore,	Tiemann,
Cook,	Herman,	Moran,	Trent,
Cooper,	Hersch,	Moser,	Trout,
Cordier,	Hewitt,	Muir,	Turbett,
Corrigan,	Hocke,	Munley,	Van Allsburg,
Costa,	Hoffman,	Murray,	Verona,
Coulson,	Hoggard,	Nowak,	Wachhaus,
Croop,	Holmes,	O'Brien,	Wagner, K. H.,
Cullen,	Hoopes,	O'Connor,	Wagner, P. L.,
Dague,	Hunter, B. F.,	O'Dare,	Wallin,
Dalrymple,	Hunter, W. M.,	O'Neill,	Walton,
Denman,	Huntley,	Owens,	Watkins,
Dennison,	Imbrie,	Petrosky,	Weiss,
Depuy,	Irvin,	Pettit,	Welsh,
Dillon,	James,	Polaski,	Winner,
Dix,	Jones,	Powers,	Wood, L. H.,
Duffy,	Kennedy,	Readinger,	Wood, N.,
Elder,	Kirley,	Reagan,	Worley,
Elliott,	Kitchen,	Reese, D. P.,	Wright,
Ely,	Kline,	Reese, R. E.,	Yeakel,
Erb,	Kolankiewicz,	Regan,	Yester,
Ewing,	Kowalski,	Reilly,	Fiss,
Figlock,	Krepps,	Reynolds,	Speaker.
Finnerty,	Krise,		

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 267, as follows:

An Act to authorize the State Reporter to waive the provisions of any existing contracts requiring volumes of the reports of the decisions of the Supreme Court of Pennsylvania or of the Superior Court to be stereotyped or electrotyped

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The State Reporter is authorized to waive any provisions of any presently existing contracts requiring the volume of the decisions of the Supreme Court of Pennsylvania or of the Superior Court to be stereotyped or electrotyped Provided That such waiver shall be on terms which the State Reporter shall in his sole discretion determine are advantageous to he State and to the public

Section 2 This act shall become effective immediately upon its final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—201

Alspach,	Flack,	Lane,	Riley,
Auker,	Fleming,	Laughner,	Robertson,
Baker,	Flynn,	Lee,	Root,
Barrett,	Foor,	Leisey,	Rose, S.,
Barton,	Fox,	Leonard,	Rose, W. E.,
Bentley,	Freed,	Levy,	Rowley,
Bentzel,	Fullerton,	Leydic,	Royer,
Boies,	Garber,	Lichtenwalter,	Salus,
Bonawitz,	Gardner,	Livingstone,	Sarge,
Boorse,	Gates,	Longo,	Sarraf,
Boory,	Gillan,	Lovett,	Scanlon,
Bower,	Goodling,	Lyons,	Schuster,
Boyd,	Goodwin,	Madigan,	Serrill,
Bradley,	Gorman,	Mahany,	Simons,
Bretherick,	Grant,	Maxwell,	Skale,
Brice,	Green,	McAtee,	Smith,
Brigerman,	Greenwood,	McClester,	Snider,
Brown,	Gross,	McKinney,	Sollenberger,
Brunner, C. H.,	Gyger,	McMillen,	Sorg,
Brunner, P. A.,	Haberlen,	McSurdy,	Stank,
Burns,	Hall,	Menna,	Stockham,
Cadwalader,	Hamilton,	Mihm,	Stonier,
Calvin,	Hannon,	Miller,	Tahl,
Campbell,	Hare,	Mintess,	Tate,
Chervenak,	Harris,	Mock,	Taylor,
Chudoff,	Haudenshield,	Modell,	Thompson,
Cohen,	Heatherington,	Mooney,	Thrasher,
Coleman,	Helm,	Moore,	Tiemann,
Cook,	Herman,	Moran,	Trent,
Cooper,	Hersch,	Moser,	Trout,
Cordier,	Hewitt,	Muir,	Turbett,
Corrigan,	Hocke,	Munley,	Van Allsburg,
Costa,	Hoffman,	Murray,	Verona,
Coulson,	Hoggard,	Nowak,	Wachhaus,
Croop,	Holmes,	O'Brien,	Wagner, K. H.,
Cullen,	Hoopes,	O'Connor,	Wagner, P. L.,
Dague,	Hunter, B. F.,	O'Dare,	Wallin,
Dalrymple,	Hunter, W. M.,	O'Neill,	Walton,
Denman,	Huntley,	Owens,	Watkins,
Dennison,	Imbrie,	Petrosky,	Weiss,
Depuy,	Irvin,	Pettit,	Welsh,
Dillon,	James,	Polaski,	Winner,
Dix,	Jones,	Powers,	Wood, L. H.,

Duffy,	Kennedy,	Readinger,	Wood, N.,
Elder,	Kirley,	Reagan,	Worley,
Elliott,	Kitchen,	Reese, D. P.,	Wright,
Ely,	Kline,	Reese, R. E.,	Yeakel,
Erb,	Kolankiewicz,	Regan,	Yester,
Ewing,	Kowalski,	Reilly,	Fiss,
Figlock,	Krepps,	Reynolds,	Speaker.
Finnerty,	Krise,		

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

BILL PASSED OVER

There being no objection Senate Bill No. 297, Printer's No. 136, was passed over at the request of Mr. LICHTENWALTER.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 309, as follows:

A Joint Resolution proposing an amendment to article nine of the Constitution of the Commonwealth of Pennsylvania by adding thereto a section

The General Assembly of the Commonwealth of Pennsylvania hereby resolves as follows

Section 1 That the following amendment to the Constitution of Pennsylvania be and the same is hereby proposed in accordance with the eighteenth article thereof

That article nine of the Constitution of the Commonwealth of Pennsylvania be amended by adding thereto a section to read as follows

Section 21 In addition to the purposes stated in article nine section four of this Constitution the Commonwealth may be authorized by law to create debt and to issue bonds to the amount of fifty million dollars ($50,000,000) for the construction of public buildings highway drainage and sanitary systems anti-stream pollution and flood control projects for purposes of reforestation and for the rehabilitation and hospitalization of war veterans

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—201

Alspach,	Flack,	Lane,	Riley,
Auker,	Fleming,	Laughner,	Robertson,
Baker,	Flynn,	Lee,	Root,
Barrett,	Foor,	Leisey,	Rose, S.,
Barton,	Fox,	Leonard,	Rose, W. E.,
Bentzel,	Freed,	Levy,	Rowley,
Bentley,	Fullerton,	Leydic,	Royer,
Boies,	Garber,	Lichtenwalter,	Salus,
Bonawitz,	Gardner,	Livingstone,	Sarge,
Boorse,	Gates,	Longo,	Sarraf,
Boory,	Gillan,	Lovett,	Scanlon,
Bower,	Goodling,	Lyons,	Schuster,
Boyd,	Goodwin,	Madigan,	Serrill,
Bradley,	Gorman,	Mahany,	Simons,
Bretherick,	Grant,	Maxwell,	Skale,
Brooke,	Green,	McAtee,	Smith,
Brigerman,	Greenwood,	McClester,	Snider,
Brown,	Gross,	McKinney,	Sollenberger,
Brunner, C. H.,	Gyger,	McMillen,	Sorg,
Brunner, P. A.,	Haberlen,	McSurdy,	Stank,
Burns,	Hall,	Menna,	Stockham,
Cadwalader,	Hamilton,	Mihm,	Stonier,
Calvin,	Hannon,	Miller,	Tahl,
Campbell,	Hare,	Mintess,	Tate,
Chervenak,	Harris,	Mock,	Taylor,
Chudoff,	Haudenshield,	Modell,	Thompson,
Cohen,	Heatherington,	Mooney,	Thrasher,
Coleman,	Helm,	Moore,	Tiemann,
Cook,	Herman,	Moran,	Trent,
Cooper,	Hersch,	Moser,	Trout,
Cordier,	Hewitt,	Muir,	Turbett,
Corrigan,	Hocke,	Munley,	Van Allsburg,
Costa,	Hoffman,	Murray,	Verona,
Coulson,	Hoggard,	Nowak,	Wachhaus,
Croop,	Holmes,	O'Brien,	Wagner, K. H.,
Cullen,	Hoopes,	O'Connor,	Wagner, P. L.,
Dague,	Hunter, B. F.,	O'Dare,	Wallin,
Dalrymple,	Hunter, W. M.,	O'Neill,	Walton,
Denman,	Huntley,	Owens,	Watkins,
Dennison,	Imbrie,	Petrosky,	Weiss,
Depuy,	Irvin,	Pettit,	Welsh,
Dillon,	James,	Polaski,	Winner,
Dix,	Jones,	Powers,	Wood, L. H.,
Duffy,	Kennedy,	Readinger,	Wood, N.,
Elder,	Kirley,	Reagan,	Worley,
Elliott,	Kitchen,	Reese, D. P.,	Wright,
Ely,	Kline,	Reese, R. E.,	Yeakel,
Erb,	Kolankiewicz,	Regan,	Yester,
Ewing,	Kowalski,	Reilly,	Fiss,
Figlock,	Krepps,	Reynolds,	Speaker.
Finnerty,	Krise,		

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

BILL PASSED OVER

There being no objection Senate Bill No. 310, Printer's No. 197, was passed over at the request of Mr. LICHTENWALTER.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 312, as follows:

An Act to further amend section one thousand four hundred and thirty-nine of the act approved the eighteenth day of May one thousand nine hundred and eleven (P. L. 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" by providing for payment for education of blind children out of appropriations made to the Department of Public Instruction for such purposes and conforming said section to existing law

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section one thousand four hundred and thirty-nine of the act approved the eighteenth day of May one thousand nine hundred and eleven (P. L. 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" as last amended by the act approved the seventeenth day of May one thousand nine hundred and seventeen (P. L. 206) is hereby further amended to read as follows

Section 1439 The State [Board] Council of Education is authorized to educate blind children residing in this Commonwealth under the age of eight years whenever from any cause the parent or parents thereof may be unable to properly educate them With the written consent of the proper parents parent or nearest relative if there be no parents or the [poor] local authorities of the proper [poor] institution district if there be neither parents nor relatives the [board] State Council of Education may contract with any non-sectarian institution in this State or elsewhere established for the education of the blind whereby any such child may at a cost not exceeding one dollar and fifty cents per day to be paid [out of the State school fund] by the Commonwealth out of funds appropriated to the Department of Public Instruction for the education of blind children be educated until it shall reach the age of eight years Provided That such education may be continued beyond the age of eight years when for physical mental or other proper reasons such child or children need special care for a longer period The contract may be cancelled and the child or children removed at any time by the [board] State Council of Education This act shall not repeal or modify any existing act relative to the education of the blind

Section 2 The provisions of this act shall become effective immediately upon final enactment.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—201

Alspach,	Flack,	Lane,	Riley,
Auker,	Fleming,	Laughner,	Robertson,
Baker,	Flynn,	Lee,	Root,
Barrett,	Foor,	Leisey,	Rose, S.,
Barton,	Fox,	Leonard,	Rose, W. E.,
Bentley,	Freed,	Levy,	Rowley,
Bentzel,	Fullerton,	Leydic,	Royer,
Boies,	Garber,	Lichtenwalter,	Salus,
Bonawitz,	Gardner,	Livingstone,	Sarge,
Boorse,	Gates,	Longo,	Sarraf,
Boory,	Gilian,	Lovett,	Scanlon,
Bower,	Goodling,	Lyons,	Schuster,
Boyd,	Goodwin,	Madigan,	Serrill,
Bradley,	Gorman,	Mahany,	Simons,
Bretherick,	Grant,	Maxwell,	Skale,
Brice,	Green,	McAtee,	Smith,
Brigerman,	Greenwood,	McClester,	Snider,
Brown,	Gross,	McKinney,	Sollenberger,
Brunner, C. H.,	Gyger,	McMillen,	Sorg,
Brunner, P. A.,	Haberlen,	McSurdy,	Stank,
Burns,	Hall,	Menna,	Stockham,
Cadwalader,	Hamilton,	Mihm,	Stonier,
Calvin,	Hannon,	Miller,	Tahl,
Campbell,	Hare,	Mintess,	Tate,
Chervenak,	Harris,	Mock,	Taylor,
Chudoff,	Haudenshield,	Modell,	Thompson,
Cohen,	Heatherington,	Mooney,	Thrasher,
Coleman,	Helm,	Moore,	Tiemann,
Cook,	Herman,	Moran,	Trent,
Cooper,	Hersch,	Moser,	Trout,
Cordier,	Hewitt,	Munley,	Turbett,
Corrigan,	Hocke,	Muir,	Van Allsburg,
Coulson,	Hoffman,	Murray,	Verona,
Costa,	Hoggard,	Nowak,	Wachhaus,
Croop,	Holmes,	O'Brien,	Wagner, K. H.,
Cullen,	Hoopes,	O'Connor,	Wagner, P. L.,
Dague,	Hunter, B. F.,	O'Dare,	Wallin,
Dalrymple,	Hunter, W. M.,	O'Neill,	Walton,
Denman,	Huntley,	Owens,	Watkins,
Dennison,	Imbrie,	Petrosky,	Weiss,
Depuy,	Irvin,	Pettit,	Welsh,
Dillon,	James,	Polaski,	Winner,
Dix,	Jones,	Powers,	Wood, L. H.,
Duffy,	Kennedy,	Readinger,	Wood, N.,
Elder,	Kirley,	Reagan,	Worley,
Elliott,	Kitchen,	Reese, D. P.,	Wright,
Ely,	Kline,	Reese, R. E.,	Yeakel,
Erb,	Kolankiewicz,	Regan,	Yester,
Ewing,	Kowalski,	Reilly,	Fiss,
Figlock,	Krepps,	Reynolds,	Speaker.
Finnerty,	Krise,		

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 401, as follows:

An Act to amend section five hundred twenty-five of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled, "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant-Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departmnets boards and commissions shall be determined" as amended by making provision for the destruction of certain records in the various administrative departments boards or commissions after such records have been first microfilmed

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section five hundred twenty-five of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant-Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" as last amended by the act approved the twenty-first day of July one thousand nine hundred forty-one (P. L. 429) is hereby further amended to read as follows

Section 525 Any administrative department board or commission may with the approval of the Executive Board have microfilm records made of any correspondence records or other papers for the purpose of protecting and safeguarding the original correspondence records or other papers or for the purpose of conserving filing

space and such microfilm reproduction shall when properly identified be admitted in evidence in any proceedings in place of the original correspondence records or other papers In any case where original correspondence records or other papers are microfilmed under the provisions of this section for the purpose of conserving filing space the administrative department board or commission concerned may with the approval of the Executive Board destroy such original correspondence records or other papers

Section 2 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—201

Alspach,	Flack,	Lane,	Riley,
Auker,	Fleming,	Laughner,	Robertson,
Baker,	Flynn,	Lee,	Root,
Barrett,	Foor,	Leisey,	Rose, S.
Barton,	Fox,	Leonard,	Rose, W. E.,
Bentley,	Freed,	Levy,	Rowley,
Bentzel,	Fullerton,	Leydic,	Royer,
Boies,	Garber,	Lichtenwalter,	Salus,
Bonawitz,	Gardner,	Livingstone,	Sarge,
Boorse,	Gates,	Longo,	Sarraf,
Boory,	Gillan,	Lovett,	Scanlon,
Bower,	Goodling,	Lyons,	Schuster,
Boyd,	Goodwin,	Madigan,	Serrill,
Bradley,	Gorman,	Mahany,	Simons,
Bretherick,	Grant,	Maxwell,	Skale,
Brice,	Green,	McAtee,	Smith,
Brigerman,	Greenwood,	McClester,	Snider,
Brown,	Gross,	McKinney,	Sollenberger,
Brunner, C. H.,	Gyger,	McMillen,	Sorg,
Brunner, P. A.,	Haberlen,	McSurdy,	Stank,
Burns,	Hall,	Menna,	Stockham,
Cadwalader,	Hamilton,	Mihm,	Stonier,
Calvin,	Hannon,	Miller,	Tahl,
Campbell,	Hare,	Mintess,	Tate,
Chervenak,	Harris,	Mock,	Taylor,
Chudoff,	Haudenshield,	Modell,	Thompson,
Cohen,	Heatherington,	Mooney,	Thrasher,
Coleman,	Helm,	Moore,	Tiemann,
Cook,	Herman,	Moran,	Trent,
Cooper,	Hersch,	Moser,	Trout,
Cordier,	Hewitt,	Muir,	Turbett,
Corrigan,	Hocke,	Munley,	Van Allsburg,
Costa,	Hoffman,	Murray,	Verona,
Coulson,	Hoggard,	Nowak,	Wachhaus,
Croop,	Holmes,	O'Brien,	Wagner, K. H.,
Cullen,	Hoopes,	O'Connor,	Wagner, P. L.,
Dague,	Hunter, B. F.,	O'Dare,	Wallin,
Dalrymple,	Hunter, W. M.,	O'Neill,	Walton,
Denman,	Huntley,	Owens,	Watkins,
Dennison,	Imbrie,	Petrosky,	Weiss,
Depuy,	Irvin,	Pettit,	Welsh,
Dillon,	James,	Polaski,	Winner,
Dix,	Jones,	Powers,	Wood, L. H.,
Duffy,	Kennedy,	Readinger,	Wood, N.,
Elder,	Kirley,	Reagan,	Worley,
Elliott,	Kitchen,	Reese, D. P.,	Wright,
Ely,	Kline,	Reese, R. E.,	Yeakel,
Erb,	Kolankiewicz,	Regan,	Yester,
Ewing,	Kowalski,	Reilly,	Fiss,
Figlock,	Krepps,	Reynolds,	Speaker.
Finnerty,	Krise,		

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 453, as follows:

An Act transferring money received from the sale of certain real estate and paid into the General Fund from the General Fund to the Motor License Fund

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The State Treasurer is hereby authorized and directed to transfer the sum of five thousand dollars ($5,000) received from the sale of real estate described in and authorized by the act approved the eighteenth day of April one thousand nine hundred forty-one (P. L. Laws 20) entitled "An act authorizing the Department of Property and Supplies with the approval of the Governor to sell and convey two certain plots of land" and paid as provided by said act into the General Fund of the State Treasury from the said General Fund to the Motor License Fund Such transfer shall be made immediately after the effective date of this act upon the warrant of the Auditor General upon requisition of the Governor

The purpose of this transfer is to return to the Motor License Fund the funds paid therefrom for the purchase of the real estate conveyed under the provisions of said act approved the eighteenth day of April one thousand nine hundred forty-one (P. L. 20)

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—201

Alspach,	Flack,	Lane,	Riley,
Auker,	Fleming,	Laughner,	Robertson,
Baker,	Flynn,	Lee,	Root,
Barrett,	Foor,	Leisey,	Rose, S.
Barton,	Fox,	Leonard,	Rose, W. E.,
Bentley,	Freed,	Levy,	Rowley,
Bentzel,	Fullerton,	Leydic,	Royer,
Boies,	Garber,	Lichtenwalter,	Salus,
Bonawitz,	Gardner,	Livingstone,	Sarge,
Boorse,	Gates,	Longo,	Sarraf,
Boory,	Gillan,	Lovett,	Scanlon,
Bower,	Goodling,	Lyons,	Schuster,
Boyd,	Goodwin,	Madigan,	Serrill,
Bradley,	Gorman,	Mahany,	Simons,
Bretherick,	Grant,	Maxwell,	Skale,
Brice,	Green,	McAtee,	Smith,
Brigerman,	Greenwood,	McClester,	Snider,
Brown,	Gross,	McKinney,	Sollenberger,
Brunner, C. H.,	Gyger,	McMillen,	Sorg,
Brunner, P. A.,	Haberlen,	McSurdy,	Stank,
Burns,	Hall,	Menna,	Stockham,
Cadwalader,	Hamilton,	Mihm,	Stonier,
Calvin,	Hannon,	Miller,	Tahl,
Campbell,	Hare,	Mintess,	Tate,
Chervenak,	Harris,	Mock,	Taylor,
Chudoff,	Haudenshield,	Modell,	Thompson,
Cohen,	Heatherington,	Mooney,	Thrasher,
Coleman,	Helm,	Moore,	Tiemann,
Cook,	Herman,	Moran,	Trent,
Cooper,	Hersch,	Moser,	Trout,
Cordier,	Hewitt,	Muir,	Turbett,
Corrigan,	Hocke,	Munley,	Van Allsburg,
Costa,	Hoffman,	Murray,	Verona,
Coulson,	Hoggard,	Nowak,	Wachhaus,
Croop,	Holmes,	O'Brien,	Wagner, K. H.,
Cullen,	Hoopes,	O'Connor,	Wagner, P. L.,
Dague,	Hunter, B. F.,	O'Dare,	Wallin,
Dalrymple,	Hunter, W. M.,	O'Neill,	Walton,
Denman,	Huntley,	Owens,	Watkins,
Dennison,	Imbrie,	Petrosky,	Weiss,
Depuy,	Irvin,	Pettit,	Welsh,
Dillon,	James,	Polaski,	Winner,
Dix,	Jones,	Powers,	Wood, L. H
Duffy,	Kennedy,	Readinger,	Wood, N.,
Elder,	Kirley,	Reagan,	Worley,
Elliott,	Kitchen,	Reese, D. P.,	Wright,

Ely,	Kline,	Reese, R. E.,	Yeakel,
Erb,	Kolankiewicz,	Regan,	Yester,
Ewing,	Kowalski,	Reilly,	Fiss,
Figlock,	Krepps,	Reynolds,	Speaker.
Finnerty,	Krise,		

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 474, as follows:

An Act providing that the proceeds of the sale of real estate owned by the Commonwealth together with the rentals derived therefrom shall be repaid to and credited to the proper special fund from which the funds to purchase said real estate were taken

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The proceeds of the sale of any real estate owned by the Commonwealth when sold by any department board or commission thereof with the specific authority of the General Assembly as provided by existing law together with any rentals derived therefrom while the same shall have been owned by the Commonwealth shall be paid into the General Fund of the State Treasury unless said real estate shall have been purchased with funds paid either wholly or mainly out of special funds in which event said proceeds of sale or rentals shall be paid to and credited to the proper special fund

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—201

Alspach,	Flack,	Lane,	Riley,
Auker,	Fleming,	Laughner,	Robertson,
Baker,	Flynn,	Lee,	Root,
Barrett,	Foor,	Leisey,	Rose, S.,
Barton,	Fox,	Leonard,	Rose, W. E.,
Bentley,	Freed,	Levy,	Rowley,
Bentzel,	Fullerton,	Leydic,	Royer,
Boles,	Garber,	Lichtenwalter,	Salus,
Bonawitz,	Gardner,	Livingstone,	Sarge,
Boorse,	Gates,	Longo,	Sarraf,
Boory,	Gillan,	Lovett,	Scanlon,
Bower,	Goodling,	Lyons,	Schuster,
Boyd,	Goodwin,	Madigan,	Serrill,
Bradley,	Gorman,	Mahany,	Simons,
Bretherick,	Grant,	Maxwell,	Skale,
Brice,	Green,	McAtee,	Smith,
Brigerman,	Greenwood,	McClester,	Snider,
Brown,	Gross,	McKinney,	Sollenberger,
Brunner, C. H.,	Gyger,	McMillen,	Sorg,
Brunner, P. A.,	Haberlen,	McSurdy,	Stank,
Burns,	Hall,	Menna,	Stockham,
Cadwalader,	Hamilton,	Mihm,	Stonier,
Calvin,	Hannon,	Miller,	Tahl,
Campbell,	Hare,	Mintess,	Tate,
Chervenak,	Harris,	Mock,	Taylor,
Chudoff,	Haudenshield,	Modell,	Thompson,
Cohen,	Heatherington,	Mooney,	Thrasher,
Coleman,	Helm,	Moore,	Tiemann,
Cook,	Herman,	Moran,	Trent,
Cooper,	Hersch,	Moser,	Trout,
Cordier,	Hewitt,	Muir,	Turbett,
Corrigan,	Hocke,	Munley,	Van Allsburg,
Costa,	Hoffman,	Murray,	Verona,
Coulson,	Hoggard,	Nowak,	Wachhaus,
Croop,	Holmes,	O'Brien,	Wagner, K. H.,
Cullen,	Hoopes,	O'Connor,	Wagner, P. L.,
Dague,	Hunter, B. F.,	O'Dare,	Wallin,
Dalrymple,	Hunter, W. M.,	O'Neill,	Walton,
Denman,	Huntley,	Owens,	Watkins,
Dennison,	Imbrie,	Petrosky,	Weiss,
Depuy,	Irvin,	Pettit,	Welsh,
Dillon,	James,	Polaski,	Winner,
Dix,	Jones,	Powers,	Wood, L. H.,
Duffy,	Kennedy,	Readinger,	Wood, N.,
Elder,	Kirley,	Reagan,	Worley,
Elliott,	Kitchen,	Reese, D. P.,	Wright,
Ely,	Kline,	Reese, R. E.,	Yeakel,
Erb,	Kolankiewicz,	Regan,	Yester,
Ewing,	Kowalski,	Reilly,	Fiss,
Figlock,	Krepps,	Reynolds,	Speaker.
Finnerty,	Krise,		

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

BILLS PASSED OVER

There being no objection

Senate Bill No. 502, Printer's No. 231, and

Senate Bill No. 218, Printer's No. 109,

were passed over at the request of the SPEAKER pro tempore.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 246, as follows:

An Act to enable tax collectors and receivers of taxes in counties of the sixth class to make return to the county commissioners of unpaid taxes assessed on seated lands for certain years and validating the liens of such taxes

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Whenever any tax collector or receiver of taxes in any county of the sixth class shall have failed or neglected to make return to the county commissioners of taxes assessed and levied against seated lands for the years one thousand nine hundred and thirty-eight one thousand nine hundred and thirty-nine or one thousand nine hundred and forty within the time required by law the tax collector or receiver may legally and validly make return of such taxes in the manner provided by law for such return at any time within six months after this act takes effect and the liens of any taxes for said years so returned under the authority of this act shall be valid and are hereby ratified and confirmed and a county treasurer's sale is held or on any day to which said sale may be adjourned or readjourned in the manner provided by existing law Provided however That the return of any tax under this act shall not revive or re-establish any tax lien against real estate which was transferred to any bona fide purchaser during the time when any such lien was lost nor shall such return effect the priority of the lien of any mortgage or other lien which was entered prior to the tax lien or which gained priority because of the failure of the collector to return the tax at the regular time

Section 2 All acts and parts of acts inconsistent with the provisions of this act are hereby repealed

Section 3 This act shall become effective immediately upon final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—201

Alspach,	Flack,	Lane,	Riley,
Auker,	Fleming,	Laughner,	Robertson,
Baker,	Flynn,	Lee,	Root,
Barrett,	Foor,	Leisey,	Rose, S.,
Barton,	Fox,	Leonard,	Rose, W. E.,
Bentley,	Freed,	Levy,	Rowley,
Bentzel,	Fullerton,	Leydic,	Royer,
Boies,	Garber,	Lichtenwalter,	Salus,
Bonawitz,	Gardner,	Livingstone,	Sarge,
Boorse,	Gates,	Longo,	Sarraf,
Boory,	Gillan,	Lovett,	Scanlon,
Bower,	Goodling,	Lyons,	Schuster,
Boyd,	Goodwin,	Madigan,	Serrill,
Bradley,	Gorman,	Mahany,	Simons,
Bretherick,	Grant,	McAtee,	Skale,
Brice,	Green,	Maxwell,	Smith,
Brigerman,	Greenwood,	McClester,	Snider,
Brown,	Gross,	McKinney,	Sollenberger,
Brunner, C. H.,	Gyger,	McMillen,	Sorg,
Brunner, P. A.,	Haberlen,	McSurdy,	Stank,
Burns,	Hall,	Menna,	Stockham,
Cadwalader,	Hamilton,	Mihm,	Stonier,
Calvin,	Hannon,	Miller,	Tahl,
Campbell,	Hare,	Mintess,	Tate,
Chervenak,	Harris,	Mock,	Taylor,
Chudoff,	Haudenshield,	Modell,	Thompson,
Cohen,	Heatherington,	Mooney,	Thrasher,
Coleman,	Helm,	Moore,	Tiemann,
Costa,	Herman,	Moran,	Trent,
Cook,	Hersch,	Moser,	Trout,
Cooper,	Hewitt,	Muir,	Turbett,
Cordier,	Hocke,	Munley,	Van Allsburg,
Corrigan,	Hoffman,	Murray,	Verona,
Coulson,	Hoggard,	Nowak,	Wachhaus,
Croop,	Holmes,	O'Brien,	Wagner, K. H.,
Cullen,	Hoopes,	O'Connor,	Wagner, P. L.,
Dague,	Hunter, B. F.,	O'Dare,	Wallin,
Dalrymple,	Hunter, W. M.,	O'Neill,	Walton,
Denman,	Huntley,	Owens,	Watkins,
Dennison,	Imbrie,	Petrosky,	Weiss,
Depuy,	Irvin,	Pettit,	Welsh,
Dillon,	James,	Polaski,	Winner,
Dix,	Jones,	Powers,	Wood, L. H.,
Duffy,	Kennedy,	Readinger,	Wood, N.,
Elder,	Kirley,	Reagan,	Worley,
Elliott,	Kitchen,	Reese, D. P.,	Wright,
Ely,	Kline,	Reese, R. E.,	Yeakel,
Erb,	Kolankiewicz,	Regan,	Yester,
Ewing,	Kowalski,	Reilly,	Fiss,
Figlock,	Krepps,	Reynolds,	Speaker.
Finnerty,	Krise,		

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

BILLS NOT ON FILE

The SPEAKER pro tempore.

House Bill No. 809, Printer's No. 612;
Senate Bill No. 313, Printer's No. 353;
House Bill No. 277, Printer's No. 613;
House Bill No. 955, Printer's No. 611 and
Senate Bill No. 478, Printer's No. 352

are not on file and will be passed over.

THE SPEAKER (Ira T. Fiss) IN THE CHAIR

The SPEAKER. The Chair thanks the gentleman from Blair, Mr. Sollenberger, for presiding.

INTERROGATION

Mr. COHEN. Mr. Speaker, with the consent of the House, I would like to interrogate the gentleman from Montgomery County, Mr. Wood.

The SPEAKER. Will the House give its unanimous consent? Is there objection? The Chair hears none and consent is granted.

Will the gentleman from Montgomery County permit himself to be interrogated?

Mr. LLOYD H. WOOD. I shall, Mr. Speaker.

Mr. COHEN. Mr. Speaker, is it true that I appointed a special select committee composed of the gentleman from Montgomery, Mr. Wood, and the gentleman from Montgomery, Mr. Winner, to investigate the doings of the Senate of Pennsylvania?

Mr. LLOYD H. WOOD. Mr. Speaker, I will have to ask the gentleman from Philadelphia to repeat that question.

Mr. COHEN. Mr. Speaker, is it true that I appointed a special sub-committee composed of the gentleman from Montgomery, Mr. Wood, and the gentleman from Montgomery, Mr. Winner, to investigate the doings of the Senate of Pennsylvania?

Mr. LLOYD H. WOOD. That is correct, Mr. Speaker.

Mr. COHEN. Mr. Speaker, has that committee carried out its duties?

Mr. LLOYD H. WOOD. It has, Mr. Speaker.

Mr. COHEN. Does the gentleman have a report to make at this time?

Mr. LLOYD H. WOOD. I do, Mr. Speaker.

Mr. COHEN. Mr. Speaker, may we have the report?

Mr. LLOYD H. WOOD. Mr. Speaker, the report is as follows: The committee comprised of Mr. Winner and myself in our travels today ventured into the Senate chamber to discover that they over there are just emerging from the Renaissance. In fact their minds' eyes have wandered back to the era of the Genovese Christopher Columbus, that great navigator. Mr. Winner remarked that if this would have been October 12 we would have been celebrating the first anniversary of that famous kiss that Columbus gave to the soil in San Salvador. As a matter of fact, your committee wishes to report that the Senate calendar today is printed under the date of April 27, 1493.

Mr. COHEN. Mr. Speaker, I thank the gentleman.

Mr. WALTER E. ROSE. Mr. Speaker, I do not wish to make fun of the Senate but we in the House know that they have always been that far behind and we should not rub it in today.

HOUSE RESOLUTION No. 54

Mr. WALLIN. Mr. Speaker, I desire to call up House Resolution No. 54, Printer's No. 583.

The resolution was read by the Clerk as follows:

In the House of Representatives, April 6, 1943.

The House of Representatives of the General Assembly on Thursday, April 1st, unanimously passed House Bill No. 816 granting a much deserved pay increase to school teachers throughout the Commonwealth.

There are other employes of the various school districts of the Commonwealth however who are salaried and who by reason of the increased cost of living have found themselves financially embarrassed.

These persons are the non-professional employes, the janitors, caretakers, clerks, secretaries and stenographers

whose labor contributes also to the successful operation of the school system.

An attempt was made to amend House Bill No. 816 by including therein an increas of fifteen per centum of present salaries for those employes but the plan failed due to the added burden it placed upon the Commonwealth, which would probably have caused the final defeat of the increase for the professional employes.

The Commonwealth having decided to increase the salaries of the teachers it seems eminently fair that the local boards of school directors should assume the burden of providing a living wage for those other employes of the school districts; therefore be it

Resolved, By the House of Representatives of the General Assembly, That while it recognizes the need of the non-professional employes of the school districts throughout the Commonwealth of an increase in salary of at least fifteen per centum of existing salaries in order to maintain a proper living standard, it feels that the local authorities should assume this added cost of administering the system; and be it further

Resolved, That the Chief Clerk of this House shall forward a copy of this resolution to each board of school directors within the Commonwealth.

On the question,

Will the House adopt the resolution?

It was adopted.

REPORT OF COMMITTEE OF CONFERENCE ON HOUSE BILL No. 49

Mr. BRETHERICK. Mr. Speaker, I desire to call up the report of the Committee of Conference on House Bill No. 49, Printer's No. 529.

The report was read by the Clerk as follows:

To the Members of the Senate and House of Representatives:

We, the undersigned, Committee of Conference on the part of the Senate and House of Representatives for the purpose of considering House Bill No. 49, entitled: "An act to amend the title and sections one to twelve both inclusive, of the act approved the nineteenth day of March, one thousand nine hundred forty-one, (P. L. 3), entitled 'An act providing for the organization, government, discipline, maintenance and regulation of an additional land force to be known as the Pennsylvania Reserve Defense Corps for the defense of the Commonwealth during any period of time in which the National Guard of Pennsylvania or any part thereof shall be in active service of the United States,' changing the name of the Pennsylvania Reserve Defense Corps to Pennsylvania State Guard; authorizing additional annual allowances to uniformed officers for arms, uniforms and equipment."

Respectfully submit the following bill as our report:

James A. Geltz,
M. F. Crowe,
John F. Cox,
(Committee on the Part of the Senate.)

Arthur P. Bretherick,
Baker Royer,
Harry P. O'Neill,
(Committee on the part of the House of Representatives.)

An Act to amend the title and sections one to twelve both inclusive of the act approved the nineteenth day of March one thousand nine hundred forty-one (P. L. 3) entitled "An act providing for the organization government discipline maintenance and regulation of an additional land force to be known as the Pennsylvania Reserve Defense Corps for the defense of the Commonwealth during any period of time in which the National Guard of Pennsylvania or any part thereof shall be in active service of the United States" changing the name of the Pennsylvania Reserve Defense Corps to Pennsylvania State Guard and authorizing additional annual allowances to uniformed officers for arms uniforms and equipment and prohibiting discrimination in the acceptance of enlistments or the issuance of commissions by reason of race or color

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The title and sections one to twelve both inclusive of the act approved the nineteenth day of March one thousand nine hundred forty-one (P. L. 3) entitled "An act providing for the organization government discipline maintenance and regulation of an additional land force to be known as the Pennsylvania Reserve Defense Corps for the defense of the Commonwealth during any period of time in which the National Guard of Pennsylvania or any part thereof shall be in active service of the United States" are hereby amended to read as follows

An Act providing for the organization government discipline maintenance and regulation of an additional land force to be known as the Pennsylvania [Reserve Defense Corps] State Guard for the defense of the Commonwealth during any period of time in which the National Guard of Pennsylvania or any part thereof shall be in active service of the United States

Section 1 Organization of [Reserve Defense Corps] State Guard Whenever the Pennsylvania National Guard or any part thereof shall be called or ordered into the service of the United States during any war or other emergency thereupon the Governor shall have the authority and power to organize an armed land force for the defense of the Commonwealth during said war or emergency and for the defense of civil population against aircraft and gas attack which shall be known and designated as the Pennsylvania [Reserve Defense Corps] State Guard and shall be available at the discretion of the Governor for active military duty whenever an invasion of or an insurrection in the State shall occur or be threatened or a tumult riot or disaster shall threaten or exist

Section 2 Composition and Strength The Pennsylvania [Reserve Defense Corps] State Guard shall consist of such divisions brigades regiments battalions companies and similar organizations as may be prescribed by the Governor

Section 3 Term of Service Whenever the Pennsylvania National Guard shall have been restored to state status and shall be enabled to resume its state organization thereupon the term of service of the Pennsylvania [Reserve Defense Corps] State Guard shall cease and determine subject to the discretion of the Governor as to the time and manner in which the same or component parts thereof shall be mustered out

Section 4 Location of Units The Governor shall designate the location of the several units and may change the same at any time Units shall be located so far as practicable in armory buildings owned by the Commonwealth

Section 5 Oath of Commissioned Officers Each commissioned officer before entering upon the duties of his appointment shall take and subscribe the following oath "I ..... do solemnly swear that I will support and defend the Constitution of the United States and the Constitution of the State of Pennsylvania against all enemies that I will bear true faith and allegiance to the same that I will obey the orders of the Governor of the State of Pennsylvania that I make this obligation freely without any mental reservation or purpose of evasion and that I will well and faithfully discharge the duties of the office ..... in the Pennsylvania [Reserve Defense Corps] State Guard upon which I am about to enter"

Section 6 Age and Physical Requirements The Governor may by executive order prescribe from time to time the age limitations and physical qualifications which will govern the enlistments and commissions in the Pennsylvania [Reserve Defense Corps] State Guard but no person shall be refused enlistment or a commission or in anyway be discriminated against in the administration of this act by reason of his race or color

Section 7 Enlistment Contract and Oath Every man

enlisting in the Pennsylvania [Reserve Defense Corps] State Guard shall sign an enlistment contract and take and subscribe to the following oath of enlistment "I do hereby acknowledge to have voluntarily enlisted this ..... 19.... as a soldier in the Pennsylvania [Reserve Defense Corps] State Guard for the period of the present war or other emergency unless sooner discharged by proper authority and I do solemnly swear that I will bear true faith and allegiance to the United States of America and to the State of Pennsylvania and that I will serve them honestly and faithfully against all their enemies whomsoever and that I will obey the orders of the Governor of the State of Pennsylvania and of the officers appointed over me according to law and the rules and articles of war"

Section 8 Pay Transportation Annual Encampment There shall be no pay for officers or enlisted men for armory drills In event of a call of any part of the Pennsylvania [Reserve Defense Corps] State Guard into active state duty the pay and transportation of officers and enlisted men shall be on the same basis as is provided for the Pennsylvania National Guard when on active state duty The Governor may in his discretion provide for an annual encampment of not to exceed fifteen (15) days training in any one year for the Pennsylvania [Reserve Defense Corps] State Guard during which period the pay and transportation of officers and enlisted men shall be on the same basis as is provided for the Pennsylvania National Guard

Section 9 Annual Allowance The Adjutant General shall have power and authority to make such annual allowances to organizations and headquarters of organizations as he may deem necessary Where an organization is in service for a fractional part of the fiscal year the allowance shall be reduced accordingly

Section 10 Uniforms Arms and Equipment The Governor shall have the authority and power to requisition from the War Department of the United States such arms and equipment as may be available for use of the Pennsylvania [Reserve Defense Corps] State Guard under the provisions of Public Resolution Number 874 the 76th Congress of the United States approved October 21, 1940 and such other uniforms arms and equipment as may hereafter be authorized by the Congress of the United States to be made available to the Pennsylvania [Reserve Defense Corps] State Guard The Governor shall have further authority and power to make available for the use of the Pennsylvania [Reserve Defense Corps] State Guard such uniforms arms and equipment as may be owned by the Commonwealth or as may be in possession of the Commonwealth for the purpose of such use In the absence of any provision of uniforms arms and equipment by the United States such uniforms arms and equipment may be prescribed by the Governor and provided at the cost of the Commonwealth

Section 11 Uniforms Arms and Equipment of Officers Every commissioned officer shall furnish his own arms uniforms and equipment which shall be as prescribed by the Adjutant General An allowance for this purpose of not to exceed one hundred dollars ($100.00) for each officer may be prescribed by the Governor and in addition thereto if found necessary the Governor may prescribe a further allowance not to exceed thirty dollars ($30.00) in any one year for each officer

Section 12 National Guard Laws Generally to Apply All Pennsylvania laws or sections of laws pertaining to the Pennsylvania National Guard shall be applicable and shall govern the Pennsylvania [Reserve Defense Corps] State Guard except as modified or changed by the provisions of this act

Section 2 The provisions of this act shall become effective immediately upon final enactment

On the question,

Will the House adopt the report of the Committee of Conference?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—201

Alspach,	Flack	Lane,	Riley,
Auker,	Fleming,	Laughner,	Robertson,
Baker,	Flynn,	Lee,	Root,
Barrett,	Foor,	Leisey,	Rose, S.,
Barton,	Fox,	Leonard,	Rose, W. E.,
Bentley,	Freed,	Levy,	Rowley,
Bentzel,	Fullerton,	Leydic,	Royer,
Boies,	Garber,	Lichtenwalter,	Salus,
Bonawitz,	Gardner,	Livingstone,	Sarge,
Boorse,	Gates,	Longo,	Sarraf,
Boory,	Gillan,	Lovett,	Scanlon,
Bower,	Goodling,	Lyons,	Schuster,
Boyd,	Goodwin,	Madigan,	Serrill,
Bradley,	Gorman,	Mahany,	Simons,
Bretherick,	Grant,	Maxwell,	Skale,
Brice,	Green,	McAtee,	Smith,
Brigerman,	Greenwood,	McClester,	Snider,
Brown,	Gross,	McKinney,	Sollenberger,
Brunner, C. H.,	Gyger,	McMillen,	Sorg,
Brunner, P. A.,	Haberlen,	McSurdy,	Stank,
Burns,	Hall,	Menna,	Stockham,
Cadwalader,	Hamilton,	Mihm,	Stonier,
Calvin,	Hannon,	Miller,	Tahl,
Campbell,	Hare,	Mintess,	Tate,
Chervenak,	Harris,	Mock,	Taylor,
Chudoff,	Haudenshield,	Modell,	Thompson,
Cohen,	Heatherington,	Mooney,	Thrasher,
Coleman,	Helm,	Moore,	Tiemann,
Cook	Herman,	Moran,	Trent,
Cooper,	Hersch,	Moser,	Trout,
Cordier,	Hewitt,	Muir,	Turbett,
Corrigan,	Hocke,	Munley,	Van Allsburg,
Costa,	Hoffman,	Murray,	Verona,
Coulson,	Hoggard,	Nowak,	Wachhaus,
Croop,	Holmes,	O'Brien,	Wagner, K. H.,
Cullen,	Hoopes,	O'Connor,	Wagner, P. L.,
Dague,	Hunter, B. F.,	O'Dare,	Wallin,
Dalrymple,	Hunter, W. M.,	O'Neill,	Walton,
Denman,	Huntley,	Owens,	Watkins,
Dennison,	Imbrie,	Petrosky,	Weiss,
Depuy,	Irvin,	Pettit,	Welsh,
Dillon,	James,	Polaski,	Winner,
Dix,	Jones,	Powers,	Wood, L. H.,
Duffy,	Kennedy,	Readinger,	Wood, N.,
Elder,	Kirley,	Reagan,	Worley,
Elliott,	Kitchen,	Reese, D. P.,	Wright,
Ely,	Kline,	Reese, R. E.,	Yeakel,
Erb,	Kolankiewicz,	Regan,	Yester,
Ewing,	Kowalski,	Reilly,	Fiss,
Figlock,	Krepps,	Reynolds,	Speaker.
Finnerty,	Krise,		

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the report of the Committee of Conference was adopted.

Ordered, That the Clerk inform the Senate accordingly.

RESOLUTION

RECALLING HOUSE BILL No. 549 FROM THE GOVERNOR

Mr. MUIR offered the following resolution which was twice read, considered and adopted:

In the House of Representatives, April 27, 1943.

Resolved (if the Senate concur), that House Bill No. 549, Printer's No. 474, entitled "An act to further amend sections three hundred one and three hundred three of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 343) entitled 'An act relating to the finances of the State government providing for the settlement assessment collection and lien of taxes bonus and all other accounts due the Commonwealth the collection and recovery of fees and other money or property due or belonging to the Commonwealth or any agency thereof including escheated property and the proceeds of its sale the custody and disburse-

ment or other disposition of funds and securities belonging to or in the possession of the Commonwealth and the settlement of claims against the Commonwealth the resettlement of accounts and appeals to the courts refunds of moneys erroneously paid to the Commonwealth auditing the accounts of the Commonwealth and all agencies thereof of all public officers collecting moneys payable to the Commonwealth or any agency thereof and all receipts of appropriations from the Commonwealth and imposing penalties affecting every department board commission and officer of the State government every political subdivision of the State and certain officers of such subdivisions every person association and corporation required to pay assess or collect taxes or to make returns or reports under the laws imposing taxes for State purposes or to pay license fees or other moneys to the Commonwealth or any agency thereof every State depository and every debtor or creditor of the Commonwealth' by authorizing the Board of Finance and Revenue with the approval of the Governor, to invest State deposits in short-term obligations of the United States government and to dispose of the same," be recalled from the Governor for the purpose of amendment.

Ordered, That the Clerk present the same to the Senate for concurrence.

SENATE MESSAGE

SENATE ADOPTS CONFERENCE COMMITTEE REPORT ON HOUSE BILL No. 49

The Clerk of the Senate being introduced, informed that the Senate has adopted the report of the Committee of Conference on the subject of the difference existing between the two Houses on House Bill numbered and entitled as follows:

HOUSE BILL No. 49.

An Act to amend the title and sections one to twelve both inclusive of the act approved the nineteenth day of March one thousand nine hundred forty-one (P. L. 3) entitled "An act providing for the organization government discipline maintenance and regulation of an additional land force to be known as the Pennsylvania Reserve Defense Corps for the defense of the Commonwealth during any period of time in which the National Guard of Pennsylvania or any part thereof shall be in active service of the United States" changing the name of the Pennsylvania Reserve Defense Corps to Pennsylvania State Guard and authorizing additional annual allowances to uniformed officers for arms uniforms and equipment

CONFERENCE REPORT ON SENATE BILL No. 133 TAKEN FROM TABLE

Mr. KLINE. Mr. Speaker, I move that the report of the Committee of Conference on Senate Bill No. 133, together with message from the Senate be taken from the table.

The motion was agreed to.

The message was read by the Clerk as follows:

SENATE MESSAGE

SENATE ADOPTS CONFERENCE COMMITTEE REPORT ON SENATE BILL No. 133

The Clerk of the Senate being introduced, informed that the Senate has adopted the report of the Committee of Conference on the subject of the difference existing between the two Houses on Senate Bill numbered and entitled as follows:

SENATE BILL No. 133.

An Act to further amend subsection (c) of section two hundred two of the act approved the seventeenth day of May one thousand nine hundred and twenty-one (P. L. 682) entitled "An act relating to insurance amending revising and consolidating the law providing for the incorporation of insurance companies and the regulation supervision and protection of home and foreign insurance companies Lloyds associations reciprocal and inter-insurance exchanges and fire insurance rating bureaus and the regulation and supervision of insurance carried by such companies associations and exchanges including insurance carried by the State Workmen's Insurance Fund providing penalties and repealing existing laws" bv authorizing casualty companies to insure against loss and damage to certain machinery and equipment of mines while located underground and to underground passageways gangways airways drifts slopes shafts overcasts and stoppings of mining operation

REPORT OF COMMITTEE OF CONFERENCE ON SENATE BILL No. 133

Mr. KLINE. Mr. Speaker, I desire to call up the report of the Committee of Conference on Senate Bill No. 133, Printer's No. 269.

The report was read by the Clerk as follows:

To the Members of the Senate and House of Representatives:

We, the undersigned, Committee of Conference on the part of the Senate and House of Representatives for the purpose of considering Senate Bill No. 133, entitled: "An Act to further amend subsection (c) of section two hundred two of the act, approved the seventeenth day of May, one thousand nine hundred and twenty-one (P. L. 682), entitled 'An act relating to insurance, amending, revising and consolidating the law providing for the incorporation of insurance companies and the regulation, supervision and protection of home and foreign insurance companies, Lloyds associations, reciprocal and inter-insurance exchanges and fire insurance rating bureaus and the regulation and supervision of insurance carried by such companies, associations and exchanges, including insurance carried by the State Workmen's Insurance Fund; providing penalties and repealing existing laws,' by authorizing casualty companies to insure against loss and damage to certain machinery and equipment of mines while located underground and to underground passageways, gangways, airways, drifts, slopes, shafts, overcasts and stoppings of mining operations."

Respectfully submit the following bill as our report:

A. H. Letzler,
John J. Haluska,
Geo. A. Wade,
(Committee on the part of the Senate.)

G. Edgar Kline,
Frank J. Tiemann,
Harry P. O'Neill,
(Committee on the part of the House of Representatives.)

An Act to further amend subsection (c) of section two hundred two of the act approved the seventeenth day of May one thousand nine hundred and twenty-one (P. L. 682) entitled "An act relating to insurance amending revising and consolidating the law providing for the incorporation of insurance companies and the regulation supervision and protection of home and foreign insurance companies Lloyds associations reciprocal and inter-insurance exchanges and fire insurance rating bureaus and the regulation and supervision of insurance carried by such companies associations and exchanges including insurance carried by the State Workmen's Insurance Fund providing penalties and repealing existing laws" by authorizing casualty companies to insure against loss and damage to certain machinery and equipment of mines while located under-

ground and to underground passageways gangways airways drifts slopes shafts overcasts and stoppings of mining operation

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Subsection (c) of section two hundred two of the act approved the seventeenth day of May one thousand nine hundred and twenty-one (P. L. 682) entitled "An act relating to insurance amending revising and consolidating the law providing for the incorporation of insurance companies and the regulation supervision and protection of home and foreign insurance companies Lloyds associations reciprocal and inter-insurance exchanges and fire insurance rating bureaus and the regulation and supervision of insurance carried by such companies associations and exchanges including insurance carried by the State Workmen's Insurance Fund providing penalties and repealing existing laws" as amended by the act approved the fourth day of June one thousand nine hundred and thirty-seven (P. L. 1632) is hereby further amended by adding thereto after clause eleven a new clause to read as follows

Section 202 Purposes for Which Companies May Be Incorporated

* * * * *

(c) Stock casualty insurance companies may be incorporated for any or all of the following purposes

(1) Guaranteeing the fidelity of persons holding places of public or private trust guaranteeing the performance of contracts other than insurance policies guaranteeing the performance of insurance contracts where surety bonds are accepted from insurance companies by States or municipalities in lieu of actual deposits executing or guaranteeing bonds and undertakings required or permitted in all actions or proceedings or by law allowed and indemnifying banks bankers brokers financial or moneyed associations or financial or moneyed corporations against the loss of any bills of exchange notes drafts acceptances of drafts bonds securities evidences of debt deeds mortgages warehouse receipts bills of lading documents currency money gold platinum silver and other precious metals refined or unrefined and articles made therefrom jewelry watches necklaces bracelets gems precious and semi-precious stones and also against loss resulting from damage except by fire to the insured's premises furnishings fixtures equipment safes and vaults therein caused by burglary robbery holdup theft or larceny or attempt thereat except against loss caused by marine risks or risks of transportation or navigation Provided however That indemnification against the loss of such property may include loss occurring during transportation by an armored motor vehicle accompanied by one or more armed guards Also guaranteeing any Federal Land Bank against loss by reason of defective title or incumbrances on real property on which any such Federal Land Bank may make a loan secured by a mortgage

(2) To insure against injury disablement or death resulting from traveling or general accident and against disablement resulting from sickness and every insurance appertaining thereto including a funeral benefit to an amount not exceeding one hundred dollars

(3) To insure against loss of and damage to glass including lettering and ornamentation thereon and the frame in which the glass is set resulting from breakage of the insured glass

(4) To insure any one against loss or damage resulting from accident to or injury fatal or non-fatal suffered by an employe or other person for which the person insured is liable or against loss or damage to property caused by horses or by any vehicle drawn by animal power for which loss or damage the person insured is liable

(5) To insure steam boilers and pipes flywheels engines and machinery connected therewith or operated thereby against loss caused by explosion or accident and against loss of or damage to life person or property resulting therefrom and against loss of use and occupancy caused thereby and to make inspection of and issue certificates of inspection upon such boilers pipes flywheels engines and machinery

(6) To insure against loss or damage by burglary larceny theft robbery forgery fraud vandalism or malicious mischief (or any one or more of such hazards) and to insure against any and all kinds of loss or destruction of or damage to moneys securities currencies scrip coins bullion bonds notes drafts acceptance drafts bills of exchange and other valuable papers or documents except while in the custody or possession of and being transported by a carrier for hire or in the mail and against loss or damage to automobbiles and aircraft by burglary larceny or theft vandalism or malicious mischief confiscation or wrongful conversion disposal or concealment whether held under conditional sale contract or subject to chattel mortgages or otherwise or any one or more of such hazards

(7) To carry on the business of credit insurance or guaranty either by agreeing to purchase uncollectible debts or otherwise and to insure against loss or damage from the failure of persons indebted to the insured to meet their liabilities

(8) To insure any goods or premises against loss or damage by water or other fluid caused by the breakage or leakage of sprinklers pumps or other apparatus erected for extinguishing fires or of other conduits or containers or of water pipes or caused by causual water entering through leaks or openings in buildings and against accidental injury from causes other than fire or lightning to such sprinklers pumps water pipes conduits containers or other apparatus and against damage from use or occupancy of premises by reason of such loss or damage

(9) To insure against loss or damage to elevators or other property except loss or damage by fire caused by the maintenance operation or use of elevators and machinery loss or legal liability for damage to property resulting from such operation maintenance or use of elevators

(10) To insure horses cattle and other live stock

(11) To insure against loss or damage to automobiles and airplanes seaplanes dirigbles or other aircraft (except loss or damage by fire or while being transported in any conveyance by land or water) including loss of legal liability for damage to property resulting from the maintenance and use of automobiles and airplanes seaplanes dirigibles or other aircraft

(12) To insure against loss or damage to machinery pumps transporting hoisting and ventilating apparatus and equipment of mines while located underground and loss or damage to underground passageways gangways airways drifts slopes shafts overcasts and stoppings in the mines

Provided however That any casualty company which is authorized to transact business in this Commonwealth shall not expose itself to any loss or hazard on any one risk authorized by this paragraph in an amount exceeding ten per centum of its capital and surplus unless it shall be protected in excess of that amount by reinsurance

On the question,

Will the House adopt the report of the Committee of Conference?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—201

Alspach,	Flack,	Lane,	Riley,
Auker,	Fleming,	Laughner,	Robertson,
Baker,	Flynn,	Lee,	Root,
Barrett,	Foor,	Leisey,	Rose, S.
Barton,	Fox,	Leonard,	Rose, W. E.,
Bentley,	Freed,	Levy,	Rowley,
Benizel,	Fullerton,	Leydic,	Royer,
Boies,	Garber,	Lichtenwalter,	Salus,
Bonawitz,	Gardner,	Livingstone,	Sarge,
Boorse,	Gates,	Longo,	Sarraf,
Boory,	Gillan,	Lovett,	Scanlon,
Bower,	Goodling,	Lyons,	Schuster,
Boyd,	Goodwin,	Madigan,	Serrill,

Bradley,	Gorman,	Mahany,	Simons,
Bretherick,	Grant,	Maxwell,	Skale,
Brice,	Green,	McAtee,	Smith,
Brigerman,	Greenwood,	McClester,	Snider,
Brown,	Gross,	McKinney,	Sollenberger,
Brunner, C. H.,	Gyger,	McMillen,	Sorg,
Brunner, P. A.,	Haberlen,	McSurdy,	Stank,
Burns,	Hall,	Menna,	Stockham,
Cadwalader,	Hamilton,	Mihm,	Stonier,
Calvin,	Hannon,	Miller,	Tahl,
Campbell,	Hare,	Mintess,	Tate,
Chervenak,	Harris,	Mock,	Taylor,
Chudoff,	Haudenshield,	Modell,	Thompson,
Cohen,	Heatherington,	Mooney,	Thrasher,
Coleman,	Helm,	Moore,	Tiemann,
Cook,	Herman,	Moran,	Trent,
Cooper,	Hersch,	Moser,	Trout,
Cordier,	Hewitt,	Muir,	Turbett,
Corrigan,	Hocke,	Munley,	Van Allsburg,
Costa,	Hoffman,	Murray,	Verona,
Coulson,	Hoggard,	Nowak,	Wachhaus,
Croop,	Holmes,	O'Brien,	Wagner, K. H.,
Cullen,	Hoopes,	O'Connor,	Wagner, P. L.,
Dague,	Hunter, B. F.,	O'Dare,	Wallin,
Dalrymple,	Hunter, W. M.,	O'Neill,	Walton,
Denman,	Huntley,	Owens,	Watkins,
Dennison,	Imbrie,	Petrosky,	Weiss,
Depuy,	Irvin,	Pettit,	Welsh,
Dillon,	James,	Polaski,	Winner,
Dix,	Jones,	Powers,	Wood, L. H.,
Duffy,	Kennedy,	Readinger,	Wood, N.,
Elder,	Kitchen,	Reagan,	Worley,
Elliott,	Kline,	Reese, D. P.,	Wright,
Ely,	Kirley,	Reese, R. E.,	Yeakel,
Erb,	Kolankiewicz,	Regan,	Yester,
Ewing,	Kowalski,	Reilly,	Fiss,
Figlock,	Krepps,	Reynolds,	Speaker.
Finnerty,	Krise,		

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the report of the Committee of Conference was adopted.

Ordered, That the Clerk inform the Senate accordingly.

HOUSE BILL No. 626 TAKEN FROM TABLE

Mr. LICHTENWALTER. Mr. Speaker, I move that House Bill No. 626, together with the message from the Senate which was laid on the table, be taken from the table.

The motion was agreed to.

The message was read by the Clerk as follows:

SENATE MESSAGES

AMENDED HOUSE BILL RETURNED FOR CONCURRENCE

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 626.

An Act to validate and confirm certain contracts heretofore entered into by Boards of Township Supervisors where the Township has received in maintenance and improvement of its highways a reasonable quid pro quo for such contracts and to authorize ratify confirm and validate payments on such contracts by the Township and to provide that no Township Supervisor shall be subject to surcharge for payments made on any such contract

With the information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendments.

The Clerk read the amendments as follows:

Amend title, page 1, line 8, by inserting after the word "payments" the word "heretofore".

Amend section 1, page 2, line 26, by inserting after the word "payments" the word "heretofore".

On the question,

Will the House concur in the amendments made by the Senate?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—201

Alspach,	Flack,	Lane,	Riley,
Auker,	Fleming,	Laughner,	Robertson,
Baker,	Flynn,	Lee,	Root,
Barrett,	Foor,	Leisey,	Rose, S.,
Barton,	Fox,	Leonard,	Rose, W. E.,
Bentley,	Freed,	Levy,	Rowley,
Bentzel,	Fullerton,	Leydic,	Royer,
Boies,	Garber,	Lichtenwalter,	Salus,
Bonawitz,	Gardner,	Livingstone,	Sarge,
Boorse,	Gates,	Longo,	Sarraf,
Boory,	Gillan,	Lovett,	Scanlon,
Bower,	Goodling,	Lyons,	Schuster,
Boyd,	Goodwin,	Madigan,	Serrill,
Bradley,	Gorman,	McAtee,	Simons,
Bretherick,	Grant,	Mahany,	Skale,
Brigerman,	Green,	Maxwell,	Smith,
Brice,	Greenwood,	McClester,	Snider,
Brown,	Gross,	McKinney,	Sollenberger,
Brunner, C. H.,	Gyger,	McMillen,	Sorg,
Brunner, P. A.,	Haberlen,	McSurdy,	Stank,
Burns,	Hall,	Menna,	Stockham,
Cadwalader,	Hamilton,	Mihm,	Stonier,
Calvin,	Hannon,	Miller,	Tahl,
Campbell,	Hare,	Mintess,	Tate,
Chervenak,	Harris,	Mock,	Taylor,
Chudoff,	Haudenshield,	Modell,	Thompson,
Cohen,	Heatherington,	Mooney,	Thrasher,
Coleman,	Helm,	Moore,	Tiemann,
Cook,	Herman,	Moser,	Trent,
Cooper,	Hersch,	Moran,	Trout,
Cordier,	Hewitt,	Muir,	Turbett,
Corrigan,	Hocke,	Munley,	Van Allsburg,
Costa,	Hoffman,	Murray,	Verona,
Coulson,	Hoggard,	Nowak,	Wachhaus,
Croop,	Holmes,	O'Brien,	Wagner, K. H.,
Cullen,	Hoopes,	O'Connor,	Wagner, P. L.,
Dague,	Hunter, B F.,	O'Dare,	Wallin,
Dalrymple,	Hunter, W M.,	O'Neill,	Walton,
Denman,	Huntley,	Owens,	Watkins,
Dennison,	Imbrie,	Petrosky,	Weiss,
Depuy,	Irvin,	Pettit,	Welsh,
Dillon,	James,	Polaski,	Winner,
Dix,	Jones,	Powers,	Wood L. H.,
Duffy,	Kennedy,	Readinger,	Wood, N.,
Elder,	Kitchen,	Reagan,	Worley,
Elliott,	Kirley,	Reese, D. P.,	Wright,
Ely,	Kline,	Reese, R. E.,	Yeakel,
Erb,	Kolankiewicz,	Regan,	Yester,
Ewing,	Kowalski,	Reilly,	Fiss,
Figlock,	Krepps,	Reynolds,	Speaker.
Finnerty,	Krise,		

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the amendments were concurred in.

Ordered, That the Clerk inform the Senate accordingly.

SENATE INSISTS ON ITS AMENDMENTS NONCONCURRED IN BY HOUSE

The Clerk of the Senate being introduced, informed that the Senate has insisted upon its amendments, nonconcurred in by the House of Representatives, to Senate Bill No. 135, entitled:

An Act to amend section seven hundred sixteen of the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1225) entitled "An act con-

cerning game and other wild birds and wild animals and amending revising consolidating and changing the law relating thereto" authorizing the sale and purchase of hides of lawfully killed deer under certain circumstances

HOUSE RECEDES FROM ITS NON-CONCURRENCE TO SENATE BILL No. 135

Mr. LICHTENWALTER. Mr. Speaker, I move that the House recede from its non-concurrence in the amendments made by the Senate and concur in said amendments.

On the question,

Will the House concur in the Senate amendments?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—201

Alspach,	Flack,	Lane,	Riley,
Auker,	Fleming,	Laughner,	Robertson,
Baker,	Flynn,	Lee,	Root,
Barrett,	Foor,	Leisey,	Rose, S.
Barton,	Fox,	Leonard,	Rose, W. E.,
Bentley,	Freed,	Levy,	Rowley,
Bentzel,	Fullerton,	Leydic,	Royer,
Boies,	Garber,	Lichtenwalter,	Salus,
Bonawitz,	Gardner,	Livingstone,	Sarge,
Boorse,	Gates,	Longo,	Sarraf,
Boory,	Gillan,	Lovett,	Scanlon,
Bower,	Goodling,	Lyons,	Schuster,
Boyd,	Goodwin,	Madigan,	Serrill,
Bradley,	Gorman,	Mahany,	Simons,
Bretherick,	Grant,	Maxwell,	Skale,
Brice,	Green,	McAtee,	Smith,
Brigerman,	Greenwood,	McClester,	Snider,
Brown,	Gross,	McKinney,	Sollenberger,
Brunner, C. H.,	Gyger,	McMillen,	Sorg,
Brunner, P. A.,	Haberlen,	McSurdy,	Stank,
Burns,	Hall,	Menna,	Stockham,
Cadwalader,	Hamilton,	Mihm,	Stonier,
Calvin,	Hannon,	Miller,	Tahl,
Campbell,	Hare,	Mintess,	Tate,
Chervenak,	Harris,	Mock,	Taylor,
Chudoff,	Haudenshield,	Modell,	Thompson,
Cohen,	Heatherington,	Mooney,	Thrasher,
Coleman,	Helm,	Moore,	Tiemann,
Cook,	Herman,	Moran,	Trent,
Cooper,	Hersch,	Moser,	Trout,
Cordier,	Hewitt,	Muir,	Turbett,
Corrigan,	Hocke,	Munley,	Van Allsburg,
Costa,	Hoffman,	Murray,	Verona,
Coulson,	Hoggard,	Nowak,	Wachhaus,
Croop,	Holmes,	O'Brien,	Wagner, K. H.,
Cullen,	Hoopes,	O'Connor,	Wagner, P. L.,
Dague,	Hunter, B. F.,	O'Dare,	Wallin,
Dalrymple,	Hunter, W. M.,	O'Neill,	Walton,
Denman,	Huntley,	Owens,	Watkins,
Dennison,	Imbrie,	Petrosky,	Weiss,
Depuy,	Irvin,	Pettit,	Welsh,
Dillon,	James,	Polaski,	Winner,
Dix,	Jones,	Powers,	Wood, L. H.,
Duffy,	Kennedy,	Readinger,	Wood, N.,
Elder,	Kirley,	Reagan,	Worley,
Elliott,	Kitchen,	Reese, D. P.,	Wright,
Ely,	Kline,	Reese, R. E.,	Yeakel,
Erb,	Kolankiewicz,	Regan,	Yester,
Ewing,	Kowalski,	Reilly,	Fiss,
Figlock,	Krepps,	Reynolds,	Speaker.
Finnerty,	Krise,		

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the amendments were concurred in.

Ordered, That the Clerk inform the Senate accordingly.

SENATE MESSAGES

The Clerk of the Senate, Mr. McGroerty being introduced, presented the following extracts from the Journal of the Senate:

Senate Bill for signature No. 67.

Resolutions concurred in by Senate recalling House Bills Nos. 72, 285 and 651.

Senate Bills for concurrence Nos. 304, 398, 465, 494, 524 and 573.

House Bills returned with amendments Nos. 403 and 1056.

House Bill returned without amendment No. 544.

HOUSE BILL CONCURRED IN BY SENATE

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 544.

An Act to reenact and amend the title and the act approved the fourteenth day of June one thousand nine hundred thirty-five (P. L. 341) entitled as amended "An act to provide revenue by imposing a State tax upon sales of cigarettes by dealers as herein defined requiring persons engaged in the sale of cigarettes at wholesale and retail to secure permits prescribing the method and manner of collecting such tax conferring powers and imposing duties on the Department of Revenue and persons as herein defined engaged in the sale of cigarettes at retail or wholesale and providing penalties" as previously reenacted and amended by extending the provisions of the act for a further limited period of time

With the information that the Senate has passed the same without amendment.

AMENDED SENATE BILL CONCURRED IN BY SENATE

The Clerk of the Senate being introduced informed that the Senate has concurred in the amendments made by the House of Representatives to Senate Bill numbered and entitled as follows, viz:

SENATE BILL No. 67.

An Act to amend the act approved the second day of May one thousand nine hundred twenty-nine (P. L. 1278) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto" establishing the method of appointing promoting reducing in rank suspension furloughing discharging and reinstating members of the police force of counties of the second class creating and defining the powers and duties of a civil service commission imposing certain duties and expenses on such counties and prescribing penalties

BILL SIGNED BY SPEAKER

Bill numbered and entitled as follows having been prepared for presentation to the Governor, and the same being correct, the title was publicly read as follows:

SENATE BILL No. 67.

An Act to amend the act approved the second day of May one thousand nine hundred twenty-nine (P. L. 1278) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto" establishing the method of appointing promoting reducing in rank suspension furloughing discharging and reinstating members of the police force of counties of the second class creating and defining the powers and duties of a civil service commission imposing certain duties and expenses on such counties and prescribing penalties

Whereupon,

The SPEAKER, in the presence of the House, signed the same.

SENATE MESSAGES

RESOLUTION CONCURRED IN BY SENATE

The Clerk of the Senate being introduced, informed that the Senate has concurred in the resolution from the House of Representatives, as follows:

In the House of Representatives, April 26, 1943.

Resolved (if the Senate concur), that House Bill No. 72, Printer's No. 134, entitled "An act to further amend subsection (a) of section four of the act approved the twenty-fourth day of June one thousand nine hundred thirty-seven (P. L. 2045) entitled 'An act relating to the support of indigent persons publicly cared for or assisted providing for the support of such persons by certain relatives and for the recovery of public moneys expended for care and assistance from the property and estates of such persons providing for guardians of the person and property of such persons providing for the arrest and seizure and sale of the property of deserters and providing procedure' providing for the divestiture of judgments obtained thereunder by tax sales heretofore or hereafter made," be recalled from the Governor for the purpose of further consideration.

RESOLUTION CONCURRED IN BY SENATE

The Clerk of the Senate being introduced, informed that the Senate has concurred in the resolution from the House of Representatives, as follows:

In the House of Representatives, April 26, 1943.

Resolved (if the Senate concur), that House Bill No. 285, Printer's No. 124, entitled "An act to further amend section one of the act approved the second day of May one thousand nine hundred and twenty-nine (P. L. 1518) entitled as amended 'An act regulating the construction equipment maintenance operation and inspection of elevators granting certain authority to and imposing certain duties upon the Department of Labor and Industry providing fees for inspection of elevators certificates of operation and approval of plans providing penalties for violations of this act and repealing all acts or parts of acts inconsistent with this act' by exempting from the provisions of said act elevators used in the coal mines of this Commonwealth and plants connected therewith," be recalled from the Governor for the purpose of further consideration.

RESOLUTION CONCURRED IN BY SENATE

The Clerk of the Senate being introduced, informed that the Senate has concurred in the resolution from the House of Representatives, as follows:

In the House of Representatives, April 26, 1943.

Resolved (if the Senate concur), that House Bill No. 651, Printer's No. 130, entitled "An act providing for the printing and distribution of Senate and House Bills and Senate and House Calendars" be recalled from the Governor for the purpose of further consideration and amendment.

COMMUNICATION FROM THE GOVERNOR

The Secretary to the Governor being introduced, presented a communication in writing from His Excellency the Governor, which was read as follows:

APPROVAL OF HOUSE BILL No. 595

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, April 27, 1943.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 595, Printer's No. 214, entitled "An act to amend Section four thousand three hundred four of the act approved the twenty-third day of June one thousand nine hundred thirty-one (P. L. 932) entitled 'An act relating to cities of the third class and amending revising and consolidating the law relating thereto' removing becoming a nonresident of the State as a cause for forfeiture of rights under the police pension fund."

EDWARD MARTIN.

BILLS SIGNED BY SPEAKER

Bills numbered and entitled as follows having been prepared for presentation to the Governor, and the same being correct, the titles were publicly read as follows:

HOUSE BILL No. 440.

An Act to further amend section seven hundred two of the act approved the fifth day of May one thousand nine hundred thirty-three (P. L. 289) entitled "An act relating to nonprofit corporations defining and providing for the organization merger consolidation and dissolution of such corporations conferring certain rights powers duties and immunities upon them and their officers and members prescribing the conditions on which such corporations may exercise their powers providing for the inclusion of certain existing corporations of the first class within the provisions of this act prescribing the terms and conditions upon which foreign nonprofit corporations may be admitted or may continue to do business within the Commonwealth conferring powers and imposing duties on the courts of common pleas prothonotaries of such courts recorders of deeds and certain State departments commissions and officers authorizing certain local public officers and State departments to collect fees for services required to be rendered by this act imposing penalties and repealing certain acts and parts of acts relating to corporations" by further regulating the method of approval of amendments of articles of incorporation of nonprofit corporations by the members thereof

HOUSE BILL No. 222.

An Act to amend section one of the act approved the twenty-second day of May one thousand nine hundred thirty-three (P. L. 851) entitled "An act fixing the pay and mileage of jurors and witnesses" changing the pay of jurors

Whereupon,

The SPEAKER, in the presence of the House, signed the same.

COMMITTEE MEETINGS

There will be meetings of the Committees on

Cities—First Class, Wednesday, April 28, at 12:45 p. m. Room 521.

Constitutional Amendments, Wednesday, April 28, at 12:30 p. m. Room 325.

Counties, Wednesday, April 28, at 12 Noon. Room 522.

Dairy Industries, Wednesday, April 28, at 10 a. m. Room 331.

Education, Wednesday, April 28, at 10 a. m. Room 324.

Liquor Control, Wednesday, April 28, at 10:30 a. m. Room 325.

Military Affairs, Wednesday, April 28, at 12:30 p. m. Room 327.

Mines and Mining, Wednesday, April 28, at 12 Noon. Room 323.

Municipal Corporations, Wednesday, April 28, at 12 Noon. Room 521.

State Government, Wednesday, April 28, at 12:15 p. m. Room 324.

Welfare, Wednesday, April 28, at 10 a. m. Room 330.

Important Caucus of Republican Members, Wednesday Morning, 11 o'clock, in the New House Caucus Room.

ADJOURNMENT

Mr. ELY. Mr. Speaker, I move that this House do now adjourn until Wednesday, April 28, 1943, at 1 p. m.

The motion was agreed to, and (at 5:50 p. m.) the House adjourned.

COMMONWEALTH OF PENNSYLVANIA

Legislative Journal.

Session 1943. 135th of the General Assembly.

Vol. 27. HARRISBURG, PA., WEDNESDAY, APRIL 28, 1943. No. 50.

SENATE

WEDNESDAY, April 28, 1943.

The Senate met at 3:00 o'clock, p. m., Eastern War Time.

The PRESIDENT (Lieutenant-Governor John C. Bell, Jr.) in the Chair.

PRAYER

The Chaplain, Rev. EDWIN S. WALLACE, D. D., offered the following prayer:

We believe in Thee, O God, as the "great Architect of the universe," for we see Thy handiwork. May our belief be strengthened as we recognize Thy providence in our lives. The world without us reveals Thy power and glory; the world within us reveals Thy constant and loving care. We believe that "no good thing is withheld from those who walk uprightly," and that "all things work together for good to those who love Thee." Therefore, may our walk be upright and our love sincere.

Give to each of us that strength of character that will enable us to consecrate our talents to the work Thou hast given us to do, for in so doing we become co-workers with Thee, the highest position any human can hold.

Remember with Thy healing mercy the senators who are sick. Comfort the hearts of those who have been bereaved. Lead us all to the "green pastures by the still waters" and when we are called to "walk through the valley of the shadow," be Thou our guide.

In the name of the Good Shepherd. Amen.

JOURNAL APPROVED

The PRESIDENT. A quorum of the Senate being present the Clerk will read the Journal of the preceding session.

The Clerk proceeded to read the Journal of the preceding session, when, on motion of Mr. HEYBURN and Mr. BECKER, the further reading was dispensed with, and the Journal was approved.

PERMISSION TO ADDRESS SENATE

Mr. COLEMAN asked and obtained unanimous consent to address the Senate.

Mr. COLEMAN. Mr. President and members of the Senate, during this Session, one of the very few war sessions in the history of the Commonwealth, we have paid tribute to individuals, organizations, various groups for their contribution to an all-out war effort in Pennsylvania.

I would like this afternoon to pay special tribute to one other agency for the great work they are doing in immeasurably intensifying our determination to win and to strengthen the morale of the people of the Commonwealth of Pennsylvania. I refer to the motion picture theaters of this state. I am one of seven and a half million people in the Commonwealth who visits some one of the fifteen hundred theaters, and I have seen portrayed on the screen actual battle scenes that have given me a pretty clear idea of my responsibility in this great crisis.

So, this afternoon, Mr. President, in order to conserve the time of the Senate, I am going to ask unanimous consent to have inserted in the Legislative Journal my tribute to this great instrumentality of publicity and education in the state of Pennsylvania.

Mr. President, I ask unanimous consent to have inserted in the record without the necessity of reading it, my tribute to this great agency.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. COLEMAN. In discussing the all-out war effort in Pennsylvania I am pleased to call special attention to one of the great agencies of our state and commend its wonderful work in this relation. I refer to the motion picture theatre. We have approximately 1,500 active theatres in the state and on the screen of each of these many phases of the war are clearly depicted every day.

It is estimated that about 7,500,000 attend the motion picture theatres in Pennsylvania every week. This vast audience has every feature of the war vividly illustrated to them in a way which would be impossible under any other form of presentation. It immeasurably intensifies their determination to win and strengthens their morale.

From the President, Cabinet Officers, Governor and other distinguished officials and other persons prominent in war activities frequently come personal messages on the great conflict. The scenes of actual combat are clearly portrayed and every element associated with mobilization, troop formation, preparation and our great war industries are clearly presented with photographic accuracy. Our naval maneuvers and other shipping scenes are brought directly home to all Pennsylvanians through the motion picture theatre. Flying formations and all field activities, Red Cross and other lines of action and the manifold affairs of war work are brought to the attention of the people in such a way that war becomes the intimate daily knowledge of millions. This enables them to fit into the situation their varying abilities and constructive service in definitely progressive fashion.

No other agency has contributed more in informing the

people of Pennsylvania and the nation on our war work than the motion picture theatre and all of this deserves the careful consideration of the officialdom of our state so that maximum use can always be made of this great instrumentality of publicity and education in advancing the interests of the Commonwealth.

The Motion Picture Theatre Screen is in reality and practice the screen press of America, entirely capable in the most comprehensive way in shaping and directing American public opinion along progressive and constructive lines.

Pennsylvania is the cradle of the motion picture theatre. It has always been at the service of the state and plans are under way now for a greater and more extended line of theatre screen service to the government agencies in Pennsylvania. Being a part of the American press—the visualized and oral division—its merging with the newspapers, magazines and radio in bringing the people of Pennsylvania in closer union with the affairs of their government is being demonstrated in many ways.

It is one of the most practical and useful disseminators of news that has ever been devised. It carries the message of our government to the people in a clear and concise way and actually brings to view, in an audible manner, any subject it assays to handle. In no other way could the men and women in martial array in all of the varying actions of this strife be brought so understandingly to the millions at home who need this information to further stimulate their war action.

All of this far-reaching service is gratuitous. It is no expense to the national or state governments. It has behind it the genius and directing power of one of the world's greatest armies of technicians—the energizing forces of motion picture studios and theatres. As one commentator recently said: "The motion picture accompanies the flag everywhere and is our most convincing ambassador."

President Commends the Screen. In a recent communication to Walter Wanger, president of the Academy of Motion Picture Arts and Sciences, President Roosevelt commends the activities of the motion picture theatres in Pennsylvania and elsewhere in this brief and pointed way: (Quote) "It is a matter of deep satisfaction to me, as it must be to you, that we have succeeded in turning the tremendous power of the motion picture into an effective war instrument. Without the slightest resort to the totalitarian methods of our enemies, we have preserved and shall continue to preserve, the right of free expression which is so distinctly the mark of our democratic way of life. We are able to do this by voluntary cooperation of the motion picture industry and the government because all of us have a common goal of our own free choice.

"In the months to come world conditions may cause the motion picture industry to play an even larger part in the war against Axis tyranny. I know that the responsibility this presents will be cheerfully and completely fulfilled, because no one has a greater stake in victory than you whose profession is so bound up with the maintenance of the American tradition of free communications (Unquote)

In "Movies at War", magazine of the Motion Picture Industry, many interesting facts are given of the activities of the motion picture theatre in Pennsylvania and other parts of the United States. I quote just a few. "Among the Victory Films are screen messages covering a wide range of war subjects. These include appeals by cabinet officers and bureau heads. Each is released to serve some definite war purpose. The agreed proceedure for 1943 calls for the delivery and exhibition of 677 prints for release on odd Thursdays and the "America Speaks" series are released on even Thursdays, thus covering the entire year. The five newsreel companies and the March of Time release this year 544 graphic, pictorial reels bringing to the many-million weekly screen audience the story of the American fight for freedom."

In Pennsylvania we take special pride in the fact that here the motion picture theatre first became an institution. Pennsylvania's lead in this direction has been successfully followed by other states until now this great medium of expression, the theatre screen, holds an envious place among the great public opinion developers and coordinators of the nation. I indeed appreciate this opportunity to pay this deserved tribute to the motion picture theatres of this state and applaud the great war efforts of the patriotic men and women directing these energies. It is my hope that the nation, state and community service of the theatres will continue to expand and always meet up with every publicity and information need of our people.

LEAVE OF ABSENCE

Mr. Wade asked and obtained leave of absence for Mr. EDMONDS, on account of illness.

He also asked and obtained leave of absence for Mr. ZIESENHEIM, on account of service in the United States Army.

NOMINATIONS BY THE GOVERNOR

The Secretary to the Governor being introduced, presented communications in writing from His Excellency, the Governor of the Commonwealth, which were read as follows, and referred to the Committee on Executive Nominations.

DIRECTOR, PENNSYLVANIA POST-WAR PLANNING COMMISSION

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, April 28, 1943.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Mark S. James, 120 South Homewood Avenue, Pittsburgh, Allegheny County, for appointment as Director of the Pennsylvania Post-War Planning Commission, until annulled.

EDWARD MARTIN.

MEMBERS OF THE CRAWFORD COUNTY BOARD OF ASSISTANCE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, April 28, 1943.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for appointment as members of the Crawford County Board of Assistance:

Mrs. Esta Fleming (Republican), Cochranton, to serve

until December 31, 1945, and until her successor is duly appointed and qualified, vice Mrs. Jeannette W. Hood Beatty, whose term expired.

Robert W. Byham (Republican), R. D. No. 2, Guys Mills, to serve until December 31, 1945, and until his successor is duly appointed and qualified, vice Emmett Allen, whose term expired.

EDWARD MARTIN.

HOUSE MESSAGES

RESOLUTION RECALLING FROM THE GOVERNOR HOUSE BILL No. 549

The Clerk of the House of Representatives being introduced presented extract from the Journal of the House of Representatives, which was twice read as follows, considered and agreed to:

In the House of Representatives, April 27, 1943.

Resolved (if the Senate concur), That House Bill No. 549, Printer's No. 474, entitled:

An Act to further amend sections three hundred one and three hundred three of the act, approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 343), entitled "Fiscal Code," by authorizing the Treasury Department, with the approval of the Governor, to invest State deposits in short-term obligations of the United States government and to dispose of the same

be recalled from the Governor for the purpose of amendment.

Ordered, That the Clerk inform the House of Representatives accordingly.

HOUSE CONCURS IN AMENDMENTS TO HOUSE BILL No. 626

He also presented communication from the House of Representatives informing the Senate that the House has concurred in amendments made by the Senate to House Bill No. 626, entitled:

An Act to validate and confirm certain contracts heretofore entered into by Boards of Township Supervisors where the Township has received in maintenance and improvement of its highways a reasonable quid pro quo for such contracts and to authorize ratify confirm and validate payments on such contracts by the Township and to provide that no Township Supervisor shall be subject to surcharge for payments made on any contract

HOUSE RECEDES FROM ITS NON-CONCURRENCE TO SENATE AMENDMENTS TO SENATE BILL No. 135

He also presented communication from the House of Representatives informing the Senate that the House has receded from its non-concurrence in the amendments made by the Senate to Senate Bill No. 135, entitled:

An Act to amend section seven hundred sixteen of the act approved the third day of June, one thousand nine hundred thirty-seven, (P. L. 1225), entitled "An act governing game and other wild birds and wild animals; and amending, revising, consolidating, and changing the law relating thereto," authorizing the sale and purchase of hides of lawfully killed deer under certain circumstances and making it unlawful to buy or sell raccoons for propagating purposes

and that the House of Representatives concurs in the amendments.

BILLS SIGNED

The PRESIDENT (Lieutenant-Governor John C. Bell, Jr.) announced that the Chief Clerk having reported that the following bills had passed both houses of the General Assembly and the same being correct, the titles were publicly read as follows:

House Bill No. 222, entitled:

An Act to amend section one of the act, approved the twenty-second day of May, one thousand nine hundred thirty-three (P. L. 851), entitled "An act fixing the pay and mileage of jurors and witnesses," changing the pay of jurors.

House Bill No. 440, entitled:

An Act to further amend section seven hundred two of the act approved the fifth day of May, one thousand nine hundred thirty-five, (P. L. 289), entitled "An act relating to nonprofit corporations; defining and providing for the organization, merger, consolidation, and dissolution of such corporations; conferring certain rights, powers, duties, and immunities upon them and their officers and members; prescribing the conditions on which such corporations may exercise their powers; providing for the inclusion of certain existing corporations of the first class within the provisions of this act; prescribing the terms and conditions upon which foreign nonprofit corporations may be admitted or may continue to do business within the Commonwealth; conferring powers and imposing duties on the courts of common pleas; prothonotaries of such courts, recorders of deeds, and certain State departments, commissions, and officers, authorizing certain local public officers and State departments to collect fees for services required to be rendered by this act; imposing penalties; and repealing certain acts and parts of acts relating to corporations," by further regulating the method of approval of amendments of articles of incorporation of nonprofit corporations by the members thereof.

Whereupon,

The PRESIDENT (Lieutenant-Governor John C. Bell, Jr.) in the presence of the Senate signed the same.

HOUSE MESSAGES

CONFERENCE COMMITTEE REPORT ADOPTED ON HOUSE BILL No. 49

The Clerk of the House of Representatives being introduced, informed the Senate that the House has adopted the Report of the Conference Committee on House Bill No. 49, entitled:

An Act to amend the title and sections one to twelve, both inclusive, of the act, approved the nineteenth day of March, one thousand nine hundred forty-one (P. L. 3), entitled "State Council of Defense Act," changing the name of the Pennsylvania Reserve Corps to Pennsylvania State Guard.

CONFERENCE COMMITTEE REPORT ADOPTED ON SENATE BILL No. 133

He also informed the Senate that the House has adopted the Report of the Conference Committee on Senate Bill No. 133, entitled:

An Act to further amend subsection (c) of section two hundred two of the act approved the seventeenth day of May one thousand nine hundred and twenty-one (P. L. 682) entitled "An act relating to insurance amending revising and consolidating the law providing for the

incorporation of insurance companies and the regulation supervision and protection of home and foreign insurance companies Lloyds associations reciprocal and interinsurance exchanges and fire insurance rating bureaus and the regulation and supervision of insurance carried by such companies associations and exchanges including insurance carried by the State Workmen's Insurance Fund providing penalties and repealing existing laws" by authorizing casualty companies to insure against loss and damage to certain machinery and equipment of mines while located under ground and to underground passageways gangways airways drifts slopes shafts overcasts and stoppings of mining operation.

HOUSE CONCURS IN SENATE BILL No. 69

He also returned to the Senate, Senate Bill No. 69, entitled:

A Supplement to the act, approved the eleventh day of May, one thousand nine hundred and five (P. L. 518), entitled "An act making an appropriation for the erection of a home or school for indigent orphans, to be called the Thaddeus Stevens Industrial and Reform School of Pennsylvania, in which school provision shall be made for giving instruction in reading, writing, arithmetic, drawing, duties of citizenship, elementary manual training, the elements of farming, and other requisite branches," authorizing the Thaddeus Stevens Industrial School to collect fees for board and tuition from certain special students

with the information that the House has passed the same without amendments.

HOUSE CONCURS IN SENATE BILL No. 178

He also returned to the Senate, Senate Bill No. 178, entitled:

An Act to amend section one of the act approved the twenty-ninth day of May one thousand nine hundred and thirty-five (P. L. 244) entitled "An act creating a Local Government Commission to study and report on functions of local government their allocation and elimination the cost of local government and means of reducing it and the consolidation of local government and making an appropriation" fixing the terms of the members of said commission providing for the filling of vacancies and making an appropriation

with the information that the House has passed the same without amendments.

HOUSE CONCURS IN SENATE BILL No. 246

He also returned to the Senate, Senate Bill No. 246, entitled:

An Act to enable tax collectors and receivers of taxes in counties of the sixth class to make return to the county commissioners of unpaid taxes assessed on seated lands for certain years and validating the liens of such taxes

with the information that the House has passed the same without amendments.

HOUSE CONCURS IN SENATE BILL No. 261

He also returned to the Senate, Senate Bill No. 261, entitled:

An Act to amend section one of the act, approved the fifth day of August, one thousand nine hundred and forty-one, (P. L. 826), entitled "An act authorizing the Department of Property and Supplies, with the approval of the Governor, to sell and convey certain plots of land," by correcting the location of the plot of land described in paragraph Fourteen, and providing for the sale of certain additional plots of land

with the information that the House has passed the same without amendments.

HOUSE CONCURS IN SENATE BILL No. 266

He also returned to the Senate, Senate Bill No. 266, entitled:

An Act to provide for the publication of the reports of the decisions of the Supreme Court of Pennsylvania and of the Superior Court in bound volumes and in advance sheets regulating the basis upon which bids shall be submitted and provisions of the contract for publication of such reports conferring powers and imposing duties on the State Reporter the Department of Property and Supplies and the Secretary of the Commonwealth providing for the custody and disposition of plates used in the printing of the bound volumes of such reports and of the advance sheets thereof and repealing certain acts and parts of acts

with the information that the House has passed the same without amendments.

HOUSE CONCURS IN SENATE BILL No. 267

He also returned to the Senate, Senate Bill No. 267, entitled:

An Act to authorize the State Reporter to waive the provisions of any existing contracts requiring volumes of the reports of the decisions of the Supreme Court of Pennsylvania or of the Superior Court to be stereotyped or electrotyped

with the information that the House has passed the same without amendments.

HOUSE CONCURS IN SENATE BILL No. 309

He also returned to the Senate, Senate Bill No. 309 entitled:

A Joint Resolution proposing an amendment to article nine of the Constitution of the Commonwealth of Pennsylvania by adding thereto a section

with the information that the House has passed the same without amendments.

HOUSE CONCURS IN SENATE BILL No. 312

He also returned to the Senate, Senate Bill No. 312 entitled:

An Act to further amend section one thousand four hundred and thirty-nine of the act, approved the eighteenth day of May, one thousand nine hundred and eleven (P. L. 309), entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws, general, special or local, or any parts thereof, that are or may be inconsistent therewith," by providing for payment for education of blind children out of appropriations made to the Department of Public Instruction for such purposes and conforming said section to existing law

with the information that the House has passed the same without amendments.

HOUSE CONCURS IN SENATE BILL No. 341

He also returned to the Senate, Senate Bill No. 341, entitled:

An Act to further amend section two of the act, approved the fourth day of June, one thousand nine hundred and fifteen (P. L. 828), entitled "An act to provide revenue by imposing a State tax upon sales or agreements to sell or memoranda of sales upon deliveries or transfers of shares or certificates of stock in domestic and foreign corporations copartnership associations, and joint-stock associations; providing the manner of collecting such tax and prescribing penalties," by further extending the exemptions from the tax imposed by the said act

with the information that the House has passed the same without amendments.

HOUSE CONCURS IN SENATE BILL No. 401

He also returned to the Senate, Senate Bill No. 401, entitled:

An Act to amend section five hundred twenty-five of the act, approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 177), entitled, "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments, boards, commissions, and officers thereof, including the boards of trustees of State Normal Schools, or Teachers Colleges; abolishing, creating, reorganizing or authorizing the reorganization of certain administrative departments, boards, and commissions; defining the powers and duties of the Governor and other executive and administrative officers, and of the several administrative departments, boards, commissions, and officers; fixing the salaries of the Governor, Lieutenant-Governor, and certain other executive and administrative officers; providing for the appointment of certain administrative officers, and of all deputies and other assistants and employes in certain departments, boards, and commissions; and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments, boards and commissions shall be determined," as amended, by making provision for the destruction of certain records in the various administrative departments, boards or commissions, after such records have been first microfilmed

with the information that the House has passed the same without amendments.

HOUSE CONCURS IN SENATE BILL No. 453

He also returned to the Senate, Senate Bill No. 453, entitled:

An Act transferring money received from the sale of certain real estate and paid into the General Fund from the General Fund to the Motor License Fund

with the information that the House has passed the same without amendments.

HOUSE CONCURS IN SENATE BILL No. 474

He also returned to the Senate, Senate Bill No. 474, entitled:

An Act providing that the proceeds of the sale of real estate owned by the Commonwealth, together with the rentals derived therefrom, shall be repaid to and credited to the proper special fund, from which the funds to purchase said real estate were taken

with the information that the House has passed the same without amendments.

HOUSE BILLS FOR CONCURRENCE

He also presented for concurrence bills of the House, as follows:

House Bill No. 133, entitled:

An Act to repeal the act approved the twenty-first day of March, one thousand nine hundred twenty-nine (P. L. 34), entitled "An act authorizing judges of the courts of common pleas and orphans' courts in counties of the third class to employ stenographers, typists and clerks to facilitate the business of the courts, and to provide for the payment of their compensation by the county, and validating former employments and payments therefor."

Which was committed to the Committee on Judiciary General.

House Bill No. 245, entitled:

An Act making an appropriation to the Department of Welfare for use by the State Council for the Blind in supplying home instruction for adult blind persons.

Which was committed to the Committee on Welfare, Public Assistance and Pensions.

House Bill No. 491, entitled:

An Act making an appropriation to the Department of highways out of the Motor License Fund, for the purpose of rebuilding county bridges carried away or destroyed by fire, flood or other casualty, and of carrying out the provisions of existing laws relating thereto.

Which was committed to the Committee on Appropriations.

House Bill No. 516, entitled:

An Act to provide protection to estates, interests, funds, and property rights or other matters secured, or to be secured by individual surety or sureties in courts of record, or proceedings therein by specifying the requirements of such suretyship, the qualifications of such sureties and imposing liens upon the collateral realty involved as well as providing for the revival thereof, for execution thereon, and for the release, discharge or satisfaction thereof.

Which was committed to the Committee on Judiciary General.

House Bill No. 557, entitled:

An Act to add clause (m) to section two hundred four of the act approved the twenty-second day of May, one thousand nine hundred thirty-three, (P. L. 853), entitled "The General County Assessment Law," providing further exemptions from taxation; and making the provisions for exemptions applicable to institution district taxes.

Which was committed to the Committee on Judiciary General.

House Bill No. 558, entitled:

An Act to further amend section two of the act, approved the twenty-ninth day of March, one thousand eight hundred ninety-nine (P. L. 21), entitled "Certified Public Accountant Law," by changing qualifications as to education and fitness necessary before taking examination

Which was committed to the Committee on Education.

House Bill No. 640, entitled:

An Act requiring the names of all signers and witnesses to be printed or typewritten below their signatures on all documents and other written instruments entitled to be recorded or filed; and prohibiting the recording or filing thereof for failure to comply with such requirement.

Which was committed to the Committee on Judiciary General.

House Bill No. 717, entitled:

An Act providing that when any city, county, school district or other political subdivision of this Commonwealth, shall in the exercise of the power of eminent domain, acquire real estate by appropriation and condemnation, the title thereto which shall vest in such city, county, school district or other political subdivision, shall be a title in fee simple, unless otherwise provided in the ordinance or resolution authorizing the appropriation and condemnation thereof.

Which was committed to the Committee on Judiciary General.

House Bill No. 727, entitled

An Act to further amend section twenty-seven of the act, approved the first day of June, one thousand eight hundred eighty-nine (P. L. 420), entitled "A further supplement to an act entitled 'An act to provide revenue by taxation,' approved the seventh day of June, Anno Domini one thousand eight hundred and seventy-nine," further limiting the application of the section.

Which was committed to the Committee on Finance.

House Bill No. 827, entitled:

An Act to amend section two thousand four hundred and four of the act, approved the ninth day of April, one thousand nine hundred twenty-eight (P. L. 177), entitled "Administrative Code of 1929," as amended, in order to provide automobile liability insurance on vehicles owned by the United States of America and its instrumentalities, which are loaned to and operated by State employes and certain other persons.

Which was committed to the Committee on Insurance.

House Bill No. 868, entitled

An Act to amend clause two of section one thousand two hundred and ten of the act, approved the eighteenth day of May, one thousand nine hundred and eleven (P. L. 309), entitled "Public School Code," by further providing for the minimum salaries and increments of members of the teaching and supervisory staff in school districts of the first class

Which was committed to the Committee on Education.

House Bill No. 924, entitled:

An Act making an appropriation to the Department of Forests and Waters for the purpose of reconstructing and maintaining dikes along Darby Creek in Tinicum Township, Delaware County and in Philadelphia.

Which was committed to the Committee on Appropriations.

House Bill No. 931, entitled:

An Act making an appropriation out of the Motor License Fund to the Department of Highways for allocation to and expenditure in the second class townships of the Commonwealth for maintenance, construction, reconstruction, resurfacing or improvement of township roads and bridges during the calendar years one thousand nine hundred forty-four and one thousand nine hundred forty-five, permitting the use of the funds for maintenance and repair of township roads and bridges under certain conditions, and providing for the method of payment to townships.

Which was committed to the Committee on Appropriations.

House Bill No. 948, entitled:

An Act making an appropriation to the Department of Military Affairs for the maintenance and education of children of certain soldiers, sailors, marines, female field clerks, yeomen (female) and nurses.

Which was committed to the Committee on Appropriations.

House Bill No. 950, entitled:

An Act making an appropriation to the Department of Labor and Industry for the rehabilitation of the deaf and hard of hearing, and for the purpose of matching additional federal funds.

Which was committed to the Committee on Appropriations.

House Bill No. 952, entitled::

An Act making an appropriation from the Banking Department Fund to the State Employes' Retirement Board to meet the obligations of the Commonwealth to the State Employes' Retirement System with respect to State employes receiving compensation from the Banking Department Fund.

Which was committed to the Committee on Appropriations.

House Bill No. 953, entitled:

An Act making an appropriation from the Motor License Fund to the State Employes' Retirement Board to meet the obligations of the Commonwealth to the State Employes' Retirement System with respect to State employes receiving compensation from the Motor License Fund.

Which was committed to the Committee on Appropriations.

House Bill No. 959, entitled:

An Act making an appropriation from the State Workmen's Insurance Fund to the State Employes' Retirement Board to meet the obligations of the Commonwealth to the State Employes' Retirement System with respect to State employes receiving compensation from the State Workmen's Insurance Fund.

Which was committed to the Committee on Appropriations.

House Bill No. 962, entitled:

An Act making an appropriation of moneys in the Motor License Fund to the Board of Finance and Revenue to meet interest and sinking fund requirements on the State debt.

Which was committed to the Committee on Appropriations.

House Bill No. 963, entitled:

An Act making an appropriation to the Department of Property and Supplies for the payment of rates, rentals

and other charges that may become due on leases and other contracts executed by the Pennsylvania State College with The General State Authority for the use and occupancy by such college of the various projects, structures buildings and facilities of the Authority, or for the services rendered by the Authority or its projects.

Which was committed to the Committee on Appropriations.

House Bill No. 965, entitled:

An Act making an appropriation from the State Stores Fund to the State Employes' Retirement Board to meet the obligations of the Commonwealth to the State Employes' Retirement System with respect to State employes receiving compensation from the State Stores Fund.

Which was committed to the Committee on Appropriations.

House Bill No. 966, entitled:

An Act making an appropriation from the Fish Fund to the State Employes' Retirement System with respect to State employes receiving compensation from the Fish Fund.

Which was committed to the Committee on Appropriations.

House Bill No. 969, entitled:

An Act making an appropriation of moneys in the Motor License Fund to the Board of Finance and Revenue for the payment of the Loans and Transfer Agent of the Commonwealth.

Which was committed to the Committee on Appropriations.

House Bill No. 970, entitled:

An Act making an appropriation to the Treasury Department out of various funds to pay replacement checks issued in lieu of outstanding checks when presented.

Which was committed to the Committee on Appropriations.

House Bill No. 971, entitled:

An Act making an appropriation to The General State Authority to defray the costs and expenses of the said Authority in connection with the organization, administration and operation thereof.

Which was committed to the Committee on Appropriations.

House Bill No. 977, entitled:

An Act making an appropriation to the Department of Labor and Industry to meet the obligation of the Commonwealth to pay a part of the compensation payable for certain occupational diseases.

Which was committed to the Committee on Appropriations.

House Bill No. 978, entitled:

An Act making an appropriation to the Department of Forests and Waters for the repair, reconstruction of a dam across the Lehigh River at Easton, Northampton County, and dredging in the Lehigh River and the entrance of the Delaware Division Canal.

Which was committed to the Committee on Appropriations.

House Bill No. 979, entitled:

An Act making an appropriation from the Manufacturing Fund to the State Employes' Retirement Board to meet the obligations of the Commonwealth to the State Employes' Retirement System with respect to State employes receiving compensation from the Manufacturing Fund.

Which was committed to the Committee on Appropriations.

House Bill No. 980, entitled:

An Act making an appropriation from the Game Fund to the State Employes' Retirement Board to meet the obligations of the Commonwealth to the State Employes' Retirement System with respect to State employes receiving compensation from the Game Fund.

Which was committed to the Committee on Appropriations.

House Bill No. 1021, entitled:

An Act to amend section one of the act, approved the seventh day of June, one thousand nine hundred and seventeen (P. L. 403), entitled "Wills Act of 1917," authorizing certain minors to dispose of their real and personal estate by will.

Which was committed to the Committee on Judiciary General.

PERMISSION TO ADDRESS SENATE

Mr. COX asked and obtained unanimous consent to address the Senate.

Mr. COX. Mr. President, I do not profess to be the poet laureate of the Senate, and I do not want you to think the little piece of poetry which I am going to read is any attempt on my part to take the laurels away from the shoulders of Senator Carr.

This is a very simple little ditty and arrangements could be made so that it could be sung or played on the bass viol:

"While the Education Committee of the Senate is sitting, sitting, sitting
The school teachers are quitting, quitting, quitting."

I have in my hands a copy of the Pittsburgh Post Gazette of this date which contains a picture of four very charming young women and above the picture are these words: "Add to school board's headaches." The school board has a headache because those four young women are joining the armed forces of our country.

Then we find this headline "Teacher shortage hits city and county schools. Staff members shifted about in class rooms due to inroads of army and war industry."

The substance of the article, of course, is to explain a condition which is happening all over our state, that our school system is being wrecked because of the fact that the persons who teach in it are being driven into private industry because of the small salaries, of the small compensation which is being paid to them. I wrote this masterful poem which I read to you and which I think is true as an ode to those school teachers.

We have been in session for four months. Before this Legislature ever met, as a matter of fact before the last gubernatorial campaign, both parties, in order to secure the votes of the school teachers, were very vehement in their protestations of affection and desire to assist them

to help meet the economic conditions which they now face.

The election is over. This Session of the Senate is almost over; only five more days and this Session of the Legislature will be in limbo and there still rests in the Committee on Education this long-promised bill to aid the school teachers. We can not excuse ourselves for our inactivity, our delay, and the effect of the failure of the Committee on Education to put that bill out is this, that when the bill comes out we have got to take what the Committee on Education hands us. A delay of one day in an attempt by the members of this Senate to amend that bill would result in the Legislature of Pennsylvania passing no bill. This situation is destructive of one of the most important institutions in our state, the institution of public schools. The public schools of this state are a bulwark against all the "isms" that have ever been created in the world, and if you destroy the public school system by taking out of it the competent people who now man our schools, you can expect anything to happen in the future.

We are living in a rapidly changing world and after this war is over we are going to meet problems that today we can not attempt to anticipate, and if we are going to meet them we can only meet them through our public school system.

If the members of this Senate believe in the public school system, then they are going to preserve that system by paying adequate compensation to the men and women who are teaching there. In five days, possibly, this Session of Legislature will end and in five days possibly, my career as a member of the Senate of Pennsylvania will end, and when that time is over I have got to look back on the things that I have tried to do, I have got to look back on the things that I failed to do, and I will tell you very frankly, Senator Heyburn, that my experience in this Senate from the standpoint of accomplishment in the last four years has not been an experience which will make me happy for the rest of my life, and I will tell you frankly, Senator Heyburn, that this "do nothing" session of the Legislature, probably the worst in the history of the Legislature, is a thing to make us all ashamed when the Legislature adjourns.

When I think of the things that have been attacked, institutions that make for democracy, institutions such as civil service, institutions such as the scientific supervision of parole, when I think of all those things being destroyed or at least attempts being made to destroy them—we idly prate about democracy, about our love for it, about our willingness to die for it, but the trouble is, it seems, that we are not willing to legislate for it.

I certainly hope, Senator Homsher, that you have a meeting of the Committee on Education today. Certainly by this time the Committee ought to know what it is going to do to increase the salaries of teachers and if the Committee on Education can not make its mind up, I am satisfied that on both sides of this Senate are members sufficiently interested in the welfare of the teachers, who can produce a bill which will be acceptable, and I might say by way of advice that I sincerely hope when your bill comes out that it does not further restrict and limit the amount of money that the Commonwealth of Pennsylvania is going to give to the teachers.

Last Sunday I picked up one of the local papers and there was a story—it seems to me that in order to find out what happens in our Senate committees we have to go back home—there was a story under a Harrisburg date line that the Senate Committee on Education was going to further cut the amount of compensation which is going to be paid to the school teachers. I hope that is not correct and I certainly hope, Senator Homsher, that the Committee on Education amends that bill, not only to increase the compensation to higher levels, but also to include many employes of school districts which are not included in the bill at the present time and, of course, I am now speaking of the school secretaries, the school nurses and the other employes who, too, have to live and who, too, are important cogs in our educational system.

PERMISSION TO ADDRESS SENATE

Mr. HEYBURN asked and obtained unanimous consent to address the Senate.

Mr. HEYBURN. Mr. President, there is going to be a meeting of the Committee on Education this afternoon, I understand, just as soon as they can get it. As the members of the Senate know, unfortunately the activity of that Committee has been held up a little bit due to a certain unfortunate situation which developed here a week or two ago, but there will be a meeting of the Committee on Education this afternoon.

REPORTS FROM COMMITTEES

Mr. FARRELL, from the Committee on State Government reported as committed, Senate Bill 416, entitled:

An Act authorizing the Department of Property and Supplies, with the approval of the Governor and the Board of Trustees of Western State Penitentiary to acquire certain tracts of land for the use of the State Penitentiary at Rockview, and making an appropriation therefor.

He also, from the Committee on State Government reported as committed, Senate Bill No. 428, entitled:

An Act authorizing the Department of Property and Supplies, with the approval of the Governor, and the Board of Trustees of Danville State Hospital, to acquire certain tracts of land for the use of said hospital, and making an appropriation therefor.

Mr. CRIDER, from the Committee on Judiciary Special, reported as committed, House Bill No. 578, entitled:

An Act relating to chattel mortgages on livestock, farm machinery, farm equipment and crops, grown, growing or to be grown.

He also, from the Committee on State Government, reported as committed, Senate Bill No. 411, entitled:

An Act authorizing the Department of Property and Supplies, with the approval of the Governor and the Board of Trustees of the Philadelphia State Hospital, to acquire a certain tract of land for the use of said hospital, and making an appropriation therefor.

He also, from the Committee on State Government, reported as amended, House Bill No. 847, entitled:

An Act to amend the title and section four of the act, approved the thirty-first day of July, one thousand nine hundred forty-one (P. L. 644), entitled "National Defense Housing Law," by extending the limitation of the initiation of such projects from December thirty-first, one thou-

sand nine hundred forty-three, until December thirty-first, one thousand nine hundred forty-five.

Mr. MALLERY, from the Committee on Municipal Government, reported as committed, House Bill No. 835, entitled:

An Act to further amend section ten of the act, approved the twenty-first day of May, one thousand nine hundred and thirty-one (P. L. 149), entitled "Liquid Fuels Tax Laws," appropriating one-half cent per gallon of said tax for the maintenance, construction, reconstruction, resurfacing and improvement of roads, streets and bridges in certain political subdivisions.

Mr. WOODWARD, from the Committee on State Government reported as committed, House Bill No. 722, entitled:

An Act to amend section one of the act, approved the eighth day of July, one thousand nine hundred and nineteen (P. L. 782), entitled "An act providing that clerks assisting the registers of wills in the collection of inheritance taxes, in counties having a population of less than one million five hundred thousand inhabitants, shall be appointed and their compensation fixed by the Auditor General; and prescribing the method of their payment and that of other expenses incident to the collection of said taxes," by providing that the Secretary of Revenue shall appoint and fix the compensation of clerks assisting the register of wills in the collection of inheritance taxes in counties other than the first and second class and requiring the approval of the Secretary of Revenue to pay the compensation from such taxes.

He also, from the Committee on State Government, reported as committed, House Bill No. 751, entitled:

An Act to amend section twelve, and to further amend section fourteen, and to amend sections fifteen, eighteen, twenty-two, twenty-three, twenty-six, twenty-nine, thirty-one, thirty-six, forty and forty-two of the act, approved the twentieth day of June, one thousand nine hundred and nineteen (P. L. 521), entitled "Transfer Inheritance Tax Law," by providing for certification to the Secretary of Revenue as to the necessity for the appointment of expert appraisers or those possessed of tchnical knowledge and for the approval by the Secretary of Revenue of the appointment of such expert appraisers and of the statements rendered by them for compensation; and for the monthly transmittal by the Secretary of Revenue of the returns of such appraisers and the recording by him thereof; vesting in the Secretary of Revenue the powers of the register of wills in certain cases; requiring duplicate tax receipts and the bond and monthly return to be sent to the Secretary of Revenue; prohibiting transfer of stock without certificate from the Secretary of Revenue, and penalty for violation; providing for refunds for erroneous inheritance tax payments on proof of the Secretary of Revenue and for dismissal by the Secretary of Revenue of appraisers for accepting fees or rewards; vesting in the Secretary of Revenue the power to appoint and fix the compensation of additional appraisers or experts employed for appraisal purposes and for their payment; and providing further for the collection by the Secretary of Revenue of all inheritance taxes due the Commonwealth from nonresident decedents and making monthly reports thereon to the State Treasurer.

He also, from the Committee on State Government, reported as committed, House Bill No. 768, entitled:

An Act to amend sections four hundred seven and one thousand two hundred and one of the act, approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 343), entitled "Fiscal Code," to further reorganize the Departments of Revenue and of the Auditor General in such manner as to vest in the Department of Revenue the appointment, the fixing of the compensation; and the approval of the expense accounts and supervision of clerks, investigators, appraisers, expert appraisers, permanent appraisers, and other employes necessary to enable the registers of wills of the several counties to collect transfer inheritance taxes; vesting in the Secretary of Revenue the power to credit the commissions and other expenses and costs of certain accounting officers in the collection of the transfer inheritance tax.

Mr. WADE, from the Committee on State Government, reported as committed, House Bill No. 254, entitled:

An Act authorizing the Pennsylvania Historical Commission on behalf of the Commonwealth of Pennsylvania, to acquire, by gift, the Harmony Society Graveyard in the Borough of Ambridge, Pennsylvania, providing for the control, management and maintenance thereof; authorizing the Commission to make and enforce rules and regulations for the preservation, maintenance and visitation thereof.

He also, from the Committee on State Government, reported as committed, House Bill No. 395, entitled:

An Act to amend sections three and twenty-two and clause eighty-eight of section one hundred one of the act approved the twenty-eighth day of May one thousand nine hundred thirty-seven (P. L. 1019), entitled "Statutory Construction Act" further providing for the position of the enacting clause, and the preparation of laws for printing; and further defining the phrase "political subdivision."

He also, from the Committee on Constitutional Changes, reported as amended, Senate Bill No. 604, entitled:

A Joint Resolution proposing an amendment to section two, article twelve, of the Constitution of the Commonwealth of Pennsylvania.

He also, from the Committee on Constitutional Changes, reported as amended, Senate Bill No. 605, entitled:

A Joint Resolution proposing an amendment to section eighteen, article five, of the Constitution of the Commonwealth of Pennsylvania

Mr. THOMAS, from the Committee on Municipal Government, reported as committed, House Bill No. 467, entitled:

An Act to further amend the act, approved the fourth day of May, one thousand nine hundred twenty-seven (P. L. 519), entitled "General Borough Act," by prescribing the procedure to be followed by borough councils and officials in the adoption, as a single ordinance, of a consolidation, revision or codification of all the ordinance of such borough.

Mr. JAMES, from the Committee on Municipal Government, reported as committed, House Bill No. 364, entitled:

An Act to amend the title and to further amend sections one, two and three of the act, approved the twenty-first day of May, one thousand nine hundred and thirty-seven (P. L. 787), entitled "An act authorizing the compromise or reduction of tax claims on real property purchased by any county, city, borough, town, school district or poor district at any sale for the nonpayment of taxes; and the reconveyance or private sale of such property," giving each political subdivision having tax or municipal claims against any such real property, the right to petition court for a compromise agreement or sale authorized by the act

Mr. CHAPMAN from the Committee on Federal Relations to which was referred on April 14, 1943, the following resolution from the House of Representatives reported the same without amendment as follows, viz:

CONGRESS MEMORIALIZED TO FURNISH TRANSPORTATION TO PHILIPPINES AFTER CESSATION OF HOSTILITIES TO MEN WHO FORMED EXPEDITIONARY FORCE

In the House of Representatives, March 17, 1943.

After the discovery of the Philippine Archipelago four hundred years ago by Ferdinand Magellan and until 1898 the islands were held and ruled by Spain.

Following the sinking of the Maine in February, 1898, the declaration of war against Spain and the taking of Manila by Admiral Dewey, the Spanish Government ceased therein and was succeeded by United States Military Rule.

In June, 1898, the Filipinos proclaimed their independence with Auginaldo as President, and within less than a year which was marked by increased hostility toward the United States, the Melolos Consitution was proclaimed declaring the Philippines a Republic.

On the night of February 4th, 1899, the inevitable conflict between the Americans and the Filipinos was precipitated and Auginaldo declared war on the United States resulting in a struggle which was not terminated until the capture of Auginaldo by General Frederick Funston, two years later.

Many of the American soldiers who participated in quelling the Philippine insurrection and bringing peace to the islands and their inhabitants and delivering them from starvation, are alive today and are deeply interested in the freedom of the natives and their full and complete independence, which under the terms of the Tydings-McDuffie Act is scheduled to occur in 1945.

The seizure of the islands of Japan will not interfere with the realization of that dream by the Filipinos, for before the day fixed in 1945 for their independence the Japs will have been driven from the Islands and the loyal natives will be better equipped than before to take their place among the free peoples of the world.

Nothing could better serve to mark this epochal event than to have the men who delivered those islands from slavery in 1899 return as Ambassadors of Good Will to the new nation for whose existence they will in great measure have been responsible; therefore be it

Resolved (if the Senate concur), That the General Assembly of the Commonwealth of Pennsylvania hereby memorializes the Congress of the United States to take such measures as may be necessary to furnish free transportation on United States warships or other vessels to and from the Philippines as soon after the cessation of present hostilities as is possible to all those men who formed a part of the expeditionary force that made possible the freedom of the Filipinos and the creation of the new Republic of the Philippines; and be it further

Resolved, That copies of this resolution be transmitted by the Chief Clerk of the House to the President of the United States, the presiding officers of each House of the Congress of the United States and to each Senator and Representative from Pennsylvania in the Congress of the United States

which was laid on the table.

Mr. KEPHART, from the Committee on Judiciary Special re-reported as amended, Senate Bill No. 419, entitled:

An Act giving the consent of the Commonwealth of Pennsylvania to the acquisition by the United States of America of approximately twenty-one thousand acres of land in the County of Franklin, Commonwealth of Pennsylvania, known as the Letterkenny Ordnance Depot, and ceding jurisdiction to the United States.

He also, from the Committee on Judiciary Special, rereported as amended, Senate Bill No. 420, entitled:

An Act giving the consent of the Commonwealth of Pennsylvania to the acquisition by the United States of America of a tract of land in Lancaster County, Pennsylvania, known as the Marietta Holding and Reconsignment Point, and ceding jurisdiction to the United States.

He also, from the Committee on Judiciary Special, rereported as amended, Senate Bill No. 425, entitled:

An Act giving the consent of the Commonwealth of Pennsylvania to the acquisition by the United States of America of a tract of land in Crawford County, Pennsylvania, known as the Keystone Ordnance Plant, and ceding jurisdiction to the United States.

He also, from the Committee on Judiciary Special, rereported as amended, Senate Bill No. 430, entitled:

An Act giving the consent of the Commonwealth of Pennsylvania to the acquisition by the United States of America of a tract of land in the Thirty-eighth Ward, of the City of Philadelphia, Pennsylvania, known as the Philadelphia Signal Depot, and ceding jurisdiction to the United States

He also, from the Committee on Judiciary Special, rereported as amended, Senate Bill No. 445, entitled:

An Act giving the consent of the Commonwealth of Pennsylvania to the acquisition by the United States of America of a tract of land in the City and County of Philadelphia, Pennsylvania, known as the Philadelphia Armor Plate Plant, and ceding jurisdiction to the United States.

He also, from the Committee on Judiciary Special, rereported as amended, Senate Bill No. 452, entitled:

An Act giving the consent of the Commonwealth of Pennsylvania to the acquisition by the United States of America of two tracts of land in Lycoming and Union Counties, Pennsylvania, known as Pennsylvania Ordnance Works, and ceding jurisdiction to the United States.

He also, from the Committee on Judiciary Special, rereported as amended, Senate Bill No. 457, entitled:

An Act giving the consent of the Commonwealth of Pennsylvania to the acquisition by the United States of America of two tracts of land in the Forty-eighth Ward of the City of Philadelphia, Pennsylvania, known as the Philadelphia Quartermaster Depot, and ceding jurisdiction to the United States.

He also, from the Committee on Judiciary Special, rereported as amended, Senate Bill No. 500, entitled:

An Act giving the consent of the Commonwealth of Pennsylvania to the acquisition by the United States of America of two tracts of land in the City and County of Philadelphia, Pennsylvania, known as the Frankford Arsenal, and ceding jurisdiction to the United States.

He also, from the Committee on Judiciary Special, rereported as amended, Senate Bill No. 540, entitled:

An Act giving the consent of the Commonwealth of Pennsylvania to the acquisition by the United States of America of a tract of land in Montgomery County, Pennsylvania, known as the United States Naval Air Station, Hatboro Willow Grove, Pennsylvania, and ceding jurisdiction to the United States.

He also, from the Committee on Judiciary Special, rereported as amended, Senate Bill No. 545, entitled:

An Act giving the consent of the Commonwealth of Pennsylvania to the acquisition by the United States of America of a tract of land in Cumberland County, Pennsylvania, for a supply depot, known as the United States Naval Supply Depot, Mechanicsburg, Pennsylvania, and ceding jurisdiction to the United States.

Mr. STEVENSON, from the Committee on Municipal Government, reported as committed, House Bill No. 497, entitled:

An Act to further amend section one of article two, and section one of article ten, of the act, approved the seventh day of March, one thousand nine hundred and one (P. L. 20), entitled "Second Class City Law," abolishing the Department of Public Welfare of such cities; and transferring its powers and duties and records and certain city property to the county institution district of the county in which the city is located.

He also, from the Committee on Municipal Government, reported as committed, House Bill No. 498, entitled:

An Act to further amend section one hundred two, and to amend sections two hundred two and two hundred three of the act approved the twenty-fourth day of June, one thousand nine hundred thirty-seven, (P. L. 2017), entitled "County Institution District Law," abolishing city institution districts in cities of the second class; and transferring their powers and duties and their property to the county institution district of the county in which the city is located.

He also, from the Committee on Municipal Government, reported as committed, House Bill No. 571, entitled:

An Act empowering cities of the third class, boroughs, incorporated towns and townships to co-operate with each other, through joint agreement, in the exercise of their governmental powers, duties, and functions relating to the public health, recreation, zoning, and municipal planning.

Mr. DiSILVESTRO, from the Committee on Municipal Government, reported as committed, House Bill No. 989, entitled:

An Act to amend clause three of section thirteen of article nineteen of the act, approved the twenty-fifth day of June, one thousand nine hundred and nineteen (P. L. 581), entitled "First Class City Charter Law," by providing that persons certified by the Civil Service Commission as eligible for appointment or promotion to various positions who are prevented from accepting such appointment or promotion because of their entrance into the armed forces of the United States Government during time of war, shall be retained on a preferred eligible list for such appointments or promotions until two years after the termination of hostilities in such war.

Mr. WOODRING, from the Committee on Judiciary Special, reported as committed, House Bill No. 451, entitled:

An Act to add section seven and one-tenth to the act approved the sixteenth day of July one thousand nine hundred forty-one (P. L. 400) entitled "An act to protect the debtors, obligors or guarantors of debts for which judgments are entered, or may be entered, and owners of real property affected thereby, and others indirectly liable for the payment thereof, by prescribing the method of fixing the fair market value of such property sold on execution, and limiting the amount collectible thereafter on such judgments," providing for the entry of release and discharge of said judgments under certain circumstances.

RESOLUTION

RECOMMENDING THAT THE JOINT STATE GOVERNMENT COMMISSION MAKE A STUDY OF RE-APPORTIONMENT

Mr. WALKER offered the following resolution which was twice read as follows:

In the Senate of Pennsylvania, April 28, 1943.

Whereas, The Constitution of this Commonwealth requires that the State be divided into senatorial and representative districts following each United States decennial census; and

Whereas, No valid general reapportionment of the Commonwealth into senatorial or representative districts has been adopted by the General Assembly since the Session of 1921; and

Whereas, It is apparent that no such reapportionment can be adopted at the present session; therefore be it

Resolved, That the Senate hereby recommends to the Joint State Government Commission that it make a study of the general subject of dividing the State into senatorial districts and into representative districts, and report its findings and recommendations, together with drafts of appropriate bills for introduction, to the regular session of the General Assembly in 1945.

On the question,

Will the Senate agree to the resolution?

RESOLUTION LAID ON TABLE

Mr. WALKER. Mr. President, I move that the resolution which I just presented to the Senate be laid on the table.

Mr. JAMES. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

Mr. SHAPIRO. Mr. President, this resolution in my opinion has — — —

POINT OF ORDER

Mr. WALKER. Mr. President, I rise to a point of order.

The PRESIDENT. The gentleman from Allegheny will state his point of order.

Mr. WALKER. Mr. President, a motion to lay on the table is not debatable.

The PRESIDENT. The gentleman from Allegheny is correct.

Mr. SHAPIRO. I was going to state that perhaps some of the Senators did not hear this resolution read and I would like to have it read for the second time.

Mr. WALKER. Excuse me, Senator Shapiro.

The PRESIDENT. Does the gentleman from Philadelphia desire to have the resolution read again?

Mr. SHAPIRO. I am not surprised, Mr. President; the Republicans vote on everything now without ever hearing it.

The PRESIDENT. The resolution was read by the Clerk. Does the gentleman from Philadelphia wish to have the resolution again read?

Mr. SHAPIRO. Yes, Mr. President.

(The resolution was again read by the Clerk)

And the question recurring,

Will the Senate agree that the resolution be laid on the table?

It was agreed to.

TIME OF NEXT MEETING

Mr. LETZLER, offered the following resolution, which was twice read, considered and agreed to:

In the Senate, April 28, 1943.

Resolved (if the House of Representatives concur), That when the Senate adjourns this week it reconvene on Monday afternoon, May 3, 1943, at three o'clock; and when the House of Representatives adjourns this week it reconvene on Monday afternoon, May 3, 1943, at three o'clock.

Ordered, That the Clerk present the same to the House of Representatives for concurrence.

NOMINATIONS BY THE GOVERNOR

NOTARIES PUBLIC

The Secretary to the Governor being introduced, presented in writing from His Excellency, the Governor of the Commonwealth, nominations for appointment as Notaries Public.

CONSIDERATION OF NOTARIES PUBLIC

Mr. WATKINS. Mr. President, I move that the Senate do now proceed to the consideration of nominations for appointment as Notaries Public, sent to the Senate, by His Excellency, the Governor of the Commonwealth, on April 28, 1943.

Mr. LETZLER. Mr. President, I second the motion.

The motion was agreed to.

The nominations were read as follows:

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, April 28, 1943.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for appointment as Notaries Public, for terms of four years to compute from the date of confirmation:

BEAVER COUNTY

Mrs. Frances E. Cable, Potter Twp., Koppers United Co., Kobuta, P. O. Monaca.

LACKAWANNA COUNTY

Albert H. French, Moosic.

LEHIGH COUNTY

Mrs. Nell S. Williams, Allentown.

MONTGOMERY COUNTY

E. Foster Yerger, Royersford.

NORTHAMPTON COUNTY

Miss Bridella A. Weidner, Bangor.

PHILADELPHIA COUNTY

Miss Esther Daugherty, Phila., 339 W. Girard Ave.
Edw. Linsky, Phila., 116 S. 3rd St.

EDWARD MARTIN.

NOMINATIONS FOR NOTARIES PUBLIC

A motion was made by Mr. WATKINS and Mr. LETZLER, that the Senate do advise and consent to said nominations.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—45.

Barr,	Farrell,	Letzler,	Tallman,
Becker,	Geltz,	Mallery,	Taylor,
Bowers,	Gourley,	McCreesh,	Tyler,
Carr,	Haluska,	McGinnis,	Thomas,
Chapman,	Heyburn,	McQuiddy,	Wade,
Coleman,	Holland,	Ruth,	Walker,
Cox,	Homsher,	Scarlett,	Watkins,
Crider,	James,	Shapiro,	Wilson, H. I.,
Crowe,	Jaspan,	Snowden,	Wilson, T. B.,
Dent,	Jones,	Stevenson,	Woodring,
DiSilvestro,	Kephart,	Stiefel,	Woodward,
Ealy,			

NAYS—0.

Two-thirds of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Governor be informed accordingly.

CONSIDERATION OF EXECUTIVE NOMINATIONS

A motion was made by Mr. WATKINS and Mr. TYLER,

That the Senate do now resolve itself into Executive Session, for the purpose of considering the nominations of His Excellency, the Governor of the Commonwealth of Pennsylvania, which were laid on the table yesterday.

The motion was agreed to.

The Clerk read the nominations as follows:

MEMBER OF THE BOARD OF TRUSTEES LOCUST MOUNTAIN STATE HOSPITAL

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, April 26, 1943.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate William R. Miller, Park Place, Mahanoy City, Schuylkill County, for appointment as a member of the Board of Trustees of Locust Mountain State Hospital, for the term of four years, and until his successor is qualified, vice William Becker, deceased.

EDWARD MARTIN.

MEMBER OF THE SCHUYLKILL COUNTY BOARD OF ASSISTANCE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, April 26, 1943.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate James Redclift, Jr., (Republican) Maple Hill, Shenandoah, Schuylkill County, for appointment as a member of the Schuylkill County Board of Assistance, to serve until December 31, 1943, and until his successor is duly appointed and qualified, vice Andrew H. Riddle, deceased.

EDWARD MARTIN.

Whereupon,

A motion was made by Mr. WATKINS and Mr. EALY,

That the Senate do advise and consent to the nominations reported.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—45

Barr,	Farrell,	Letzler,	Tallman,
Becker,	Geltz,	Mallery,	Taylor,
Bowers,	Gourley,	McCreesh,	Thomas,
Carr,	Haluska,	McGinnis,	Tyler,
Chapman,	Heyburn,	McQuiddy,	Wade,
Coleman,	Holland,	Ruth,	Walker,
Cox,	Homsher,	Scarlett,	Watkins,
Crider,	James,	Shapiro,	Wilson, H. I.,
Crowe,	Jaspan,	Snowden,	Wilson, T. B.,
Dent,	Jones,	Stevenson,	Woodring,
DiSilvestro,	Kephart,	Stiefel,	Woodward,
Ealy,			

NAYS—0

Two-thirds of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Governor be informed accordingly.

EXECUTIVE SESSION RISES

Mr. WATKINS. Mr. President, I move that the Executive Session do now rise.

Mr. TAYLOR. Mr. President, I second the motion.

The motion was agreed to.

RECESS

Mr. HEYBURN. Mr. President, I move that the Senate do now take a short recess.

Mr. MALLERY. Mr. President, I second the motion.

The motion was agreed to.

Mr. HEYBURN. Mr. President, the purpose of holding this recess is in order that a meeting of the Committee on Education may be held in the office of the President Pro Tempore, and also a meeting of the Committee of Highways, to be held in the room in the rear of the Senate.

AFTER RECESS

The PRESIDENT. The time of recess having elapsed the Senate will be in order.

BILLS SIGNED

The PRESIDENT (Lieutenant-Governor John C. Bell, Jr.) announced that the Chief Clerk having reported that the following bills had passed both houses of the General Assembly and the same being correct, the titles were publicly read as follows:

House Bill No. 49, entitled:

An Act to amend the title and sections one to twelve, both inclusive, of the act, approved the nineteenth day of March, one thousand nine hundred forty-one (P. L. 3), entitled "State Council of Defense Act," changing the name of the Pennsylvania Reserve Corps to Pennsylvania State Guard.

Senate Bill No. 69, entitled:

A Supplement to the act, approved the eleventh day of May, one thousand nine hundred and five (P. L. 518) entitled "An act making an appropriation for the erection of a home or school for indigent orphans, to be called the Thaddeus Stevens Industrial and Reform School of Pennsylvania, in which school provision shall be made for giving instruction in reading, writing, arithmetic, drawing, duties of citizenship, elementary manual training, the elements of farming, and other requisite branches," authorizing the Thaddeus Stevens Industrial School to collect fees for board and tuition from certain special students.

Senate Bill No. 135, entitled:

An Act to amend section seven hundred sixteen of the act approved the third day of June, one thousand nine hundred thirty-seven, (P. L. 1225), entitled "An act concerning game and other wild birds and wild animals; and amending, revising, consolidating, and changing the law relating thereto," authorizing the sale and purchase of hides of lawfully killed deer under certain circumstances and making it unlawful to buy or sell raccoons for propagating purposes.

Senate Bill No. 178, entitled:

An Act to amend section one of the act, approved the twenty-ninth day of May, one thousand nine hundred and thirty-five (P. L. 244), entitled "An act creating a Local Government Commission to study and report on functions of local government; their allocation and elimination; the cost of local government and means of reducing it; and the consolidation of local government; and making an appropriation," fixing the terms of the members of said commission; providing for the filling of vacancies; and making an appropriation.

Senate Bill No. 246, entitled:

An Act to enable tax collectors and receivers of taxes in counties of the sixth class to make return to the county commissioners of unpaid taxes assessed on seated lands for certain years, and validating the liens of such taxes.

Senate Bill No. 261, entitled:

An Act to amend section one of the act, approved the fifth day of August, one thousand nine hundred and forty-one, (P. L. 826), entitled "An act authorizing the Department of Property and Supplies, with the approval of the Governor, to sell and convey certain plots of land," by correcting the location of the plot of land described in paragraph fourteen, and providing for the sale of certain additional plots of land.

Senate Bill No. 266, entitled:

An Act to provide for the publication of the reports of the decisions of the Supreme Court of Pennsylvania and of the Superior Court in bound volumes and in advance sheets; regulating the basis upon which bids shall be submitted and provisions of the contract for publication of such reports; conferring powers and imposing duties on the State Reporter, the Department of Property and Supplies and the Secretary of the Commonwealth; providing for the custody and disposition of plates used in the printing of the bound volumes of such reports and of the advance sheets thereof; and repealing certain acts and parts of acts.

Senate Bill No. 267, entitled:

An Act to authorize the State Reporter to waive the provisions of any existing contracts requiring volumes of the reports of the decisions of the Supreme Court of Pennsylvania or of the Superior Court to be stereotyped or electrotyped.

Senate Bill No. 309, entitled:

A Joint Resolution proposing an amendment to article nine of the Constitution of the Commonwealth of Pennsylvania by adding thereto a section.

PERMITTING INCREASE OF STATE DEBT

Senate Bill No. 312, entitled:

An Act to further amend section one thousand four hundred and thirty-nine of the act, approved the eighteenth day of May, one thousand nine hundred and eleven (P. L. 309), entitled "An act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws, general, special or local, or any parts thereof, that are or may be inconsistent therewith," by providing for payment for education of blind children out of appropriations made to the Department of Public Instruction for such purposes and conforming said section to existing law.

Senate Bill No. 341, entitled:

An Act to further amend section two of the act, approved the fourth day of June, one thousand nine hundred and fifteen (P. L. 828), entitled "An act to provide revenue by imposing a State tax upon sales or agreements to sell or memoranda of sales of stock, and upon deliveries or transfers of shares or certificates of stock in domestic and foreign corporations, copartnership associations, and joint-stock associations; providing the manner of collecting such tax and prescribing penalties," by further extending the exemptions from the tax imposed by the said act.

Senate Bill No. 401, entitled:

An Act to amend section five hundred twenty-five of the act, approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. one hundred seventy-seven), entitled, "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments, boards, commissions, and officers thereof, including the boards of trustees of State Normal Schools, or Teachers Colleges; abolishing, creating, reorganizing or authorizing the reorganization of certain administrative departments, boards, and commissions; defining the powers and duties of the Governor and other executive and administrative officers, and of the several administrative departments, boards, commissions, and officers; fixing the salaries of the Governor, Lieutenant-Governor, and certain other executive and administrative officers; providing for the appointment of certain administrative officers, and of all deputies and other assistants and employes in certain departments, boards, and commissions; and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments, boards and commissions shall be determined," as amended, by making provision for the destruction of certain records in the various administrative departments, boards or commissions, after such records have been first microfilmed.

Senate Bill No. 453, entitled:

An Act transferring money received from the sale of certain real estate and paid into the General Fund from the General Fund to the Motor License Fund.

Senate Bill No. 474, entitled:

An Act providing that the proceeds of the sale of real estate owned by the Commonwealth, together with the rentals derived therefrom, shall be repaid to and credited to the proper special fund, from which the funds to purchase said real estate were taken.

House Bill No. 544, entitled:

An Act to reenact and amend the title and the act, approved the fourteenth day of June, one thousand nine hundred thirty-five (P. L. 341), entitled, as amended, "Cigarette Tax Act," as previously re-enacted and amended, by extending the provisions of the act for a further limited period of time.

House Bill No. 626, entitled:

An Act to validate and confirm certain contracts heretofore entered into by Boards of Township Supervisors, where the Township has received in maintenance and improvement of its highways a reasonable quid pro quo for such contracts; and to authorize, ratify, confirm and validate payments on such contracts by the Township; and to provide that no Township Supervisor shall be subject to surcharge for payments made on any such contract.

Whereupon,

The PRESIDENT (Lieutenant-Governor John C. Bell, Jr.) in the presence of the Senate signed the same.

HOUSE MESSAGES

HOUSE CONCURS IN AMENDMENTS TO SENATE BILL No. 112 RECALLED FROM THE GOVERNOR

The Clerk of the House of Representatives being introduced, informed the Senate that the House has concurred in amendments made by the Senate to Senate Bill No. 112, entitled:

An Act providing for the retention on the several permanent personal registration lists of electors of the names of persons who are members of any branch of the armed forces of the United States or of any uniformed organization of women officially connnected therewith providing for proof of such membership prescribing penalties for making false statements in connection therewith prohibiting cancellation of registration for failure to vote during this period and suspending inconsistent laws during the effective period of the act

Said bill having been recalled from the Governor for the purpose of amendment. The votes had on final passage and third reading were reconsidered in the Senate and the bill amended.

HOUSE CONCURS IN AMENDMENTS TO HOUSE BILL No. 546

He also presented communication from the House of Representatives informing the Senate that the House has concurred in amendments made by the Senate to House Bill No. 546, entitled:

An Act to reenact and amend the title and the act, approved the sixteenth day of May, one thousand nine hundred and thirty-five (P. L. 208), entitled, as amended, "Corporate, Net Income Tax Act," as previously reenacted and amended, by extending the provisions of the act for a further limited period of time; by further defining net income; authorizing the Department of Revenue to grant an additional extension of time for filing reports; changing the method of reporting in certain cases; and reducing the interest penalty on unpaid taxes.

COMMUNICATION FROM THE GOVERNOR

The Secretary to the Governor being introduced presented communication in writing from His Excellency, the Governor of the Commonwealth, which was read as follows:

APPROVED AND SIGNED SENATE CONCURRENT RESOLUTION RECALLING SENATE BILL No. 272, PRINTER'S No. 245

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, April 28, 1943.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed Senate Concurrent Resolution recalling from the Governor Senate Bill No. 272, Printer's No. 245, for the purpose of amendment.

Accordingly, the original bill is herewith returned.

EDWARD MARTIN.

SENATE BILL No. 272, PRINTER'S No. 245 CALLED UP

Mr. WALKER. Mr. President, I call up for action at this time Senate Bill No. 272, Printer's No. 245, recalled from the Governor for the purpose of amendment.

RECONSIDERATION OF SENATE BILL No. 272

Mr. WALKER. Mr. President, I move that the Senate do now reconsider the vote by which Senate Bill No. 272, entitled:

An Act to apportion the Commonwealth of Pennsylvania into congressional districts

passed finally.

The PRESIDENT. How did the Senator vote?

Mr. WALKER. Mr. President, I voted "aye."

Mr. GELTZ. Mr. President, I second the motion.

The PRESIDENT. How did the Senator vote?

Mr. GELTZ. Mr. President, I voted "aye."

The motion was agreed to.

And the question recurring,

Shall the bill pass finally?

Mr. WALKER. Mr. President, I move to reconsider the vote by which the bill passed third reading.

The PRESIDENT. How did the Senator vote?

Mr. WALKER. Mr. President, I voted "aye."

Mr. GELTZ. Mr. President, I second the motion.

The PRESIDENT. How did the Senator vote?

Mr. GELTZ. Mr. President, I voted "aye."

The motion was agreed to.

And the question recurring,

Will the Senate agree to the bill on third reading?

BILL RECOMMITTED

Mr. WALKER. Mr. President, I move that Senate Bill No. 272 be recommitted to the Committee on Congressional Reapportionment, for the purpose of amendment.

Mr. McGINNIS. Mr. President, I second the motion.

The motion was agreed to.

RECESS

Mr. WALKER. Mr. President, I move that the Senate do now take a short recess for a meeting of the Committee on Congressional Reapportionment.

Mr. GELTZ. Mr. President, I second the motion.

The motion was agreed to.

AFTER RECESS

The PRESIDENT. The time of recess having elapsed the Senate will be in order.

REPORTS FROM COMMITTEES

Mr. CRIDER. Mr. President, I move that the Senate do now return to the order of business of Reports of Committees at this time.

Mr. JASPAN. Mr. President, I second the motion.

The motion was agreed to.

Mr. CRIDER, from the Committee on Congressional Reapportionment, re-reported as amended, Senate Bill No. 272, entitled:

An Act to apportion the Commonwealth of Pennsylvania into congressional districts.

Mr. JASPAN, from the Committee on Finance, reported as committed, House Bill No. 317, entitled:

An Act to further amend section two of the act, approved the fourth day of June, one thousand nine hundred and fifteen (P. L. 828), entitled "An act to provide revenue by imposing a State tax upon sales or agreements to sell or memoranda of sales of stock, and upon deliveries or transfers of shares or certificates of stock in domestic and foreign corporations, co-partnership associations, and joint-stock associations; providing the manner of collecting such tax, and prescribing penalties," by further extending the exemptions from the tax imposed by the said act.

Mr. KEPHART, from the Committee on Agriculture, reported as committed, Senate Bill No. 629, entitled:

An Act to amend the title and sections one and fourteen of the act approved the fourth day of April, one thousand nine hundred twenty-nine (P. L. 144) entitled "An act prescribing the powers and duties of the Department of Agriculture with regard to farm products; providing for co-operation with the Department of Internal Affairs to establish standard receptacles for farm products; authorizing the Department of Agriculture to establish and promulgate standards for the grade and other classification of farm products, and to promulgate regulations for the enforcement thereof; defining farm products to include agricultural, horticultural, vegetable, fruit, and floricultural products of the soil, live stock and meats, wool hides, poultry, eggs, dairy products, nuts, mushrooms, and honey; and providing penalties," by further defining farm products and placing canned farm products within the terms of the act.

He also, from the Committee on Highways, reported as amended, Senate Bill No. 519, entitled:

An Act establishing as state highways certain county highways, and requiring their construction, repair and maintenance as such

Mr. SHAPIRO, from the Committee on Education, reported as amended, House Bill No. 55, entitled:

An Act to amend section two hundred fourteen of the act, approved the eighteenth day of May, one thousand nine hundred eleven (P. L. 309), entitled "Public School Code," providing for temporary filling of vacancies on boards of school directors in districts of the second, third and fourth class, caused by induction or enlistment in the military or naval forces of the United States in time of war.

Mr. STEVENSON, from the Committee on Municipal Government, reported as amended, House Bill No. 590, entitled:

An Act requiring political subdivisions to refund taxes and license fees erroneously and inadvertently paid thereto, and giving a right of action against such political subdivision for the recovery of such taxes and fees upon their failure to make such refunds, making the provisions of the act retroactive and repealing existing laws.

Mr. THOMAS, from the Committee on County Government, reported as committed, Senate Bill No. 355, entitled:

An Act to amend section three of the act, approved the twenty-seventh day of May, one thousand eight hundred forty-one (P. L. 400), entitled "An act relating to the election of county treasurers, and for other purposes," by changing certain provisions as to the ineligibility of certain county officers to election as county treasurer.

He also, from the Committee on County Government, reported as committed, House Bill No. 488, entitled:

An Act authorizing the Secretary of Highways, at the request of and under agreement with, the Public Roads Administration of the United States, to lay out, establish,

construct and maintain flight strips and roads to the sites of war activities or to replace roads or streets which have been closed by defense or military activities and to condemn property for such purposes; authorizing a width of two hundred feet for such roads in certain cases, and making appropriations.

Mr. HALUSKA, from the Committee on Education, reported as committed, Senate Bill No. 461, entitled:

An Act to amend the act approved the eighteenth day of May, one thousand nine hundred and eleven (P. L. 309), entitled "An act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws, general, special or local, or any parts thereof, that are or may be inconsistent therewith," by providing and regulating the release of pupils from the public schools for religious instruction.

He also, from the Committee on Education, reported as committed, Senate Bill No. 551, entitled:

An Act authorizing the Department of Public Instruction with the approval of the Board of Trustees of the Kutztown State Teachers College to contract with the Borough of Kutztown for the right to connect the said college with the borough sewer system and the payment of a part of the cost of construction of such sewer system, and making an appropriation.

He also, from the Committee on Education, reported as committed, Senate Bill No. 315, entitled:

An Act to further amend section sixteen of the act, approved the eleventh day of April, one thousand eight hundred sixty-two (P. L. 471), entitled "A further supplement to the act, entitled 'An act for the regulation and continuance of a system of education by common schools,' approved the eighth day of May, one thousand eight hundred and fifty-four," clarifying and providing for the computation of cost of tuition for pupils from without the school district in certain cases.

He also, from the Committee on Education, reported as committed, House Bill No. 360, entitled:

An Act to further amend the first three paragraphs of section one thousand two hundred one of the act approved the eighteenth day of May, one thousand nine hundred eleven, (P. L. 309), entitled "Public School Code," making wartime emergency provisions for substitute teachers.

Mr. CROWE, from the Committee on Education, reported as amended, House Bill No. 816, entitled:

An Act providing temporary increases in the salaries of certain members of the teaching and supervisory staffs of school districts; authorizing additional appropriations and temporary loans therefor; and requiring the Commonwealth to reimburse school districts for the full amount of such increases.

He also, from the Committee on Education, reported as amended, House Bill No. 770, entitled:

An Act to further amend section four of the act, approved the first day of May, one thousand nine hundred and thirteen (P. L. 138), entitled "Vocational Education Law," by adding clause (d), providing for future rehabilitation programs in public schools.

Mr. BOWERS, from the Committee on Education, reported as committed, Senate Bill No. 363, entitled:

An Act to further amend section one thousand four hundred thirteen of the act approved the eighteenth day of May, one thousand nine hundred eleven (P. L. 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws, general, special or local, or any parts thereof, that are or may be inconsistent therewith" by changing the period covered by reports of boards of school directors and the provisions for institutions in which blind or deaf children may be educated.

Mr. McGINNIS, from the Committee on Highways, reported as committed, House Bill No. 56, entitled:

An Act authorizing the Department of Highways and counties, cities, boroughs, towns and townships to adopt and take over as public roads and highways, certain highways taken over, located, extended or constructed by the Federal Government or any agency thereof in the exercise of the war power; and providing the procedure therefor.

Mr. BECKER, from the Committee on Education, reported as committed, House Bill No. 361, entitled:

An Act to amend section six hundred fifteen of the act approved the eighteenth day of May one thousand nine hundred eleven (P. L. 309), entitled "Public School Code," as last amended by the Act of July eight, one thousand nine hundred forty-one (P. L. 287), by changing the requirement for approval of emergency reconstruction and repairs of school buildings.

He also from the Committee on Education, reported as committed, House Bill No. 929, entitled:

An Act creating a commission to study the method of participation by the Commonwealth and local school districts in the maintenance of a thorough and efficient system of public school, prescribing its powers and duties, and making an appropriation.

Mr. LETZLER, from the Committee on Education, reported as committed, Senate Bill No. 26, entitled:

An Act providing for the payment of moneys to school districts of the fourth class, the taxes of which have been reduced by the acquisition of certain lands and property by the Commonwealth.

He also, from the Committee on Education, reported as committed, House Bill No. 624, entitled:

An Act to further amend section two thousand six hundred twenty-three of the act, approved the eighteenth day of May, one thousand nine hundred eleven (P. L. 309), entitled "Public School Code" by providing for the fixing of the compensation of the controller auditing the accounts of second and third class school districts.

Mr. RUTH, from the Committee on Education, reported as amended, Senate Bill No. 369, entitled:

An Act to amend section five hundred thirty-six of the act approved the eighteenth day of May, one thousand nine hundred eleven, (P. L. 309), entitled "An act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws, general, special or local, or any parts thereof, that are or may be inconsistent therewith," making further provision for the fiscal year in school districts of the second class.

He also, from the Committee on Education, reported as committed, Senate Bill No. 426, entitled:

An Act to further amend section one thousand four hundred four of the act, approved the eighteenth day of May. on thousand nine hundred eleven (P. L. 309), entitled "An act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws, general, special or local, or any parts thereof, that are or may be inconsistent therewith," by authorizing boards of school directors to enter into contracts with the approval of the Department of Public Instruction whereby transportation is furnished by boards having facilities therefor to pupils of other boards in return for such payments by such other boards as may be agreed upon; and providing that the entrance into any such contract shall not affect or limit the right of any board of school directors to receive reimbursement from the Commonwealth under any act of assembly for the cost of transporting pupils.

He also, from the Committee on Education, reported as committed, Senate Bill No. 581, entitled:

An Act to further amend section one thousand seven hundred seven of the act, approved the eighteenth day of May, one thousand nine hundred eleven (P. L. 309), entitled "An act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws, general special or local, or any parts thereof, that are or may be inconsistent therewith," by allowing certain pupils to attend schools in other districts.

Mr. FARRELL, from the Committee on Education, reported as committed, House Bill No. 725, entitled:

An Act to amend paragraph seven A of section one thousand two hundred ten of the act, approved the eighteenth day of May, one tnousand nine hundred and eleven (P. L. 309), entitled "Public School Code," by regulating salaries of continuation teachers in first class districts

He also, from the Committee on Education, reported as committed, House Bill No. 711, entitled:

An Act to further amend section one thousand one hundred twenty-six of the act approved the eighteenth day of May, one thousand nine hundred eleven, (P. L. 309), entitled "Public School Code," by further providing for the appointment of assistant county superintendents

Mr. DENT, from the Committee on Highways, reported as amended, House Bill No. 1003, entitled:

An Act authorizing and directing the Department of Highways to erect and maintain, as a post war construction project, a toll bridge over the Allegheny River between a point in or near the Borough of Tarentum, Allegheny County, and a point in Westmoreland County, and to provide the necessary approaches and connections with State highways; providing for the acceptance of Federal aid empowering counties to pay certain damages; providing for the collection of tolls on such bridge; and making an appropriation.

Mr. GELTZ, from the Committee on Finance, reported as committed, House Bill No. 523, entitled:

An Act to amend subsection (c) of section twelve hundred three of the act, approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 343), entitled "Fiscal Code," by excepting therefrom the transfer of stock assigned by a decedent before his death as collateral security for a loan and requiring the holder of such stock to report concerning the sale thereof to the Department of Revenue.

He also, from the Committee on Military Affairs, rereported as amended, House Bill No. 134, entitled:

An Act to further amend section eleven of the act approved the thirteenth day of May one thousand nine hundred twenty-five (P. L. 644) entitled "An act relating to and regulating the solictation of moneys and property for charitable religious benevolent humane and patriotic purposes" by providing that said act shall apply to certain war veterans' organizations or the subordinate units thereof

He also, from the Committee on Military Affairs, reported as committed, Senate Bill No. 566, entitled:

An Act to further amend section one of the act, approved the twenty-second day of June, one thousand nine hundred thirty-one (P. L. 662), entitled "An act relating to retirement from the Pennsylvania National Guard," by providing that Colonels having certain service shall be placed on retired list as Brigadier Generals.

He also, from the Committee on Military Affairs, reported as committed, Senate Bill No. 462, entitled:

An Act making an appropriation to the State Veterans' Commission for the expenses of the commission; furnishing certain assistance to needy Pennsylvania veterans of any war or their dependents; for participation in certain defense activities and for the rehabilitation and care of veterans, including the acquisition of land and construction of buildings for such purpose.

He also, from the Committee on Military Affairs, reported as committed, House Bill No. 569, entitled:

An Act to amend section eleven of the act approved the fifth day of June, one thousand nine hundred forty-one (P. L. 84), entitled "An act providing for and regulating the appointment, promotion and reduction in rank, suspension and removal of paid members of the police force in boroughs, incorporated towns and townships of the first class maintaining a police force of not less than three members; creating a civil service commission in each borough. incorporated town and township of the first class; defining the duties of such civil service commission; imposing certain duties and expense on boroughs, incorporated towns and townships of the first class; imposing penalties. and repealing inconsistent laws," providing for preference under preexisting law in favor of war veterans.

He also, from the Committee on Military Affairs, reported as committed, House Bill No. 572, entitled:

An Act providing for fresh pursuit by military forces, and authorizing this state to cooperate with other states therein.

He also, from the Committee on Military Affairs, reported as committed, House Bill No. 289, entitled:

An Act to amend section eight of the act, approved the nineteenth day of March, one thousand nine hundred forty-one (P. L. 3), entitled "State Council of Defense Act," providing compensation for officers and enlisted men in said Pennsylvania Reserve Defense Corps for armory drills.

Mr. RUTH, from the Committee on Education, reported as amended, Senate Bill No. 550, entitled:

An Act to further amend sections three and four of the act, approved the thirteenth day of May, one thousand

nine hundred twenty-seven (P. L. 988), entitled "An act providing for and regulating the State registration of nurses and licensed attendants, the annual recording of registration certificates; and regulating the profession of nursing; and repealing certain existing laws," by temporarily changing qualifications for registration.

Mr. GELTZ from the Committee on Military Affairs to which was referred on April 21, 1943, the following resolution from the House of Representatives reported the same without amendment as follows, viz:

AMERICANISM DAY

In the House of Representatives, April 15, 1943.

For many years this country and the world at large has observed May first as May Day and at different places the observance has been marked by various kinds of celebrations

At times these celebrations have resulted in demonstrations against organized government

In 1932 the American Legion in Fayette County inaugurated a new kind of observance of the day by staging a parade of Americanism which has grown each year into an event of first importance

The participation in the celebration of this day by patriotic societies veterans' organizations and other organizations cannot help but make it throughout the Commonwealth a day to awaken new pride in our American institutions therefore be it

Resolved (if the Senate concur) That the General Assembly of the Commonwealth of Pennsylvania urges the setting aside of May first as Americanism Day and urges upon all patriotic veteran fraternal and civic organizations the planning of its celebration in such a manner as will bring to the people of the Commonwealth a full realization of the benefits and privileges and blessings that come to them through the continuance of our American form of government and be it further

Resolved, That the Governor of the Commonwealth is hereby urged to issue his proclamation further urging the people of the Commonwealth to join in a real American celebration of Americanism Day.

Which was laid on the table.

BILLS ON CONCURRENCE IN HOUSE AMENDMENTS RECALLED FROM THE GOVERNOR

Agreeably to order,

The Senate resumed the consideration of House Bill No. 462, entitled:

An Act authorizing in certain cases the renewal of old motor vehicle operators' licenses for persons honorably discharged from the armed forces of the United States or from any women's organization officially connected therewith without a learners permit examination or additional fee and while in such service the operation of motor vehicles without operator's license or motor vehicle registrations and the temporary suspension of existing laws requiring the same.

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Will the Senate concur in the same?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—44

Barr,	Ealy,	Kephart,	Stiefel,
Becker,	Farrell,	Letzler,	Tallman,
Bowers,	Geltz,	Mallery,	Thomas,
Carr,	Gourley,	McCreesh,	Tyler,
Chapman,	Haluska,	McGinnis,	Wade,
Coleman,	Heyburn,	McQuiddy,	Walker,
Cox,	Holland,	Ruth,	Watkins,
Crowe,	Homsher,	Scarlett,	Wilson, H. I.,
Deitrick,	James,	Shapiro,	Wilson, T. B.,
Dent,	Jaspan,	Snowden,	Woodring,
DiSilvestro,	Jones,	Stevenson,	Woodward,

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

Agreeably to order,

The Senate resumed the consideration of House Bill No. 644, entitled:

An Act to further amend sections five hundred and eleven and six hundred and ten of the act, approved the first day of May, one thousand nine hundred and twenty-nine (P. L. 1005), entitled "An act relating to and regulating tractors and trailers and their operation; providing for their registration, and the licensing of certain operators by the Department of Revenue upon payment of prescribed fees; prescribing and limiting the powers of local authorities to deal with the subject matter of this act; conferring powers and imposing duties upon the Department of Revenue, the Department of Highways, peace officers, mayors, burgesses, magistrates, aldermen, justices of the peace, the courts and the clerks thereof, owners of tractors and trailers; providing that records are admissible as evidence; imposing upon owners, counties, cities, boroughs, incorporated towns, and townships, within the Commonwealth, liability for damages caused by the negligent operation of tractors and trailers; imposing penalties; imposing certain costs upon counties; providing for the disposition of fines, forfeitures, fees, and miscellaneous receipts; making an appropriation; and providing for refunds," authorizing the issuance of special permits for the operation upon the highways of oversize and overweight quarry equipment and machinery; and fixing fees therefor.

And amendments made thereto having been printed as required by the Constitution,

On the question,

Will the Senate concur in the same?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—44

Barr,	Ealy,	Kephart,	Stiefel,
Becker,	Farrell,	Letzler,	Tallman,
Bowers,	Geltz,	Mallery,	Thomas,
Carr,	Gourley,	McCreesh,	Tyler,
Chapman,	Haluska,	McGinnis,	Wade,
Coleman,	Heyburn,	McQuiddy,	Walker,
Cox,	Holland,	Ruth,	Watkins,
Crowe,	Homsher,	Scarlett,	Wilson, H. I.,
Deitrick,	James,	Shapiro,	Wilson, T. B.,
Dent,	Jaspan,	Snowden,	Woodring,
DiSilvestro,	Jones,	Stevenson,	Woodward,

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

Agreeably to order,

The Senate resumed the consideration of House Bill No. 694, entitled:

An Act to amend sections one five seven nine and twelve and to repeal section six of the act approved the

twenty-seventh day of May one thousand nine hundred and thirty-seven (P. L. 901) entitled "An act for the protection of producers of farm produce providing for the licensing the bonding or holding collateral of and the regulation of certain dealers in farm produce as herein defined within this Commonwealth conferring powers and imposing duties on the Department of Agriculture providing for appeals and injunctions and prescribing penalties" by changing definitions the period of the license and the fee therefor and the contents of records eliminating the requirement for a bond and adding to the reasons for refusing licenses.

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Will the Senate concur in the same?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—44

Barr,	Ealy,	Kephart,	Stiefel,
Becker,	Farrell,	Letzler,	Tallman,
Bowers,	Geltz,	Mallery,	Thomas,
Carr,	Gourley,	McCreesh,	Tyler,
Chapman,	Haluska,	McGinnis,	Wade,
Coleman,	Heyburn,	McQuiddy,	Walker,
Cox,	Holland,	Ruth,	Watkins,
Crowe,	Homsher,	Scarlett,	Wilson, H. I.,
Deitrick,	James,	Shapiro,	Wilson, T. B.,
Dent,	Jaspan,	Snowden,	Woodring,
DiSilvestro,	Jones,	Stevenson,	Woodward,

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

Agreeably to order,

The Senate resumed the consideration of Senate Bill No. 37, entitled:

An Act to amend section five hundred forty of the act approved the twenty-third day of June one thousand nine hundred and thirty-one (P. L. 932) entitled "An act relating to cities of the third class and amending revising and consolidating the law relating thereto" further regulating the adjustment of indebtedness where part of a township is annexed to a city of the third class.

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Will the Senate concur in the same?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—45

Barr,	Ealy,	Kephart,	Stiefel,
Becker,	Farrell,	Letzler,	Tallman,
Bowers,	Geltz,	Mallery,	Thomas,
Carr,	Gourley,	McCreesh,	Tyler,
Chapman,	Haluska,	McGinnis,	Wade,
Coleman,	Heyburn,	McQuiddy,	Walker,
Cox,	Holland,	Ruth,	Watkins,
Crider,	Homsher,	Scarlett,	Wilson, H. I.,
Crowe,	James,	Shapiro,	Wilson, T. B.,
Deitrick,	Jaspan,	Snowden,	Woodring,
Dent,	Jones,	Stevenson,	Woodward,
DiSilvestro,			

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

Agreeably to order,

The Senate resumed the consideration of Senate Bill No. 39, entitled:

An Act to amend section seven hundred seventeen of the act approved the fourth day of May one thousand nine hundred and twenty-seven (P. L. 519) entitled "An act concerning boroughs and revising amending and consolidating the law relating to boroughs" further regulating the adjustment of liabilities and property where part of a township is annexed to a borough.

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Will the Senate concur in the same?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—45

Barr,	Ealy,	Kephart,	Stiefel,
Becker,	Farrell,	Letzler,	Tallman,
Bowers,	Geltz,	Mallery,	Thomas,
Carr,	Gourley,	McCreesh,	Tyler,
Chapman,	Haluska,	McGinnis,	Wade,
Coleman,	Heyburn,	McQuiddy,	Walker,
Cox,	Holland,	Ruth,	Watkins,
Crider,	Homsher,	Scarlett,	Wilson, H. I.,
Crowe,	James,	Shapiro,	Wilson, T. B.,
Deitrick,	Jaspan,	Snowden,	Woodring,
Dent,	Jones,	Stevenson,	Woodward,
DiSilvestro,			

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

BILLS ON FINAL PASSAGE

BILL OVER IN ORDER

Mr. HEYBURN. Mr. President, I ask unanimous consent that House Bill No. 545, on final passage entitled:

An Act to further amend section four of the act approved the twenty-first day of May one thousand nine hundred thirty-one (P. L. 149) entitled "An act imposing a State tax payable by those herein defined as distributors on liquid fuels used or sold and delivered within the Commonwealth which are ordinarily practically and commercially usable in internal combustion engines for the generation of power providing for the collection and lien of the tax and the distribution and use of the proceds thereof requiring such distributors to secure permits to file corporate surety bonds and reports and to retain certain records imposing duties on retail dealers common carriers county commissioners and such distributors providing for rewards imposing certain costs on counties conferring powers and imposing duties on certain State officers and departments providing for refunds imposing penalties and making an appropriation" by imposing and continuing the additional emergency tax on liquid fuels for a further limited period of time

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Agreeably to order,

The Senate resumed the consideration of House Bill No. 547, as follows:

An Act to further amend the act approved the first day of June one thousand eight hundred eighty-nine (P. L. 420) entitled "A further supplement to an act entitled 'An act to provide revenue by taxation' approved the seventh day of June Anno Domini one thousand eight hundred and seventy-nine" by increasing for a further limited period of time the rate of tax imposed by the act upon the gross receipts of certain companies limited partnerships associations joint-stock associations copartnerships and persons and by further defining the gross receipts tax liability of companies limited partnerships associations joint stock associations copartnerships and persons engaged in the sale of electric energy

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section twenty-three of the act approved the first day of June one thousand eight hundred eighty-nine (P. L. 420) entitled "A further supplement to an act entitled 'An act to provide revenue by taxation' approved the seventh day of June Anno Domini one thousand eight hundred and seventy-nine" as last amended by the act approved the twenty-ninth day of May one thousand nine hundred forty-one (P. L. 72) is hereby further amended to read as follows

Section 23 That every railroad company pipe line company conduit company steamboat company canal company slack water navigation company transportation company and every other company association, joint-stock association or limited partnership now or hereafter incorporated or organized by or under any law of this Commonwealth or now or hereafter organized or incorporated by any other State or by the United States or any foreign government and doing business in this Commonwealth and every copartnership person or persons owning operating or leasing to or from another corporation company association joint-stock association limited partnership copartnership person or persons any railroad pipe line conduit steamboat canal slack water navigation or other device for the transportation of freight passengers baggage or oil except taxicabs motor busses and motor omnibuses and every limited partnership association joint-stock association corporation or company engaged in or hereafter engaged in the transportation of freight or oil within this State and every telephone company telegraph company express company electric light company water-power company hydro-electric company palace car company and sleeping car company now or hereafter incorporated or organized by or under any law of this Commonwealth or now or hereafter organized or incorporated by any other State or by the United States or any foreign government and doing business in this Commonwealth and every limited partnership association joint-stock association copartnership person or persons engaged in telephone telegraph express electric light and power water-power hydro-electric palace car or sleeping car business in this Commonwealth shall pay to the State Treasurer through the Department of Revenue a tax of fourteen mills for the six months' periods ending June thirtieth one thousand nine hundred thirty-five December thirty-first one thousand nine hundred thirty-five and June thirtieth one thousand nine hundred thirty-six and twenty mills for the six months' periods ending December thirty-first one thousand nine hundred thirty-six June thirtieth and December thirty-first one thousand nine hundred thirty-seven June thirtieth and December thirty-first one thousand nine hundred thirty-eight June thirtieth and December thirty-first one thousand nine hundred thirty-nine June thirtieth and December thirty-first one thousand nine hundred forty June thirtieth and December thirty-first one thousand nine hundred forty-one [and] June thirtieth and December thirty-first one thousand nine hundred forty-two and June thirtieth and December thirty-first one thousand nine hundred forty-three and fourteen mills for the six months' periods ending June thirtieth and December thirty-first one thousand nine hundred and forty-four and eight mills thereafter upon the dollar of the gross receipts of said corporation company or association limited partnership joint-stock association copartnership person or persons received from passengers baggage and freight transported wholly within this State from telegraph or telephone messages transmitted wholly within the State from express palace car or sleeping car business done wholly within this State or from electric light and power water-power and hydro-electric business except gross receipts derived from sales for resale of electric energy to persons partnerships associations corporations or political subdivisions subject to the tax imposed by this act upon gross receipts derived from such resale and from the transportation of oil done wholly within the State The said tax shall be paid within the time prescribed by law for the payment of taxes settled by the Department of Revenue and for the purpose of ascertaining the amount of the same it shall be the duty of the treasurer or other proper officer of the said company copartnership limited partnership association joint-stock association or corporation or person or persons to transmit to the Department of Revenue on or before the first days of February and August of each year a statement under oath or affirmation of the amount of gross receipts of the said companies copartnerships corporations associations joint-stock associations limited partnerships person or persons derived from all sources and of gross receipts from business done wholly within the State during the period of six months immediately preceding the first days of January and July of each year The time for filing reports may be extended estimated settlements may be made by the Department of Revenue if reports are not filed and the penalties for failing to file reports and pay the tax shall be as prescribed by the laws defining the powers and duties of the Department of Revenue Provided That in any case where the works of any corporation company copartnership association joint-stock association limited partnership person or persons are operated by another corporation company copartnership association joint-stock association limited partnership person or persons the taxes imposed by this section shall be apportioned between the said corporations companies copartnerships associations joint-stock associations limited partnerships person or persons in accordance with the terms of their respective leases or agreements but for the payment of the said taxes the Commonwealth shall first look to the corporation company copartnership association joint-stock association limited partnership person or persons operating the works and upon payment by the said company corporation copartnership association joint-stock association limited partnership person or persons of a tax upon the receipts as herein provided derived from the operation thereof no other corporation company copartnership association joint-stock association limited partnership person or persons shall be held liable under this section for any tax upon the proportion of said receipts received by said corporation company copartnership association joint stock association limited partnership person or persons for the use of said works

This act shall be construed to apply to municipalities and to impose a tax upon the gross receipts derived from any municipally owned and operated public utility or from any public utility service furnished by any municipality to the extent of such gross receipts as are derived from business done outside the limits of the municipality operating the public utility service

Section 2 This act shall become effective immediately upon its final enactment

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

Mr. JASPAN. Mr. President, last Monday night I believe I voiced my objection to this bill and I do not intend to discuss it at length any further, but I do want to bring this thought home, that if this bill were designed, or at least if the proposed savings under this bill would result in a reduction of rates to the consumers, I would un-

hesitatingly vote for it. However, I am inclined to believe that this bill is designed to further enrich the already overloaded coffers of the power companies and, therefore, I intend to vote against it and I also ask my Democratic colleagues on this side to vote against it.

And the question recurring,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—30

Becker,	Farrell,	Mallery,	Tyler,
Bowers,	Geltz,	Scarlett,	Wade,
Carr,	Heyburn,	Snowden,	Walker,
Chapman,	Homsher,	Stevenson,	Watkins,
Crider,	James,	Tallman,	Wilson, H. I.,
Crowe,	Jones,	Taylor,	Wilson, T. B.,
Deitrick,	Kephart,	Thomas,	Woodward,
Ealy,	Letzler,		

NAYS—16

Barr,	DiSilvestro,	Jaspan,	Ruth,
Coleman,	Gourley,	McCreesh,	Shapiro,
Cox,	Haluska,	McGinnis,	Stiefel,
Dent,	Holland,	McQuiddy,	Woodring,

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which the concurrence of the House is requested.

BILL RECOMMITTED

Mr. WALKER, Mr. President, I move that Senate Bill No. 595, on final passage, entitled:

An Act to amend section twelve of the act approved the twenty-first day of June one thousand nine hundred thirty-nine (P. L. 626) entitled "An act providing for and regulating the assessment and valuation of all subjects of taxation in counties of the second class; creating and prescribing the powers and duties of a Board of Property Assessment, Appeals and Review; imposing duties on certain county and city officers; abolishing the board for the assessment and revision of taxes in such counties; and prescribing penalties," conferring jurisdiction on the county court of Allegheny county in cases of appeals from the board of property assessment, appeals and review

be recommitted to the Committee on Judiciary Special.

Mr. STEVENSON. Mr. President, I second the motion.

The motion was agreed to.

Agreeably to order,

The Senate resumed the consideration of House Bill No. 895, as follows:

An Act to further reenact and amend the title and the act approved the twenty-eighth day of March one thousand nine hundred and twenty-nine (P. L. 86) entitled as amended "An act relating to the grading and sale of grapes and potatoes in this Commonwealth providing penalties for violations and imposing certain duties upon the Department of Agriculture" by extending the provisions to apples and peaches and permitting the grading classifying and packing of grapes potatoes apples and peaches other than those packed or repacked within this State

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The title and the act approved the twenty-eighth day of March one thousand nine hundred and twenty-nine (P. L. 86) entitled as amended "An act relating to the grading and sale of grapes and potatoes in this Commonwealth providing penalties for violations and imposing certain duties upon the Department of Agriculture" as reenacted and amended by the act approved the twenty-eighth day of May one thousand nine hundred and thirty-seven (P. L. 1005) is hereby further reenacted and amended to read as follows

An Act relating to the grading and sale of grapes [and] potatotes apples and peaches in this Commonwealth providing penalties for violations and imposing certain duties upon the Department of Agriculture

Section 1 Be it enacted &c That the term "closed package" wherever used in this act shall mean a basket box bag or other container the contents of which cannot be adequately inspected without opening it The terms "shipment" or "ship for sale" wherever used in this act shall mean movement to market in a railroad car motor truck or other medium of transportation but shall not be construed to include process of delivery to a local warehouse or shipping station

Section 2 The Secretary of Agriculture of the Department of Agriculture of this Commonwealth is hereby authorized and empowered after investigation to establish and promulgate official standards of quality for grading and classifying [and packing] grapes [and] potatoes apples and peaches [packed or repacked within the State] and to change any of them from time to time The official standards so established and promulgated shall be the same in their requirements as the requirements of the official standards for corresponding grades of grapes [or] potatoes apples or peaches as promulgated from time to time by the Secretary of Agriculture of the United States which standards are commonly known as "United States Grades"

From and after the establishment of specific grades or standards of quality as hereinbefore provided grapes [and] potatoes apples and peaches in closed packages shall not be shipped for sale or thereafter sold or exposed for sale except by the grades or standards so established Provided however That grapes [and] potatoes apples and peaches not graded and classified as to quality may be shipped for sale or sold exposed for sale as "unclassified" if so marked in a conspicuous manner in accordance with rules to be adopted by the Secretary of Agriculture of the Department of Agriculture of this Commonwealth as hereinafter provided

Section 3 Grapes [and] potatoes apples and peaches in closed packages if not definitely marked as unclassified as hereinbefore provided shall [prior to shipment] be marked in a plain and conspicuous manner with a statement of (1) the grade (2) the contents in cubic measure or weight (3) the name and address of the person or association under whose authority the grapes [or] potatoes apples or peaches are packed

In case the marking is changed the person making the same shall cancel the name and address included in the original marking and substitute therefor his own name and address

Section 4 (a) No person shall sell expose for sale or transport for sale grapes [or] potatoes apples or peaches in closed packages if the package containing them the label on them or any advertising accompaning them shall bear any statement design or device regarding the grapes [or] potatoes apples or peaches which shall be false or misleading in any particular

(b) No person shall sell expose for sale or transport for sale in closed packages grapes [or] potatoes apples or peaches packed in such manner that the face or shown surface shall not be an average of the contents of the package

(c) When grapes [or] potatoes apples or peaches in closed packages are delivered to a common carrier for shipment such delivery shall be presumptive evidence that the grapes [or] potatoes apples or peaches are intended for sale

Section 5 Any person who violates any of the provisions of this act shall upon summary conviction thereof

for the first offense be sentenced to pay a fine of not less than twenty-five dollars nor more than fifty dollars and the costs of prosecution and for subsequent offenses be sentenced to pay a fine of not less than one hundred dollars nor more than five hundred dollars and the costs of prosecutoin or in default of such fine and costs be imprisoned in the county jail for not less than ten days nor more than thirty-days All penalties costs and fines collected under this act shall be paid to the Secretary of Agriculture of the Department of Agriculture of this Commonwealth or his agent and by him shall be paid into the State Treasury for the use of the Commonwealth

Section 6 The enforcement of this act shall be vested in the State Department of Agriculture and its officers employes and agents are authorized to enter upon the premises of any person within this State for the purpose of purchasing packages of grapes [or] potatoes apples or peaches and securing evidence of violation of this act and the Secretary of Agriculture of this Commonwealth is hereby authorized to make such rules and regulations as may be necessary for enforcing its provisions

Section 7 This act as amended shall take effect June first one thousand nine hundred and [thirty-seven] forty-three

Section 8 All acts and parts of acts inconsistent with this act are repealed

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—46

Barr,	Ealy,	Letzler,	Tallman,
Becker,	Farrell,	Mallery,	Taylor,
Bowers,	Geltz,	McCreesh,	Thomas,
Carr,	Gourley,	McGinnis,	Tyler,
Chapman,	Haluska,	McQuiddy,	Wade,
Coleman,	Heyburn,	Ruth,	Walker,
Cox,	Holland,	Scarlett,	Watkins,
Crider,	Homsher,	Shapiro,	Wilson, H. I.,
Crowe,	James,	Snowden,	Wilson, T. B.,
Deitrick,	Jaspan,	Stevenson,	Woodring,
Dent,	Jones,	Stiefel,	Woodward,
DiSilvestro,	Kephart,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which the concurrence of the House is requested.

BILLS ON THIRD READING

BILL RECOMMITTED

Mr. HEYBURN, Mr. President, I move that Senate Bill No. 151, on third reading, entitled:

An Act to amend Sections 203 and 204 and to further amend Section 205 of and to add Sections 205.1 205.2 205.3 205.4 205.5 205.6 205.7 205.8 205.9 205.10 and 205.11 to the act approved the eighteenth day of May one thousand nine hundred and eleven (P. L. 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" providing for the election of school directors in school districts of the second third and fourth classes by nonpartisan ballots at special elections

be recommitted to the Committee on Elections.

Mr. COLEMAN. Mr. President, I second the motion.

The motion was agreed to.

BILL OVER IN ORDER

Mr. HEYBURN. Mr. President, I ask unanimous consent that House Bill No. 156, on third reading, entitled:

An Act to amend section three hundred two of the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1225) entitled "An act concerning game and other wild birds and wild animals and amending revising consolidating and changing the law relating thereto" exempting for the duration of the present war any persons in the armed forces from the payment of a fee to the Commonwealth for resident hunting licenses

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILL RECOMMITTED

Mr. HEYBURN, Mr. President, I move that Senate Bill No. 291, on third reading, entitled:

An Act to further amend section forty-nine of the act approved the seventh day of June one thousand nine hundred and seventeen (P. L. 447) entitled as amended "An act relating to the administration and distribution of the estates of decedents and of minors and of trust estates including the appointment bonds rights powers duties liabilities accounts discharge and removal of executors administrators guardians and trustees herein designated as fiduciaries the administration and distribution of the estates of presumed decedents widow's and children's exemptions debts of decedents rents of real estate as assets for payment thereof the lien thereof sales and mortgages of real estate for the payment thereof judgments and executions therefor and the discharge of real estate from the lien thereof contracts of decedents for the sale or purchase of real estate legacies including legacies charged on land the discharge of residuary estates and of real estate from the lien of legacies and other charges the appraisement of real estate devised at a valuation the ascertainment of the curtilage of dwelling houses or other buildings devised the abatement and survival of actions and the substitution of executors and administrators therein the survival of causes of action and suits thereupon by or against fiduciaries investments by fiduciaries the organization of corporations to carry on the business of decedents the audit and review of accounts of fiduciaries refunding bonds transcripts to the court of common pleas of balances due by fiduciaries the rights powers and liabilities of nonresident and foreign fiduciaries the appointment bonds rights powers duties and liabilities of trustees durante absentia the recording and registration of decrees reports and other proceedings and the fees therefor appeals in certain cases and also generally dealing with the jurisdiction powers and procedure of the orphans' court in all matters relating to fiduciaries concerned with the estates of decedents" by changing the provisions of subsection (b) thereof which authorize executors or administrators to make distribution and pay or deliver legacies without the audit of their accounts

be recommitted to the Committee on Judiciary General for the purpose of further study.

Mr. SCARLETT. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

Mr. STIEFEL. Mr. President, at this time, when a bill is recommitted to committee, it is tantamount to execution being fully aware of that, I am constrained to oppose the

motion made by the gentleman from Delaware, Senator Heyburn.

And the question recurring,

Will the Senate agree to the motion?

It was agreed to.

PARLIAMENTARY INQUIRY

Mr. SHAPIRO. Mr. President, I rise on a parliamentary inquiry.

The PRESIDENT. The gentleman from Philadelphia will proceed.

Mr. SHAPIRO. Mr. President, what must this side do in order to carry a "no" vote?

The PRESIDENT. It would be necessary to have a majority. The Senator can always appeal from a ruling of the Chair.

Mr. SHAPIRO. Mr. President, I will have to appeal to the public to give us more Senators, that is all.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 417, entitled:

An Act authorizing the Department of Property and Supplies with the approval of the Governor and the Board of Trustees of Pennhurst State School to acquire a certain tract of land for the use of the State Institution for the Feeble-Minded and Epileptic of Eastern Pennsylvania at Pennhurst and making an appropriation therefor

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The Department of Property and Supplies with the approval of the Governor and the Board of Trustees of Pennhurst School is hereby authorized to purchase in the name of the Commonwealth of Pennsylvania a certain tract of land of approximately 100 acres known as the Reck property situated in the Township of Limerick Montgomery County surrounded on three sides by property owned by the Commonwealth and so located that the entrance thereto must be over lands of said Institution said lands having been rented by the Commonwealth for more than twenty years and presently constituting a valuable acreage for production of vegetables for Institutional use

Section 2 Said tract of land when purchased shall be added to the lands of the State Institution for the Feeble-Minded and Epileptic of Eastern Pennsylvania at Pennhurst The deeds of conveyance shall be deposited with the Secretary of Internal Affairs

Section 3 The said lands shall not be acquired until the titles thereto have been approved by the Department of Justice

Section 4 The sum of sixteen thousand dollars ($16,000) or so much thereof as may be necessary is hereby appropriated to the Department of Property and Supplies for the payment of the purchase price of said tract of land and the expenses incidental thereto including title searches

Section 5 This act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—46

Barr,	Ealy,	Letzler,	Tallman,
Becker,	Farrell,	Mallery,	Taylor,
Bowers,	Geltz,	McCreesh,	Thomas,
Carr,	Gourley,	McGinnis,	Tyler,
Chapman,	Haluska,	McQuiddy,	Wade,
Coleman,	Heyburn,	Ruth,	Watkins,
Cox,	Holland,	Scarlett,	Walker,
Crider,	Homsher,	Shapiro,	Wilson, H. I.,
Crowe,	James,	Snowden,	Wilson, T. B.,
Deitrick,	Jaspan,	Stevenson,	Woodring,
Dent,	Jones,	Stiefel,	Woodward,
DiSilvestro,	Kephart,		

NAYS—0

A majority of all the Senators having "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 433, entitled:

An Act relating to appointments reclassifications and promotions under the civil service systems of all political subdivisions of this Commonwealth that shall hereafter be made until a period after the cessation of hostilities making such appointments reclassifications and promotions of war duration providing for the establishment of new employment and promotion lists and suspending inconsistent laws

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 It is the legislative purpose and intent of this act to give the men and women who are serving their country in the present war an equal opportunity with those who remain at home to compete for positions under any civil service system now in operation in any political subdivision of this Commonwealth or in any department or agency of any political subdivision so that they shall not be put to a disadvantage because of their service in the armed forces or in essential war industry or activities in securing employment under any of such civil service systems

Section 2 All persons appointed reclassified or promoted to any office or position in any political subdivision or in any department or agency thereof that is now subject to civil service requirements under any law of this Commonwealth after the effective date of this Act shall be appointed reclassified or promoted in accordance with the rules and regulations established by the appointing authority in any political subdivision of this Commonwealth or in any department or agency of any political subdivision Until appropriate eligible lists can be established subsequent to a date to be fixed by the Governor as hereinafter provided they shall continue in such appointment reclassification or promotion under and subject to all the provisions of the applicable civil service law until one year after the cessation of all hostilities of the war or wars in which the United States is now engaged Thereafter all such offices and positions shall be deemed to be vacant and all persons then holding any of them shall continue in their respective office or position as war duration employes until permanent appointments reclassifications or promotions can be made from employment and promotion lists established as the result of examinations given by the board or person required by law in each case to give civil service examinations on or after a date to be fixed by the Governor as hereinafter provided in the manner and subject to the provisions of the applicable civil service act

Section 3 Within one year after the cessation of hostilities the Governor shall issue a proclamation fixing a date not more than one year later upon which examinations shall be held by the board or person required by law in each case to give civil service examinations under the provisions of the applicable civil service act in order to establish eligible lists for all offices and positions to which this act applies and to which appointments reclassifica-

tions or promotions shall have been made since the effective date of this act

Section 4 The provisions of every act or part of act inconsistent herewith are hereby suspended so long as this act shall remain in effect

Section 5 This act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

Mr. DENT. Mr. President, after looking over the original bill and looking over the amended bill, I believe it is only fair to the sponsor, that the least you can do with it, if you want to pass such a bill, is to introduce your own bill when you want to do something contrary to the wishes of the sponsor. I believe it is an unfair procedure to take a bill which was introduced with all good intentions and then make it suit your purposes, simply because a member has placed his name upon it. This bill now does not propose to do what the original sponsor wanted it to do.

MOTION TO RECOMMIT

Mr. DENT. Therefore, Mr. President, in fairness to the sponsor of the bill, I move you that this bill be recommitted to whatever pickling committee you want to send it to; the Committee on Judiciary General, I think or the Committee on Judiciary Special, simply because the bill is not the same bill that went in.

It reminds me of the story of Senator Stiefel about the dove that went out in the morning and at night came home a raven.

Mr. COX. Mr. President, I second the motion of the gentleman from Westmoreland, Senator Dent, for two reasons, for the first reason that he gave, that I think out of all courtesy to the Senator from Allegheny, Senator Barr, the Majority Party should introduce its own bill deleting civil service, and permit the rest of us to vote on the Barr bill as it was.

It seems to me that again we face another attempt to destroy civil service among the communities of our state and I think it is unwarranted. It is absolutely possible to have war duration civil service and that is the civil service that we should have.

Do not forget that this bill has the effect, after the date of signing of the act, if it should pass, of saying to all political sub-divisions of Pennsylvania, "any people you employ from here on do not have civil service, do not have the protection of civil service." I think that is a principle of government that we should be vitally interested in and concerned with; we should be very certain and very definite as to where we stand. We certainly should not under the guise of passing a war measure permit ourselves to destroy it.

I had hoped that the Wade-Taylor bill would be treated kindly in the Senate and sent back to its final repose to the Committee on Forests and Waters, Game and Fish, and I certainly hope that you will vote to do the same thing with this bill.

Mr. SHAPIRO. Mr. President, this bill compels me to tell a story which I think is very apropos. I will not say that it is a story from the Talmad, but I will say that it is a story my father told me—I notice that the Republicans are not passing any bills introduced by Democrats and over in the House they will not do anything for the Democrats, they kill all the Democratic bills, but now the Senate is going to do something for us, and so I am reminded of the story that my father told me.

I do not know whether any of you gentlemen know it or not, but in the old days, in order to get out of Russia, it was necessary to sneak over the border. There were two Jewish gentlemen from Russia who were trying to sneak over the border and they kept on and on. Of course, they were hungry and thirsty and when they finally got near the border line they were resting, and while they were resting they smelled something good to eat that was being broiled and so they sneaked over to see what it was. By the time they got close enough they had exposed themslves and could not get away. It was a pig being broiled, and, of course, it was against their religion to eat a pig. These two Russians saw the two Jewish gentlemen and grabbed both of them and said "you eat; you have to eat." They compelled them to eat, and one of the Russians who had one of the Jewish men by the arm and was compelling him to eat, looked at the other Jewish fellow and he said to his compatriot, "Your Jew ate more than my Jew and I am going to punch him in the nose," and the other Russian said, "If you punch my Jew in the nose, I will punch your Jew twice," and the first Russian said, "If you punch my Jew twice, I will punch your Jew three times," Well, that went on for some time and those two Jewish men finally broke away and they ran for miles and, becoming exhausted, they sat down and one fellow said to the other, "You see, Abe, how wonderful and remarkable it is when a Christian sticks up for a Jew."

So I say, see how remarkable it is when Republicans are sticking up for Democrats. They are now passing a Democratic bill; this is Senator Barr's bill, the title is the same, the number is the same, the ostensible purpose is the same, and they have finally had the opportunity to do something for the Democrats.

When this bill goes out a a civil service measure, it will not go out as a bill of the Republican party, it will come out as a bill of the Democratic party. Beware when the Republicans stick up for the Democrats.

Mr. WADE. Mr. President, we have had many attempts to becloud this issue, we have had many references to Senate Bill No. 311, which was sponsored by Senator Taylor and myself, but let us face the issue clearly.

In the first place, my very good friend, a gentleman I admire very deeply, the leader of the opposing side, rose to his feet in this Senate and gave us some very clear cut and distinct statements regarding the whole civil service question, and I refer to page 806 of the Legislative Journal, under date of March 15, in which he said in part:"

"I guarantee that there will not be a person on this floor but will admit that they get more courteous service, better service, more up to date service in the offices (of the Commonwealth) where they do not have civil service."

But, Mr. President, I am declouding the issue when I bring that in, because neither Senate Bill No. 311, nor the bill now before us do anything to permanent civil service. The issue before us is very clear. We on this side say that we believe permanent appointments should not be made during the time when some seven or eight hundred thousand boys are serving in the armed forces of the United

States, and when that issue came before this Senate for a vote, twenty six Republican members said, every one of those Republicans said, in substance, we will protect the rights and the interests of those boys when they have no chance to participate in these examinations.

And then at another time, about the time when the Senator introduced these bills, he believed in that principle, but he had a very definite change of heart. Then again, at another moment in this Senate, the gentleman from Allegheny, Senator Cox, who has spoken at various times against this bill, Senate Bill No. 311, and tried hard by making inferences that were supposed to be humorous, as the gentleman just has done, and by saying we should change an "if" to an "and" or make very minor changes in the bill, but after that he, too, had a change of heart and he voted, Mr. President and members of this Senate, and said to those boys and girls who, as the Senator from Luzerne said yesterday, are fighting the battles of America in the swamps of Australia, in the foxholes of Guadalcanal, in the sands of North Africa and all over the world, he said to them by his vote, and I repeat, with his colleagues, every one of them, every Democrat in this Senate that was present said to those boys—and I lower my voice in this quiet spring evening—they have said to those boys when they have asked for bread, they have said "we will give you a stone" and they have said to them when they asked for a drink, "we will give you vinegar," and they have said to them when they stood before them—perhaps one of them would hold his hand in supplication, hold out one hand because he had lost the other, had given it, had not lost it, gave it and was willing to give it—perhaps another one would hold a crutch in his hand because an empty trouser leg hung where the leg should be—and when they asked for an opportunity, nothing but an opportunity to take an examination in competition with the stay-at-homes, they said "no" and slammed the door with the votes in their faces.

Gentlemen, you can not hold a democracy and do that, and that is identically, that is exactly what these gentlemen have done. Every vote against that bill when it passed was a Democratic vote and every vote on the other hand, for the bill, was a Republican vote, just to give them a chance, just to say that we appreciate to some little extent the fact that they have fought the real battle of America, and shall have a chance, not a chance over and above anybody else, but a chance with the fellow that did not go.

Gentlemen, that is the issue. We can becloud it by humorous stories, we can becloud it by saying an "if" should be an "and," we can becloud it by introducing bills and then saying "you have changed it." We did not change it, we made it less mild than it was when it was introduced; we made changes that seemed to be necessary in order that we could hold the appropriation we get from the Federal Government, which is a tax against the people of Pennsylvania and only a return of their money, and that is the only reason we changed it.

I agree in substance with the leader of the Democratic party when he said—I shall not read his statement into the record—when he said, courteous service comes from those who do not enjoy this blanket but I am not ready to discuss that measure, that is not before us.

All the boys and girls want, when this is all over and I repeat, Mr. President and members of this Senate—all that they want when they hold out their hands in supplication, is the same opportunity which you give to those who stay at home.

Mr. TALLMAN. I do not like to take much time on this subject, but I think the history of civil service legislation in this Senate is something that bears a little bit of review, and I think it is most interesting, too, at this particular time, to review, in light of the remarks that have been made on the floor this afternoon, the history of the position of the gentlemen on the other side of the Senate Chamber with regard to civil service legislation.

In 1941, a great number of men who are sitting in this Chamber today, on the Democratic side of the Senate, voted against a civil service bill on the ground and the theory that it was not good civil service.

This year, in this Session, I called attention to the fact that the Minority Leader and other members of the Democratic party have risen to their feet in this Chamber and roundly condemned anything that smacked of civil service. I need not refer to the record to make that point clear, because I believe it is firmly in the minds of every member of this Senate who has heard those remarks from time to time.

Then came Senate Bill No. 311, and the members on the other side constantly arose, despite their remarks, despite all of the statements that they had made, and they said, "We are the defenders of civil service and we will not vote for this bill, because it will deprive people in civil service of rights that they have attained." And they said, "we will not hurt those people, we will rise up and defend civil service."

I say that the remarks that have been made this afternoon with regard to this bill have only been made by members on the other side of this Chamber in the hope that they might protect the very sad, the very peculiar position in which they find themselves today, because it seems that they forget in all of these remarks that they have been making on the floor that the gentleman from Allegheny, Senator Barr, had introduced a bill very similar in language to Senate Bill No. 311, they forget that Senator Barr had introduced this particular bill, and they felt, probably because of what had been happening here in this Senate, that the Committee on State Government might not worry about the bill introduced by the gentleman from Allegheny, Senator Barr, and then suddenly they find themselves very much surprised to find this bill on the Calendar.

I suggest to them, too, that the very things that they argued about on the floor of this Senate, with regard to Senate Bill No. 311, have been accomplished by the amendments introduced by the committee when this bill was reported out of committee, in this particular bill.

I suggest to them, too, that this bill now meets a lot of objections that were raised by the policemen of the state of Pennsylvania with regard to Senator Barr's bill. I remember during the time I have been sitting in this Senate that the gentlemen on the other side have always risen stalwartly, to support the policemen of the state of Pennsylvania—and I suggest to them now that the remarks they have made on the floor of this Senate this afternoon would not very much please policemen under civil service in the communities of this state.

I believe that all of these things that I have mentioned here tonight warrant some consideration by the gentlemen on the other side, and I say to them that if they want to be

honest in the position that they have taken, then certainly they ought not say the things they have said with regard to this bill I do think, too, that if they want to be honest in their position about civil service they ought not fool about it for political purposes.

Mr. BARR. Mr. President, this bill as I originally introduced it and as it is now on the Calendar, we all know, is entirely different. The only thing that has not been changed is the fact that my name still appears as the author of the bill, that is the only thing that has not been changed. I only have just this much to say, when a new father goes into the maternity ward in a hospital they just show him any baby at all, because they all look alike and he does not know his own baby.

I just deny being the father of this bill, the way it is written.

Mr. COX. Mr. President, I will not take too long to answer the remarks of the gentleman from Cumberland, Senator Wade. Senator Wade put the same victrola record on, got the same flag out and did the same parading. The gentleman from Cumberland, Senator Wade, knows that his bill, Senate Bill No. 311, which we discussed, had three distinct features. It made this situation possible, and that was the reason we could not be wholeheartedly with Senator Wade on that bill as it finally passed this Senate, it had one feature in it by which certain employes of this state had complete civil service, it had a second feature by which certain employes of the state had war duration civil service, and then it had a third feature which said after the bill had passed that those persons would have no civil service.

On the question of war duration civil service, I am absolutely in accord with the gentleman from Cumberland, Senator Wade. If this bill were to give war duration civil service to all employees I certainly would vote for the bill, for this reason, war duration civil service would give everyone employed protection during the period of their employment and then, after the boys come home, it would be necessary for all employes to take an examination, a fair examination in open competition with the boys that came home, and everyone else.

It is an elementary principle in trial practice in a court that if you do not have a very good case, that you be very vehement and use much and loud verbiage, and I think that members of both parties have indulged in that questionable practice. It is not necessary to be hysterical in discussing the effects of both of these bills. We certainly can sit down and measure them objectively by what they do or what they do not do, and very honestly that is the thing I have tried to do, that is the thing that my colleagues have tried to do, and I know that you will agree with me that certainly it is fair to the people of Pennsylvania that we should measure things in that objective manner.

Mr. WADE. Mr. President, I appreciate the position of the gentleman from Allegheny, Senator Cox, because I have been in mean situations before and tried to wiggle out of them the best I could, and I have used these small things that do not mean much in arguments one way or the other, but so that we do not becloud the issue I am going to ask the gentleman from Allegheny, Senator Cox, how he would answer these letters, and I submit, Mr. President and members of the Senate, these are a few letters I have received from boys in the armed services on this very question. The first letter is from a boy located in Alaska and his letter in part is as follows:

"I am a former employe of the Commonwealth of Pennsylvania. I am now a staff sergeant in the United States Army, stationed in Alaska. My former position is about to be put on a civil service status. It is not very gratifying to a soldier to learn that while he is trying to do all he can for his country and government during this grave period, that this same government is taking away his past and future employment. There are many soldiers in the same position as I am. I take this opportunity to urge you as my Senator and leader of this great Commonwealth to do all that is within your power to see that this bill is passed."

Mr. President, I also have here a second letter which was written from a camp in New Mexico and which is as follows:

"I have recently learned that you and Senator Taylor are the co-sponsors of Senate Bill No. 311, which is intended to provide certain protection for civil service workers who are now in the armed forces. I wish to take this opportunity to urge you to do your utmost to have this bill passed and I want to thank you and commend you in behalf of myself and many of my fellow workers who are also in the armed forces but who may not have, as yet, learned of your interest in their welfare. It was pleasant news when we heard that you and Senator Taylor and others other were interested in adjusting the obvious unfairness in giving civil service examinations, while the majority of the original employees of our department were not in a position where they could take these examinations. Several of us made requests to be allowed to take these examinations under the supervision of federal civil service authorities throughout the United States but this permission was refused. Our only other alternative was to take furloughs and leaves of absence and in most cases this was impossible."

I could continue reading on down through this file. Here is part of a third letter, Mr. President:

"I sincerely believe since these men and women are fighting so that we at home may be free to pursue our American way of life, the least we can do is to protect their rights until they return home. The continuation of civil service and the Civil Service Commission would take away their rights as all the better jobs would be gobbled up by the stay-at-homes," and so forth.

That is the thing that rankles. It is not the statements that are made in this Senate—I do not care about them—the gentleman on the other side can criticize any way they want, but still the issue recurs, are we going to continue to fill these jobs on a permanent basis and make promotions while they are away?

I wanted that bill to get every vote it could get, but I am pleased that our party stood as one and said that we would not stand for that unfairness. The opposing party can wiggle, or whatever they want to call it, try to get out any way they want to, but the whole issue will recur and will not be ended by our vote today; it will recur some day when it may be much more embarrassing.

Mr. DENT. Mr. President and members of the Senate, my original motion was only made in order that you fellows could put in any bill you wanted. If you do not like the intent of the bill introduced by the gentleman from Allegheny, Senator Barr, introduce your own bill; you have a lot of time, there is nothing to prevent the

passing of legislation, it is not difficult for the majority side to put in a bill if they want to do so, but I object strenuously to taking a piece of legislation put in by one man and then changing its contents and its intent.

. So far as the remarks of the gentleman from Cumberland, Senator Wade, are concerned, I once told a Senator on the floor of this Senate—and I repeat for his benefit—I told this Senator after he made a speech in which he had portrayed himself as the keeper of the light of liberty—Senator Wade's heart does not beat any stronger for the boys in the service than that of any man on this side, and every time he approaches the microphone he approaches it with the philosophy and belief that he and the Republican members are the caretakers of the welfare of the boys who are dying at Guadalcanal, dying in Tunicia and the far-flung battle fronts of this war.

I believe that if the Senator from Cumberland, Senator Wade, will look into it, he will find that there are even Democrats in the armed forces of our country, he will find that those men were not asked to what party they belonged when they entered the service, they are all Americans and the members of this Senate are all Americans, and whether the bill states the purpose for which it is intended or not, that has nothing to do with the remarks of the gentleman from Cumberland.

I do not believe any man in the Senate would vote to deliberately destroy any of the rights of the boys who are in the armed forces. I call particular attention of the gentleman from Cumberland, Senator Wade, to a Senate bill that has been in a committee for the past seven or eight weeks, which would do a whole lot more for the soldiers than any piece of civil service legislation, because this particular piece of legislation and the so-called Senate Bill No. 311 are fakes, definite fakes. If you want to be honest, make them retroactive to the day of the original passage of the first draft act. What is the difference between a soldier who was drafted under the original draft act and a soldier who goes into the army after this bill becomes effective? Only appointments after final passage and the signature of the Governor to this bill are affected by this bill.

Gentleman, I want to tell you that in a committee of this Senate is a bill that means more to the soldiers, because it means something to them in security—security if you please, because a soldier's chance of passing the fake civil service test that has been given in the state of Pennsylvania, a fake test, if you please, a soldier's chances of passing that test after he comes out of the hell fire of war are nil, he has not a chance in a million of passing the examination.

I agree with the gentleman from Allegheny, Senator McGinnis. Ever since I have been here I have opposed civil service. I do not believe in permanency of positions in anything, especially in a democracy. Over in Europe they have permanency in positions, in government positions, and we do not like their type of government, we like our type of government. Pretty soon, gentlemen of the Senate, all jobs will be civil service, and do you think that will be for good government, do you believe that will obtain good government? It will not do any such thing. Men have to be interested in their jobs, men have to be interested in their positions.

So far as I am personally concerned I will state here and now that I voted against the Tallman bill, and I will state here now, and I think my memory is fairly accurate, I believe my colleague, for whom I have high esteem, Senator Taylor, also voted against it—I mean I do not think that is a criterion. I will vote today to repeal all civil service laws. If we had the power in Pennsylvania I would vote to repeal the Hatch Act; I would vote to repeal the Farrell bill, which takes away the right of labor unions to collectively participate in elections. I am a great believer in the rights of the individual, and one of the greatest freedoms is to participate in an election in any way he sees fit; if he wants to participate by financial contributions or if he wants to participate by physical action, that is his own business, that is his interest in government.

The next thing you will do will be to pass an act of the Legislature forbidding a civil service employe from participating in an election and after you have all the employes in the state on civil service and you forbid them from participating in elections, what type of government are you going to have? You are going back to the idea of Alexander Hamilton, when he said that only a certain class are fit to rule, only certain people have a right to participate in the active management of government.

Gentlemen, I, myself submit to Thomas Jefferson's philosophy that the least amongst us is privileged to vote, privileged to participate at the polling places, or wherever he so desires, in an election, and he has the right to try to influence the outcome of that election, he has every American right. If you want a bill with the contents that you have now placed in the bill sponsored by Senator Barr, present a bill and vote for it, vote for it all you want, and if you want to do something for the soldiers, Senator Wade, all I ask you to do is to help me and my Democratic colleagues get a bill out of committee that will give them full unemployment compensation payments when they come home, give them that, increase the number of weeks that they will be entitled to unemployment compensation when they come home, during the time when we are changing over from war production to piece time production.

If you want to help the soldiers, do not hold out this sop to them and say "Do you know what we are doing"—and you said it yourselves—"we, the Republicans are doing this for you, we are fixing it so that you can take a civil service examination."

Well, Mr. President, this young-blooded group of soldiers wants to come home and go to work; they do not want to come home and get political jobs by being ward healers, they want to come home and work in the factories, the mills, and mines of this country, they want an opportunity to work, and while they are waiting for that opportunity to be presented, because of the change over in our method of production and the things we produce, I think they ought to be put on full time unemployment compensation pay.

In conclusion, Mr. President, I might warn you now do not pass a House Bill that is coming over to us from the House, which says in substance that if the Federal Government gives a bonus or gives money to soldiers, that that amount shall be deducted from the unemployment compensation pay that they would receive from the state of Pennsylvania.

I ask you is that taking care of the boy that has bled and died and suffered as Senator Wade said? Is that

taking care of him? No. All you are interested in is that after this bill becomes effective, nobody can get a permanent civil service job, because some soldier wants to be a policeman.

Mr. HOLLAND. Mr. President, we have listened to some very beautiful phrases here since the first day of the Session about the returning soldier, but the soldier is not going to live on those beautiful phrases when he comes home. I believe we should have some beautiful action, and less beautiful phrases.

I also want to point out to the gentleman from Cumberland, Senator Wade, and also the gentleman from Lehigh, Senator Tallman, that there is an awful lot of inconsistency in this Senate. On March 15 we passed Senate Bill No. 67, giving permanent civil service to sixty county policemen. Nothing was in that bill to amend it to permit a boy coming back to compete for these jobs. We froze them, or tried to freeze them, but even the Republican House revolted and would not go along and amended the bill so that they did not freeze those sixty policemen into civil service jobs at this time. Mr. Tallman voted for that bill, Mr. Wade voted for that bill, Mr. Heyburn voted for that bill, Mr. Homsher voted for that bill, Mr. Walker voted for that bill, in fact every Republican member of this Senate voted for that bill.

Mr. President, it is very amusing when you get on the floor of this Senate and hear the wisecracks from all sides. We talk about the war, the seriousness of it, but when any member of the Democratic party gets up it seems to be the tendency of the Senate, especially the Republican leader of the Senate, Mr. Heyburn, to immediately start to heckle.

I do not think, Mr. President, that it is fair for the leader of the Majority Party to use the same method used in the worst meeting that could be held, where hecklers go in and heckle—and, Mr. Watkins, we have listened even to you talking without heckling you.

But, Mr. President, I think the time has come when we should become serious in this Senate. I have seen more flag wavers in this Senate than there is in any other body in the United States. I have listened to the Senator from Cumberland, Mr. Wade, get up and wave the flag, and I listened to him vote last night for a fake child care bill.

We have in committee a lot of bills to help soldiers, but nothing is done about them, and today we hear the gentleman from Cumberland get up and wave the flag, and I have also heard some other men wave the flag in this Senate, Mr. President, that should be in the army. If it were not for their being elected to this Senate they would be in the draft. I think it is about time that this Senate should quit waving the flag and do something for the soldiers. You have not done anything for them, you refused them the right to vote at eighteen, you have refused them the right to continue their education by guaranteeing them that they will have that money when they come back, you have not done anything to increase farm production in Pennsylvania.

You want to sit back and criticize the Federal Government if they try to do anything for farm production but you sit back and do nothing. Your party is a party of "do nothings."

Your party reminds me of the old saying about the man who marched his army up the hill and then marched them down again. That is all you have done since this Session started.

Yes, Mr. President, I say to the members of this Senate that they can laugh and they can kid, but you are not going to kid these kids coming back. The Republican Party is going to have a lot to answer for when they come back. You say you worry about the soldiers. You were more interested in getting bills on the floor of this Senate against the fathers of those soldiers, who are laboring in the mills and factories of this State, you were more interested in getting those bills passed than you are in helping the poor people of Pennsylvania; you are more interested in serving your masters, and I say this again and I say it again and again, that in Germany the rise of Hitler came through an unholy alliance with the German Manufacturers Association to destroy labor, and I say to you that you today are following the same lines of Fascist Germany; most of you are proving yourselves by your attacks on labor to be native fascists.

Yes, Mr. President, and I repeat again that there is an unholy alliance between the head of the Pennsylvania Manufacturers' Association and the National Association of Manufacturers, and the Republican party to destroy labor—the fathers, yes, the fathers—because you will find more sons of laborers in the fighting lines than from any other families of American, and you are trying to destroy the rights of those fathers now while their sons are fighting to save this American way of life, which in your estimation is to let the rich get richer and the poor get poorer.

Mr. SHAPIRO. Mr. President, I treated this bill facetiously, and I did so deliberately, because I am afraid that if I treated it seriously I would probably get personal about it and give it more credit than it is entitled to. Since questions have been raised, I should like to amend the statement of the gentleman from Allegheny, Senator Cox, concerning the attitude of the gentleman from Cumberland, by saying that not only does he repeat the record but I think the record is broken because it seems every time this bill comes up the statement is made "you are unpatriotic, you are unpatriotic, you are unpatriotic," but that does not prove anything.

I should like to say to the gentleman from Lehigh, Senator Tallman—for whom I have a great deal of respect, and whose attitude on and belief in civil service I know and am familiar with—that I voted against the last civil service bill, and I voted against it because of the provision that the Governor of the Commonwealth of Pennsylvania could have the right to discharge anybody that he pleased, and I said that was not civil service.

I heard the gentleman from Allegheny, Senator McGinnis, say that he is against civil service. I say frankly that the gentleman from Allegheny, Senator McGinnis, is against civil service because he has been a politician so long that it is very difficult for him to separate his political attitude from his statesman attitude. I say that in all kindness—I hope he hears me and I am sure he understands what I mean—because it is difficult for a man who has to deal with jobs and, being Chairman of a county committee, to have much feeling of affection for civil service. I am fortunately one of those politicians, shall I say, who does not have to give jobs and who does not bother with them.

I am not a statesman—I may hope to be considered

one some day—but not by this Senate. I think this Senate would find difficulty in recognizing a statesman. Like my colleague from Allegheny, Senator Holland, I can stand heckling, it never disturbs my thoughts but only delays their expression.

I want to say to the gentleman from Lehigh, Senator Tallman, that while he has discussed the history of civil service in this Senate, I would like to discuss the history of this bill, and I think in the discussion of the history of this bill we can take away patriotism without much difficulty and prove that there is nothing patriotic back of the bill. Look at the bill.

That bill came out born and conceived with the idea to destroy civil service, not to save soldiers jobs. My friend, Harvey Taylor, has the conviction—and I respect him for it, but disagree with his conviction—that civil service is wrong—that is his privilege—but let me say that when he presents a bill to abolish the civil service system I recognize that as the expression of his view on civil service and I do not classify that with any patriotism, and if he were asked the question on the floor, I am quite sure he would be honest and frank enough to say that the idea did not arise out of any feeling of patriotism, because the bill denies such a proposition.

The bill says that the civil service commission is hereby abolished; the bill says that all people appointed after December 1, 1941, are no longer under civil service. If the bill was patriotic all it would have to do would be to do what the Barr bill did in the first instance; it said that anybody appointed from now on is under civil service, but when those boys for whom you all seem to be concerned about so much come back, everybody under civil service and anybody else can take examinations which these boys tried to take when they got into the army and wrote letters such as you heard read here today by the gentleman from Cumberland, Senator Wade.

The civil service bill was born and conceived in politics. Senate Bill No. 311 is a political bill to place in the hands of the party in power, whether it be Democrat or Republican, the appointments of all jobs—honesty compels that admission.

That is why I never treated it as a serious proposition concerning patriotism. Nobody will believe any one else who says otherwise, if they read the bill.

Since that bill was so conceived, I have no worry about the boys who come back. When they come back, if I am obliged to give an explanation, I will have no difficulty, and I accept the challenge of the gentleman from Cumberland, Senator Wade, and I say to him now, give me or put on record the names and addresses of the gentlemen whose letters the gentleman from Cumberland read, and I will write to those men and say, "this is the situation; the bill which you talked about not only will give you an opportunity to take an examination when you come back but it will put in jeopardy the positions of ybody else—everybody else who has taken an examination and has passed that examination, even while you may have been here—are you, who are fighting for democracy, anxious to destroy the democratic principle th in competition fairly had, the winner should become the loser," and I am willing to say when the real facts are put before that boy—and I will submit a copy of the letter I send to that boy to the gentleman from Cumberland, Senator Wade, and I will say to him the bill which we propose is as follows, we say it will give you the same protection without destroying the principles of democracy; do you object, and I will be able to read the answer from that boy which will bring to a focus what I am talking about.

If these gentlemen want the bill that they are talking about they do not have to use Mr. Barr's name to do it. If these gentlemen wanted to protect the soldiers all they had to do was to pass a bill that would protect them without destroying civil service. What you must admit, what you can not deny, is the fact that our cry against this bill, and focusing public attention upon this bill, compels you to make amendment after amendment, until some of the very worst features were taken out of it, and you have by careful and clever wording gotten more out of it than you needed or should have, and the House by virtue of the fact that attention has been focused on it, has stopped you from doing many of the things you wanted to do, by putting in amendments which you have now incorporated in the bill introduced by the gentleman from Allegheny, Senator Barr, and they provide that only after the passage of this bill shall appointments be without civil service, so that this cry of ours has been heard.

I have not received a single letter from any soldier objecting to the position which I took and I took the position which I did and which I do on this bill with the full knowledge of all the consequences and without fear of them, because those boys who are intelligent enough to write such letters are intelligent enough to understand the answer.

Another patriotic proposition advanced was that we were depriving the casualties of Pearl Harbor, of Africa and of Guadalcanal, from coming in and getting a job. How silly that is. There were 63,000 casualties, I think, until a week ago, and not one of them is protected by the Barr bill. The Barr bill would only have become effective upon final enactment.

Not one of the casualties up to yesterday are protected by this bill. Why talk about the positions for those boys who were injured, who lost arms or legs and had various other wounds? Such lurid details are certainly unnecessary so why talk about them? That is pure fake, there is no question about it, and that is the only name I can think of at the moment but I think it completely describes it. For any man to get up and say that we are opposed or that we are against protecting those who were not protected by the bill is utter nonense and fake.

The vice of this situation in my opinion is, first, that you gentlemen are willing to deny conception of the child which is yours, and secondly, that you are willing to fasten an illegitimate child upon some one who publicly disclaims it. This bill is not patriotic. It is not Senator Barr's bill and I would suggest that you on the other side offer to amend the bill and put the name of the real sponsor back of it on the bill, and that is that particular person in the Republican party who now says by this bill that in a county, for instance, Philadelphia county, every appointment from today on is a political appointment without civil service.

Let me say to Senator McGinnis, my colleague, and all of those Senators who talk against civil service, that the trouble is not with the persons who enjoy civil service but with the persons who are given the power to enforce

and carry out the provisions of the civil service act. In Philadelphia we had a specific, a very clear example of it. We have civil service for policemen and when the civil service procedure was finally exposed to the public eye that resulted in the conviction of one of the civil service commissioners, it became public for once what has been going on privately for years.

There was never such a thing as real civil service in Philadelphia for years, even though the statute has been on the books for so many years, and there never will be so long as the politicians are able to control the appointment of those who are going to carry into effect the civil service statutes. So long as politicians will appoint politicians as civil service commissioners, so long you will have no civil service. The Philadelphia Council appoints the civil service commission, it appoints on the board those men who have been denied jobs, either by public election or who have been unable to get appointments otherwise, and so we have a group of Republicans as civil service commissioners, when they are in power, and I suppose that if the law remains in force, when the Democrats return to power you will have a Democratically controlled civil service commission.

So do not talk about civil service because there is no such thing in this state. Take the very civil service law which the gentleman from Lehigh, Senator Tallman, helped to pass. That bill provided that referees in workmen's compensation should pass a civil service examination. Not one of them in the four years that that law has been in effect has taken an examination. Do you call that civil service?

Maybe you people are meeting many of the other appointees who have been denied civil service. Maybe you are meeting the uncivil people, maybe you are meeting the ward committeemen or ward healers, and you think they are civil service appointees.

I saw some civil service appointees. I saw one of them at a meeting of the Committee of Judiciary General, the man who is today the head of the Parole Board, Giardini I think his name is. I read his record. He has been for fourteen years warden in one of the Pennsylvania state penal institutions, he is a soldier, and without the ten per cent that he is allowed by law he stood head and shoulders above everybody else. He is the soldier that the gentleman from Cumberland, Senator Wade, has talked about, and under the Jones bill which you are going to pass, you are going to wipe him out of office.

Under the original bill which Senators Wade and Taylor presented all of the soldiers in the first world war, about whom we all cried in 1918, and who came here and got us to pass this law giving them an extra percentage, all those soldiers were thrown out, and yet you say this bill is a patriotic bill.

Let me conclude where I began and say that I challenge a denial of it, an honest denial of it that this bill is a political bill and not a patriotic bill.

Mr. TALLMAN. Mr. President, at the expense of taking a lot of valuable time of this Senate, I feel that I want to make a few remarks further with regard to what has been said on the floor of the Senate with regard to this bill, and on this question of civil service generally.

I have a great deal of respect for the gentleman from Philadelphia, Mr. Shapiro. I think that he is intellectually honest in his ideas about civil service, but I am not impressed, Mr. President, by his statement about writing letters to those men who wrote to Senator Wade, and I rather suspect that a statement of that kind coming from the gentleman from Philadelphia, comes with bad grace, because I do not think that these men know too much about this bill, and I think that anything that anybody might say to them in their absence, by merely writing letters to them, would not be of much moment.

I would like to point out this, however, Mr. President that there certainly is agreement on the floor of this Senate, and there have been expressions to that effect, that something ought to be done to protect these people who are in the service. With the gentleman from Allegheny, Senator Holland, in for once I find that I can agree with him.

I do object a great deal to all the flag waving that has been done, but let me say here and now that it not a one-sided proposition on the floor of this Senate, and I think the gentleman himself has been guilty of a great deal of it, if there is to be a charge placed against any one for doing it.

I want to say that I think, additionally that the charge leveled by the gentleman from Philadelphia, Mr. Shapiro, that this bill was conceived in politics and that it is purely political is an unfair statement for him to make and I think he knows it.

When the gentleman from Westmoreland, Senator Dent, says on the floor of this Senate that he is agreeable at any time to voting against civil service and throwing out of all of the departments of this Commonwealth, I do not believe that he means it. If he said it and meant it, I think he did so inadvertently, because the gentleman knows, I think, that in unemployment compensation, the very thing that he is most interested in, that a great deal, or all of the money, in fact, that pays the personnel in the unemployment compensation division comes from the Federal Government, and the Federal Government insists that there be civil service in the Department of Public Assistance, the Federal Government insists that there be civil service of a nature in the Department of Health and the Federal Government says, if you please, if we do not have civil service in Pennsylvania, in the Department of Unemployment Compensation, then all of the moneys that are paid into that fund automatically come under federal control, and they will take the money to Washington and do with it as they please, as they do in many other states, where they do not comply with the regulations of the Federal Government for civil service.

I do not believe that the gentleman from Westmoreland, Senator Dent, would want to vote to throw civil service out of the Department of Unemployment Compensation and I do not believe that he means that he would willingly vote to destroy that and lose the right to control that fund in Pennsylvania.

I think that is the issue here. I think that these people on the floor of the Senate who talk about destruction of civil service in Pennsylvania have got to make up their minds about something; I think the gentlemen on the other side have got to make up their minds about something. For the last two weeks they have been talking about taxes and they say we are reducing the wrong kind of taxes; they say we ought to reduce other kinds of taxes, they say that there ought to be more tax re-

duction, and when they argue about this civil service matter, then they have to decide, because if we do not want civil service in Pennsylvania, then those same gentlemen will have to stand on the floor of this Senate and raise enough money to take care of all these things that the Federal Government is paying for, because it insists on having civil service.

Mr. President, I think we ought to face the issue clearly; I think we ought to face it fairly; I think with regard to this bill that we ought to say to ourselves, if it accomplishes something for the men who are in the service, that we ought to do it; I think if we want to say to ourselves we want to be fair to those people, then let us do it.

I decry all of this demagoguery and flag waving by these other gentlemen that has been going on on the floor of the Senate, and I think that we ought to meet this issue fairly. If the gentlemen on the other side want to put themselves on record as being against this bill, let them do so; if the gentlemen on the other side want to say at the same time they want to get rid of civil service, as they have been saying, let them vote that way, but let us be fair about it, and let us stop all the politics and vote on the bill for what it is worth.

Mr. McGINNIS. Mr. President, I am going to vote against the Barr bill. I hesitate about it, I know Senator Barr is patriotic, he has four brothers in the army, and I feel sure that every man on this floor is a patriot, and loves his country.

I will admit, when I came to Harrisburg eight years ago, that I was an enthusiastic advocate of civil service, and I helped put half the employes of this state under civil service, but I have seen civil service work and I am convinced it is wrong. I am against this bill because it protects thousands and keeps them on the civil service pay roll here in this state, and when our boys come back from the front, broken in mind and body and see hordes of payrollees who sat here while they broke their minds and bodies down and laughed at them. I would love to see, when this war is over, our boys come back and be free Americans and be on equal footing with every other soul in Pennsylvania, not to meet a special privileged group that has been planted on pay rolls for life. You can not tear a civil service employe from the pay roll with a team of horses and we might as well admit it, and so I would rather see our boys come back and enter competition with free Americans, not with a special privileged group that has been planted there.

Therefore, Mr. President, I am going to vote against this bill because it does not go far enough, it does not abolish enough.

The gentleman from Westmoreland, Senator Dent, just spoke to me and said that he agreed with the statement of the gentleman from Lehigh, Senator Tallman, and that he perhaps would not go as far as to abolish civil service where the Federal Government requires it, in giving us grants and so forth. Perhaps, because the Federal Government forces us to do that, we might in those cases acquiesce, but in other cases, I will vote today to abolish every civil service job in Pennsylvania, and that is the reason I am going to vote against this bill here, because it protects and keeps hordes of employes that dry up, forget their citizenship, do not engage in politics, are not interested in their government, and sit back and laugh at other taxpayers that keep them on the pay roll.

And the question recurring,

Will the Senate agree to the motion to recommit?

The yeas and nays were required by Mr. DENT and Mr. COX and were as follows, viz:

YEAS—14

Barr,	Gourley,	McGinnis,	Shapiro,
Coleman,	Haluska,	McQuiddy,	Stiefel,
Cox,	Holland,	Ruth,	Woodring,
Dent,	Jaspan,		

NAYS—29

Becker,	Farrell,	Letzler,	Thomas,
Bowers,	Geltz,	Mallery,	Tyler,
Carr,	Heyburn,	Scarlett,	Wade,
Chapman,	Homsher,	Snowden,	Walker,
Crider,	James,	Stevenson,	Watkins,
Crowe,	Jones,	Tallman,	Wilson, H. I.,
Deitrick,	Kephart,	Taylor,	Wilson, T. B.,
Ealy			

So the question was determined in the negative.

And the question recurring,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—29

Becker,	Farrell,	Letzler,	Thomas,
Bowers,	Geltz,	Mallery,	Tyler,
Carr,	Heyburn,	Scarlett,	Wade,
Chapman,	Homsher,	Snowden,	Walker,
Crider,	James,	Stevenson,	Watkins,
Crowe,	Jones,	Tallman,	Wilson, H. I.,
Deitrick,	Kephart,	Taylor,	Wilson, T. B.,
Ealy,			

NAYS—15

Barr,	DiSilvestro,	Jaspan,	Shapiro,
Coleman,	Gourley,	McGinnis,	Stiefel,
Cox,	Haluska,	McQuiddy,	Woodring,
Dent,	Holland,	Ruth,	

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

LEAVE OF ABSENCE

Mr. McCREESH asked and obtained leave of absence for himself for the remainder of the day.

HOUSE MESSAGE

HOUSE CONCURS IN AMENDMENTS TO HOUSE BILL No. 403

The Clerk of the House of Representatives being introduced, presented communication from the House of Representatives informing the Senate that the House has concurred in amendments made by the Senate to House Bill No. 403, entitled:

An Act to amend section seven of the act approved the seventeenth day of May, one thousand nine hundred seventeen, (P. L. 208), entitled "Pharmaceutical Practice Law," by requiring a copy of the latest edition of the Year Book of the Pennsylvania Pharmaceutical Association to be kept in every pharmacy.

HOUSE CONCURS IN AMENDMENTS TO HOUSE BILL No. 583

He also presented communication from the House of Representatives informing the Senate that the House has concurred in amendments made by the Senate to House Bill No. 583, entitled:

An Act to further amend section fourteen of article four and section one of article five of the act, approved the ninth day of June, one thousand nine hundred eleven (P. L. 756), entitled "Bituminous Coal Mining Law," further regulating lamps to be carried by shot-firers and fire bosses.

HOUSE CONCURS IN AMENDMENTS TO HOUSE BILL No. 1056

He also presented communication from the House of Representatives informing the Senate that the House has concurred in amendments made by the Senate to House Bill No. 1056, entitled:

An Act abolishing the entire Mercantile License Tax System repealing the various license taxes under said system except as to taxes already due abolishing certain offices and employments providing for the collection of delinquent taxes providing for the final settlement of accounts between the Commonwealth and county treasurers and making certain repeals

RECESS

Mr. HEYBURN. Mr. President, I move that the Senate do now take a recess until 9:30 o'clock p. m.

Mr. WALKER. Mr. President, I second the motion.

The motion was agreed to.

AFTER RECESS

The PRESIDENT. The time of recess having elapsed the Senate will be in order.

BILLS ON THIRD READING

BILL OVER IN ORDER

Mr. HEYBURN. Mr. President, I ask unanimous consent that Senate Bill No. 556, on third reading, entitled:

An Act concerning the ascertainment of principal and income and the apportionment of receipts and expenses among tenants and remaindermen, and to make uniform the law with reference thereto

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 572, entitled:

An Act to add section 617.2 to the act approved the eighteenth day of May one thousand nine hundred eleven (P. L. 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" authorizing school districts of the third and fourth class to continue work on school buildings abandoned as projects by the Works Projects Administration or other Federal agency on contracts entered into pursuant to solicited bids in order to protect such buildings from loss or damage by the elements

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The act approved the eighteenth day of May one thousand nine hundred eleven (P. L. 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" is hereby amended by adding immediately after section 617.1 thereof a new section to read as follows

Section 617.2 Whenever any school district of the third or fourth class pursuant to contract with the Works Project Administration or any other agency of the United States Government shall have expended money for the erection of a school building to be erected by such agency and after the erection of such building has been begun but before the completion thereof the project is abandoned by the Works Project Administration or other agency of the United States Government the board of directors of such school district may with the approval of the Superintendent of Public Instruction enter into a contract for the immediate continuation of the work of erecting such school building to an extent necessary to protect the work already completed from loss or damage by the elements Such contract may be let on competitive bids solicited from at least three responsible bidders and approved by the Superintendent of Public Instruction

Section 2 The provisions of this act shall become effective immediately upon its final enactment

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—34

Barr,	Ealy,	Jones,	Stiefel,
Becker,	Farrell,	Kephart,	Tallman,
Bowers,	Gourley,	Mallery,	Thomas,
Carr,	Haluska,	McGinnis,	Wade,
Chapman,	Heyburn,	McQuiddy,	Walker,
Coleman,	Holland,	Ruth,	Watkins,
Cox,	Homsher,	Snowden,	Wilson, H. I.,
Deitrick,	James,	Stevenson,	Woodward,
DiSilvestro,	Jaspan,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 575, entitled:

An Act to amend clause (d) of section six hundred two and one-tenth of the act approved the eighteenth day of May one thousand nine hundred and eleven (P. L. 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof pro-

viding revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" further regulating the power of directors of school districts in the sale of unused and unnecessary lands and buildings

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Clause (d) of section six hundred two and one-tenth of the act approved the eighteenth day of May one thousand nine hundred and eleven (P. L. 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" which was added to said act by the act approved the eleventh day of May one thousand nine hundred and thirty-nine (P. L. 117) is hereby amended to read as follows

Section 602.1 The board of school directors of any district is hereby vested with the necessary power and authority to sell unused and unnecessary lands and buildings by any of the following methods and subject to the following provisions

* * * * *

(d) The board of school directors may at their discretion when selling property as authorized in (a) (b) and (c) sell and convey said properties to the purchasers for the accepted consideration payable partly in cash and partly in the form of a purchase money mortgage [(and bond)] to be [paid in not more than five years from the date thereof] reduced five per cent per annum and bearing interest at [the rate of not less than five] [per centum] a rate to be determined by the board of school directors said mortgage and bond to contain the customary provisions having to do with fire insurance and the payment of taxes water rents and assessments by the mortgagor and obligor

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—34

Barr,	Ealy,	Jones,	Stiefel,
Becker,	Farrell,	Kephart,	Tallman,
Bowers,	Gourley,	Mallery,	Thomas,
Carr,	Haluska,	McGinnis,	Wade,
Chapman,	Heyburn,	McQuiddy,	Walker,
Coleman,	Holland,	Ruth,	Watkins,
Cox,	Homsher,	Snowden,	Wilson, H. L.,
Deitrick,	James,	Stevenson,	Woodward,
DiSilvestro,	Jaspan,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILL RECOMMITTED

Mr. HEYBURN, Mr. President, I move that Senate Bill No. 580 on third reading, entitled:

An Act to add Section 806.1 to the act, approved the third day of June, one thousand nine hundred thirty-seven (P. L. 1225) entitled "An act concerning game and other wild birds and wild animals; and amending, revising, consolidating, and changing the law relating thereto," making it unlawful for any person, while hunting or trapping, to carry any firearm with the safety off, except during the momentary interval of time necessary to permit the discharge of such firearm; and providing penalties

be recommitted to the Committee on Forests and Waters, Game and Fish.

Mr. MALLERY. Mr. President, I second the motion.

The motion was agreed to.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 602, entitled:

An Act making it lawful during the continuance of the present war and for six months thereafter for drug stores and pharmacies to operate subject to certain conditions and for limited periods without the necessity for a registered pharmacist or assistant pharmacist in attendance

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 It shall be lawful during the continuance of the present war and for six months thereafter for any retail drug store pharmacy or other similar place where drugs medicines or poisons are compounded dispensed prepared or sold at retail to be in operation for a period of not more than two hours in each calendar day without the necessity for a registered pharmacist or assistant pharmacist in attendance thereat or in charge thereof

During any such period when no registered pharmacist or assistant pharmacist is in attendance there shall be no sales of those drugs medicines or poisons which under present law may be sold only by a registered pharmacist or assistant pharmacist

A sign or notice of at least sixty square inches in area shall be posted in a conspicuous spot during any such period and the sign or notice shall state that no pharmacist or assistant pharmacist is in attendance and that no drugs medicines or poisons which may be sold only by pharmacists or assistant pharmacists will be sold during their absence

Section 2 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—34

Barr,	Ealy,	Jones,	Stiefel,
Becker,	Farrell,	Kephart,	Tallman,
Bowers,	Gourley,	Mallery,	Thomas,
Carr,	Haluska,	McGinnis,	Wade,
Chapman,	Heyburn,	McQuiddy,	Walker,
Coleman,	Holland,	Ruth,	Watkins,
Cox,	Homsher,	Snowden,	Wilson, H. L.,
Derrick,	James,	Stevenson,	Woodring,
DiSilvestro,	Jaspan,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 613, entitled:

An Act to further amend section four of the act approved the twenty-eighth day of June one thousand nine hundred thirty-five (P. L. 452) entitled as amended "An act to promote the welfare of the people of the Commonwealth creating a General State Authority as a body corporate and politic with power to construct improve equip furnish and operate projects and to lease the same and to fix and collect fees rentals and charges for the use thereof authorizing and regulating the issuance of bonds by said Authority and providing for the payment of such bonds and the rights of the holders thereof and to enter into agreements with the Government of the United States or any Federal agency and authorizing the Department of Property and Supplies to grant assign convey or lease to the Authority lands of the Commonwealth and interests therein and to acquire lands therefor granting the right of eminent domain and providing that no debt of the Commonwealth shall be incurred in the exercise of any of the powers granted by this act" empowering the General State Authority to lease any project constructed by it to any person copartnership association or corporation for certain uses

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section four of the act approved the twenty-eighth day of June one thousand nine hundred thirty-five (P. L. 452) entitled as amended "An act to promote the welfare of the people of the Commonwealth creating a General State Authority as a body corporate and politic with power to construct improve equip furnish and operate projects and to lease the same and to fix and collect fees rentals and charges for the use thereof authorizing and regulating the issuance of bonds by said Authority and providing for the payment of such bonds and the rights of the holders thereof and to enter into agreements with the Government of the United States or any Federal agency and authorizing the Department of Property and Supplies to grant assign convey or lease to the Authority lands of the Commonwealth and interests therein and to acquire lands therefor granting the right of eminent domain and providing that no debt of the Commonwealth shall be incurred in the exercise of any of the powers granted by this act" as last amended by the act approved the second day of July one thousand nine hundred forty-one (P. L. 215) is hereby further amended to read as follows

Section 4 Purposes and Powers General The Authority is created for the purpose of constructing improving equipping furnishing maintaining and operating sewers sewer systems and sewage treatment works for State institutions of every kind and character (heretofore or hereafter constructed) public buildings for the use of the Commonwealth an official residence in the city of Harrisburg which shall thereafter be used as the official residence of the Governor of the Commonwealth State arsenals armories and military reserves State airports and landing fields State institutions of every kind and character (heretofore or hereafter constructed) additions and improvements to land grant colleges school buildings and the furnishings and equipment thereof for the use of the public schools county courthouses State highways and bridges tunnels and traffic circles on State highways swimming pools and lakes on State land and low head dams and improvements to river embankments (any and all the foregoing being herein called "projects") Provided however That the purpose and intent of this act being to benefit the people of the Commonwealth by among other things increasing their commerce and prosperity and not to unnecessarily burden or interfere with existing business by the establishment of competitive enterprises none of the powers granted hereby (other than for the construction improvement and maintenance of bridges) shall be exercised in the construction improvement maintenance extension or operation of any project or projects which in whole or in part shall duplicate or compete with existing enterprises serving substantially the same purposes and the Authority is hereby granted and shall have and may exercise all powers necessary or convenient for the carrying out of the aforesaid purposes including but without limiting the generality of the foregoing the following rights and powers

(a) To have perpetual existence as a corporation

(b) To sue and be sued implead and be impleaded complain and defend in all courts

(c) To adopt use and alter at will a corporate seal

(d) To acquire purchase hold lease as lessee and use any property real personal or mixed tangible or intangible or any interest therein necessary or desirable for carrying out the purposes of the Authority and (without limitation of the foregoing) to lease from the department or from any school district or any county any property real personal or mixed or any interest therein now owned or hereafter acquired by the Commonwealth of Pennsylvania with the approval of the Governor or now owned or hereafter acquired by such school district or county for a term not exceeding ninety-nine years at a nominal rental or at such annual rental as may be determined and with the approval of the Governor to lease as lessor to the Commonwealth of Pennsylvania and any city county school district or other political subdivision or any agency department or public body of the Commonwealth or land grant college any project at any time constructed by the Authority and any property real personal or mixed tangible or intangible or any interest therein at any time acquired by the Authority and with the approval of the Governor to lease any such project to any person copartnership association or corporation for use in the manufacture of any war material or any article intended for use by the armed forces of the United States or any of its allied nations

(e) To acquire by purchase lease or otherwise and to construct improve equip furnish maintain repair and operate projects

(f) To make by-laws for the management and regulation of its affairs

(g) To appoint officers agents employes and servants to prescribe their duties and to fix their compensation

(h) To fix alter charge and collect rates rentals and other charges for the use of the facilities of or for the services rendered by the Authority or proects thereof at reasonable rates to be determined by it for the purpose of providing for the payment of the expenses of the Authority the construction improvement repair equipping furnishing maintenance and operation of its facilities and properties the payment of the principal of and interest on its obligations and to fulfill the terms and provisions of any agreements made with the purchasers or holders of any such obligations

(i) To borrow money make and issue negotiable notes bonds and other evidences of indebtedness or obligations (herein called "bonds") of the Authority and to secure the payment of such bonds or any part thereof by pledge or deed of trust of all or any of its revenues rentals and receipts and to make such agreements with the purchasers or holders of such bonds or with others in connection with any such bonds whether issued or to be issued as the Authority shall deem advisable and in general to provide for the security of said bonds and the rights of the holders thereof

(j) To make contracts of every name and nature and to execute all instruments necessary or convenient for the carrying on of its business

(k) Without limitation of the foregoing to borrow money and accept grants from and to enter into contracts leases or other transactions with any Federal agency

(l) To have the power of eminent domain

(m) To pledge hypothecate or otherwise encumber all or any of the revenues or receipts of the Authority as security for all or any of the obligations of the Authority

(n) To do all acts and things necessary or convenient to carry out the powers granted to it by this act or any other acts

Provided however When projects are to be constructed improved equipped furnished maintained repaired or operated for the use of any department of the Commonwealth

as hereinbefore listed in this section no plans or specifications therefor shall be presented for quotations or bids until such plans and specifications shall have been submitted to and approved by the department of the Commonwealth which shall use such project the Department of Property and Supplies the Department of Labor and Industry and any other department of the Commonwealth having any jurisdiction over the projects so that the project will conform to standards established by these departments

Provided further That the Authority shall have no power at any time or in any manner to pledge the credit or taxing power of the Commonwealth or any of its cities counties school districts or other political subdivisions nor shall any of its obligations or debts be deemed to be obligations of the Commonwealth or any of its cities counties school districts or political subdivisions nor shall the Commonwealth or any city county school district or political subdivision thereof be liable for the payment of principal of or interest on such obligations

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—34

Barr,	Ealy,	Jones,	Stiefel,
Becker,	Farrell,	Kephart,	Taylor,
Bowers,	Gourley,	Mallery,	Thomas,
Carr,	Haluska,	McGinnis,	Wade,
Chapman,	Heyburn,	McQuiddy,	Walker,
Coleman,	Holland,	Ruth,	Watkins,
Cox,	Homsher,	Snowden,	Wilson, H. I.,
Deitrick,	James,	Stevenson,	Woodward,
DiSilvestro,	Jaspan,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 615, entitled:

An Act to amend section sixty of the act approved the seventh day of June one thousand nine hundred and seventeen (P. L. 447) entitled as amended "An act relating to the administration and distribution of the estates of decedents and of minors and of trust estates including the appointment bonds rights powers duties liabilities accounts discharge and removal of executors administrators guardians and trustees herein designated as fiduciaries the administration and distribution of the estates of presumed decedents widow's and children's exemptions debts of decedents rents of real estate as assets for payment thereof the lien thereof sales and mortgags of real estate for the payment thereof judgments and executions therefor and the discharge of real estate from the lien thereof contracts of decedents for the sale or purchase of real estate legacies including legacies charged on land the discharge of residuary estates and of real estate from the lien of legacies and other charges the appraisement of real estate devised at a valuation the ascertainment of the curtilage of dwelling houses or other buildings devised the abatement and survival of actions and the substitution of executors and administrators therein the survival of causes of action and suits thereupon by or against fiduciaries investments by fiduciaries the organization of corporations to carry on the business of decedents the audit and review of accounts of fiduciaries refunding bonds transcripts to the court of common pleas of balances due by fiduciaries the rights powers and liabilities of nonresident and foreign fiduciaries the appointment bonds rights powers duties and liabilities of trustees durante absentia the recording and registration of decrees reports and other proceedings and the fees therefor appeals in certain cases and also generally dealing with the jurisdiction powers and procedure of the orphans' court in all matters relating to fiduciaries concerned with the estates of decedents" further regulating the administration and distribution of the estates of missing persons prescribing the jurisdiction powers and duties of the orphans' court relative thereto and of the trustees appointed by said court for the management control and distribution of such estates and repealing existing laws

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section sixty of the act approved the seventh day of June one thousand nine hundred and seventeen (P. L. 447) entitled as amended "An act relating to the administration and distribution of the estates of decedents and of minors and of trust estates including the appointment bonds rights powers duties liabilities accounts discharge and removal of executors administrators guardians and trustees herein designated as fiduciaries the administration and distribution of the estates of presumed decedents widow's and children's exemptions debts of decedents rents of real estate as assets for payment thereof the lien thereof sales and mortgages of real estate for the payment thereof judgments and executions therefor and the discharge of real estate from the lien thereof contracts of decedents for the sale or purchase of real estate legacies including legacies charged on land the discharge of residuary estates and of real estate from the lien of legacies and other charges the appraisement of real estate devised at a valuation the ascertainment of the curtilage of dwelling houses or other buildings devised the abatement and survival of actions and the substitution of executors and administrators therein the survival of causes of action and suits thereupon by or against fiduciaries investments by fiduciaries the organization of corporations to carry on the business of decedents the audit and review of accounts of fiduciaries refunding bonds transcripts to the court of common pleas of balances due by fiduciaries the rights powers and liabilities of nonresident and foreign fiduciaries the appointment bonds rights powers duties and liabilities of trustees durante absentia the recording and registration of decrees reports and other proceedings and the fees therefor appeals in certain cases and also generally dealing with the jurisdiction powers and procedure of the orphans' court in all matters relating to fiduciaries concerned with the estates of decedents" is hereby amended to read as follows

Section 60 A missing person within the meaning of this section shall be

Any person having property within this Commonwealth who has absented himself or herself or who hereafter shall absent himself or herself from his or her usual place of abode and shall have been unheard of by the immediate members of his or her family for a period of at least one year and

Any member of the Armed Forces of the United States or of the Merchant Marine having property within this Commonwealth who shall be officially listed for six months in the proper offices of the United States as "missing" or "missing in action" or as a prisoner of war not able to act in his own behalf

Any person having property within this Commonwealth who shall have been detained or imprisoned for six months in any foreign country occupied by enemies of the United States

(a) Whenever [it shall be made known to the orphans' court of the county in which shall be found all or the greater portion of the estate within this Commonwealth of] any person who has been a resident either of this Commonwealth or of any other State Territory or possession of the United States or of any foreign country [and who has absented himself from his usual place of abode by the

petition verified by affidavit of] is missing within the meaning of this act it shall be lawful for the husband wife or next of kin of such person or other persons interested in the order named [such petition being supported by the affidavits of at least two disinterested residents of the city borough township or other territorial subdivision where such person was last known to reside that such person has been absent from his usual place of abode for the space of one year that his whereabouts is not and has not been known for the space of one year and he has left an estate either real or personal or both situated owing or belonging to him within this Commonwealth without any person to take charge of or manage the same it shall be lawful for said court to appoint one or more trustees who shall take charge of and manage the estate of such person so being absent and who shall be under the control and direction of said court] to file a petition under oath with the orphans' court of the county in which shall be found all or the greater portion of the estate within this Commonwealth of such missing person setting forth that such person is missing and the nature and character of the estate either real or personal or both situated owing or belonging to him or her within this Commonwealth and that such missing person has not left any person to take charge of or manage the same and praying the court to appoint a trustee durante absentia for the estate of such person

(a-1) Thereupon it shall be the duty of the court to fix a day for the hearing on such petition Notice of the presentation of said petition and of the time and place when and where the court will hear the petition shall be given said missing person by advertising in a newspaper of general circulation published in the county and in the legal journal if any designated by rules of court for the publication of legal notice once a week for two successive weeks or in such other manner as the court shall direct The last publication shall be at least six days prior to the day fixed for hearing

(a-2) At the hearing the court shall take such evidence as shall then be offered for the purpose of ascertaining the truth of the allegations of the petition No person shall be disqualified to testify by reason of his or her relationship as husband or wife of such missing person or of his or her interest in the estate of such person If the court after hearing shall be satisfied that the person against whom the proceedings are taken is missing then it shall be the duty of the court to enter a decree accordingly and to appoint a trustees or trustees durante absentia to take charge of such person's estate

(b) Such trustee or trustees before taking charge of such estate shall [give bond in twice the amount of the personal property and seven years' rental of real estate with sufficient corporate security or two sufficient individual sureties] file in the office of the clerk of said court his or their bond in such sum as the court may determine adequate for the protection of the estate with surety to be approved by said court for the faithful discharge of his or their duties and the faithful application of the moneys and property which may come into his or their hands and shall within thirty days after his or their appointment file an inventory of said estate and render an account at least once in three years or oftener if required by said court Provided That in the case of a corporation duly authorized by [its charter or by] law to act as such trustee said court may permit such corporation to give its own bond without surety

(b-1) The trustee or trustees so appointed shall have full possession power management and control of the real and personal estate of such missing person including the power and authority to collect and receive all moneys due to such person Subject to the approval of the court the trustees or trustees may retain unconverted the personal estate of such missing person or sell the same or any part thereof from time to time and invest and reinvest the proceeds thereof in legal investments or securities The court appointing such trustee or trustees shall have full power over the property real and personal of the missing person in directing an allowance either from principal or income or both for the support and maintenance of dependents for whose support the missing person is legally liable and the court shall be empowered to enter a decree for the sale mortgaging or leasing of the real estate or any part thereof of said missing person whenever in the opinion of the court it is necessary for the support and maintenance of said missing person's spouse children or any blood relatives who were receiving from the missing person his or her chief support at the time of the missing person's disappearance or for the education of the missing person's minor children or the payment of the missing person's debts or where it is for the best interest and advantage of the said missing person's estate that the same should be sold mortgaged or leased All such sales in fee simple except as hereinafter provided shall be by public sale or vendue and may be either entirely for cash or partly on credit and after full advertisement once a week for not less than two successive weeks in one newspaper of general circulation and in the legal journal if any published in said city or county Provided That if the court shall be of the opinion that under the circumstances a better price can be obtained by private sale then at public sale the court may decree and approve the same Such sales mortgaging or leasing shall be upon terms and conditions to be approved by the court When the said real estate is not situated in the county in which the said missing person shall have had his or her residence and the court shall be satisfied of the propriety of a sale mortgaging or leasing such real estate or any part thereof not within its jurisdiction it shall be unlawful for such court to make an order or decree authorizing such trustee or trustees to sell mortgage or lease all the real estate of such missing person or so much thereof as the court may think necessary and as it may designate Thereupon it shall be the duty of the orphans' court of the county wherein the real estate so designated is situated upon the petition of such trustee or trustees to make an order for the sale mortgaging or leasing of said real estate or so much thereof as the court appointing said trustee or trustees by its order shall designate and such trustee or trustees shall in all cases make a return of his proceedings to the said court in the county in which the real estate sold mortgaged or leased is situated If the same be approved by the court it shall be confirmed and said trustee or trustees shall make a return of said proceedings to the court by which such trustee or trustees were appointed Any net proceeds from the sale mortgaging or leasing of real estate and the income therefrom may be invested by the trustee or trustees in legal investments or securities.

(c) If such person so [being absent] missing shall return before the expiration of seven years from the time when he was last heard of or before letters testamentary or of administration shall have been issued in his estate on the ground of his presumed death or in case such letters shall have been so issued before the said trustee or trustees shall have paid or delivered over the property or estate to the executors or administrators so appointed then said trustee or trustees shall render an account and restore to such person the property and estate after deducting the reasonable expenses of said trust and compensation of said trustee or trustees If such [absent] missing person shall die within such period of seven years and letters testamentary or of administration shall be duty issued in his estate or if after the expiration of said period of seven years letters testamentary or of administration shall be issued in his estate on the ground of his presumed death then said trustee or trustees shall render an account and pay and deliver over to the executors or administrators of such person the property and estate after deducting expenses and compensation as aforesaid

(c-1) Any person aggrieved by the final decree of the orphans' court in the proceedings provided by this act may within three months from the time of entry of such decree appeal to the proper appellate court and such court may affirm reverse or modify the decree entered in the lower court Provided That no reversal or modification of any decree or proceedings of the orphans' court for the sale of real or personal property shall have the effect

of divesting any estate or interest acquired under any such decree or proceeding by persons not party thereto where the orphans' court had jurisdiction of the case

Section 2 The act approved the seventeenth day of July one thousand nine hundred and seventeen (P. L. 1033) entitled "An act to provide for the control management protection and preservation of estates of persons absent from their homes and unheard of for a period of one year and the appointment of a trustee for the said absent and unheard of persons authorizing the trustee to support the wife and children of the said absent and unheard of persons defining the powers of the trustee and authorizing the mortgaging sale or leasing of real estate of said absent and unheard of persons" is hereby repealed

All acts and parts of acts inconsistent with the provisions of this act are hereby repealed

Section 3 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nay were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—34

Barr,	Ealy,	Jones,	Stiefel,
Becker,	Farrell,	Kephart,	Tallman,
Bowers,	Gourley,	Mallery,	Thomas,
Carr,	Haluska,	McGinnis,	Wade,
Chapman,	Heyburn,	McQuiddy,	Walker,
Coleman,	Holland,	Ruth,	Watkins,
Cox,	Homsher,	Snowden,	Wilson, T. B.,
Deitrick,	James,	Stevenson,	Woodring,
DiSilvestro,	Jaspan,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILL RECOMMITTED

Mr. KEPHART, Mr. President, I move that Senate Bill No. 625, on third reading, entitled:

An Act providing referendums to ascertain the will of electors on the question of baseball and football on Sundays, and for the enactment of licensing ordinances and resolutions in accordance therewith

be recommitted to the Committee on Judiciary General.

Mr. WALKER. Mr. President, I second the motion.

The motion was agreed to.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 655, entitled:

An Act to amend clause (g) of section nineteen of the act approved the twenty-fifth day of May one thousand nine hundred thirty-seven (P. L. 849) entitled "An act to provide for the permanent personal registration of electors in cities of the third class as a condition of their right to vote at elections and primaries and their enrollment as members of political parties as a further condition of their right to vote at primaries prescribing certain procedure for the conduct of elections and primaries and the challenge and proof of qualifications of electors and prescribing the powers and duties of citizens parties political bodies registration commissions commissioners registrars inspectors of registration and other appointees of registration commissions county election boards election officers municipal officers department and bureaus police officers courts judges prothonotaries sheriffs county commissioners peace officers county treasurers county controllers registrars of vital statistics certain public utility corporations real estate brokers rental agents and boards of school directors imposing penalties and repealing existing legislation" by changing the procedure relating to the registration of State and Federal employes

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Clause (g) of section nineteen of the act approved the twenty-fifth day of May one thousand nine hundred thirty-seven (P. L. 849) entitled "An act to provide for the permanent personal registration of electors in cities of the third class as a condition of their right to vote at elections and primaries and their enrollment as members of political parties as a further condition of their right to vote at primaries prescribing certain procedure for the conduct of elections and primaries and the challenge and proof of qualifications of electors and prescribing the powers and duties of citizens parties political bodies registration commissions commissioners registrars inspectors of registration and other appointees of registration commissions county election boards election officers municipal officers departments and bureaus police officers courts judges prothonotaries sheriffs county commissioners peace officers county treasurers county controllers registrars of vital statistics certain public utility corporations real estate brokers rental agents and boards of school directors imposing penalties and repealing existing legislation" is hereby amended to read as follows

Section 19 Manner of Registration

* * * *

(g) Any person employed in the service of this Commonwealth or in the service of the Federal Government and required thereby to be absent from any city of the third class wherein he resided when entering such employment his wife or her husband shall be registered as of the district wherein he or she shall have resided immediately prior to entering such service and be enrolled as a member of the political party he or she designates without declaring a residence by street and number All persons employed by this Commonwealth who register in this manner shall produce a certificate from the [Auditor General] head of the proper department board or commission under the seal of his office setting forth that said person or the husband or wife of said person is actually employed in the service of this Commonwealth and also setting forth the nature of such employment and the time when such person first entered such employment

All persons employed by the Federal Government who register in this manner shall produce a certificate from the head of the proper department or chief of the proper division or bureau under the seal of his office setting forth that said person or the husband or wife of said person is actually employed in the service of the United States and also setting forth the nature of such employment and the time when such person first entered such employment

The commission shall retain such certificates and shall cause to be noted on the registration card of each person so registered the fact that such person is an employe of this Commonwealth or of the Federal Government as the case may be

At least once every two years the commission shall verify the employment of all persons thus registered at either the office of the [Auditor General of this Commonwealth] proper department board or commission of this Commonwealth or at the office of the department division or bureau of the Federal Government in whose employ such person is alleged to be If any such person is found to be no longer an employe of this Commonwealth or of the Federal Government his registration card shall be removed from the district register until such time as said person appears at the office of the commission and declares the street and number of his residence in the city

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—35

Barr,	Ealy,	Kephart,	Tallman,
Becker,	Farrell,	Mallery,	Thomas,
Bowers,	Gourley,	McGinnis,	Wade,
Carr,	Haluska,	McQuiddy,	Walker,
Chapman,	Heyburn,	Ruth,	Watkins,
Coleman,	Holland,	Scarlett,	Wilson, H. I.,
Cox,	Homsher,	Snowden,	Woodring,
Deitrick,	James,	Stevenson,	Woodward,
DiSilvestro,	Jones,	Stiefel,	

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which the concurrence of the House is requested.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 659, entitled:

An Act to amend clause (g) of section eighteen of the act approved the twenty-ninth day of April one thousand nine hundred thirty-seven (P. L. 487) entitled "An act to provide for the permanent personal registration of electors in boroughs towns and townships as a condition of their right to vote at elections and primaries and their enrollment as members of political parties as a further condition of their right to vote at primaries prescribing certain procedure for the conduct of elections and primaries and the challenge and proof of qualifications of electors requiring the county commissioners of the various counties to act as a registration commission therefor and prescribing the powers and duties of citizens parties political bodies registration commissions commissioners registrars inspectors of registration and other appointees of registration commissions county election boards election officers municipal officers departments and bureaus police officers courts judges prothonotaries sheriffs county commissioners peace officers county treasurers county controllers registrars of vital statistics certain public utility corporations real estate brokers rental agents and boards of school directors and imposing penalties" by changing the procedure relating to the registration of State and Federal employes

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Clause (g) of section eighteen of the act approved the twenty-ninth day of April one thousand nine hundred thirty-seven (P. L. 487) entitled "An act to provide for the permanent personal registration of the electors in boroughs towns and townships as a condition of their right to vote at elections and primaries and their enrollment as members of political parties as a further condition of their right to vote at primaries prescribing certain procedure for the conduct of elections and primaries and the challenge and proof of qualifications of electors requiring the county commissioners of the various counties to act as a registraion commission therefor and prescribing the powers and duties of citizens parties political bodies registration commissions commissioners registrars inspectors of registration and other appointees of registraion commissions county election boards election officers municipal officers departments and bureaus police officers courts judges prothonotaries sheriffs county commissioners peace officers county treasurers county controllers registrars of vital statistics certain public utiliy corporations real estate brokers rental agents and boards of school directors and imposing penalties" is hereby amended to read as follows

Section 18 Manner of Registration

* * * *

(g) Any person employed in the service of this Commonwealth or in the service of the Federal Government and required thereby to be absent from any borough town or township wherein he resided when entering such employment his wife or her husband shall be registered as of the district wherein he or she shall have resided immediately prior to entering such service and be enrolled as a member of the political party he or she designates without declaring a residence by street and number All persons employed by this Commonwealth who register in this manner shall produce a certificate from the [Audior Generall head of the department board or commission under the seal of his office setting forth that said person or the husband or wife of said person is actually employed in the service of this Commonwealth and also setting forth the nature of such employment and the time when such person first entered such employment

All persons employed by the Federal Government who register in this manner shall produce a certificate from the head of the proper department or chief of the proper division or bureau under the seal of his office setting forth that said person or the husband or wife of said person is actually employed in the service of the United States and also setting forth the nature of such employment and the time when such person first entered such employment

The commission shall retain such certificates and shall cause to be noted on the registration card of each person so registered the fact that such person is an employe of this Commonwealth or of the Federal Government as the case may be

At least once every two years the commission shall verify the employment of all persons thus registered at either the office of the [Auditor General of this Commonwealth] proper department board or commission or at the office of the department division or bureau of the Federal Government in whose employ such person is alleged to be If any such person is found to be no longer an employe of this Commonwealth or of the Federal Government his registration card shall be removed from the district register until such time as said person appears at the office of the commission and declares the street or road and number if any of his residence in the borough town or township

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—35

Barr,	Ealy,	Kephart,	Tallman,
Becker,	Farrell,	Mallery,	Thomas,
Bowers,	Gourley,	McGinnis,	Wade,
Carr,	Haluska,	McQuiddy,	Walker,
Chapman,	Heyburn,	Ruth,	Watkins,
Coleman,	Holland,	Scarlett,	Wilson, H. I.,
Cox,	Homsher,	Snowden,	Woodring,
Deitrick,	James,	Stevenson,	Woodward,
DiSilvestro,	Jones,	Stiefel,	

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 660, entitled:

An Act to amend clause (g) of section nineteen of the act approved the twenty-fifth day of May one thousand nine hundred thirty-seven (P. L. 814) entitled "An act to provide for the permanent personal registration of electors in cities of the second class as a condition of their right to vote at elections and primaries and their enrollment as members of political parties as a further condition of their right to vote at primaries prescribing certain procedure for the conduct of elections and primaries and the challenge and proof of qualifications of electors and prescribing the powers and duties of citizens parties political bodies registration commissions commissioners registrars inspectors of registration and other appointees of registration commissions county election boards election officers municipal officers departments and bureaus police officers courts judges prothonotaries sheriffs county commissioners peace officers county treasurers county controllers registrars of vital statistics certain public utility corporations real estate brokers rental agents and boards of school directors and imposing penalties" by changing the procedure relating to the registration of State and Federal employes

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Clause (g) of section nineteen of the act approved the twenty-fifth day of May one thousand nine hundred thirty-seven (P. L. 814) entitled "An act to provide for the permanent personal registration of electors in cities of the second class as a condition of their right to vote at elections and primaries and their enrollment as members of political parties as a further condition of their right to vote at primaries prescribing certain procedure for the conduct of elections and primaries and the challenge and proof of qualifications of electors and prescribing the powers and duties of citizens parties political bodies registration commissions commissioners registrars inspectors of registration and other appointees of registration commissions county election boards election officers municipal officers departments and bureaus police officers courts judges prothonotaries sheriffs county commissioners peace officers county treasurers county controllers registrars of vital statistics certain public utility corporations real estate brokers rental agents and boards of school directors and imposing penalties" is hereby amended to read as follows

Section 19 Manner of Registration

* * * *

(g) Any person employed in the service of this Commonwealth or in the service of the Federal Government and required thereby to be absent from any city of the second class wherein he resided when entering such employment his wife or her husband shall be registered as of the district wherein he or she shall have resided immediately prior to entering such service and be enrolled as a member of the political party he or she designates without declaring a residence by street and number All persons employed by this Commonwealth who register in this manner shall produce a certificate from the [Auditor General] head of the proper department board or commission under the seal of his office setting forth that said person or the husband or wife of said person is actually employed in the service of this Commonwealth and also setting forth the nature of such employment and the time when such person first entered such employment

All persons employed by the Federal Government who register in this manner shall produce a certificate from the head of the proper department or chief of the proper division or bureau under the seal of his office setting forth that said person or the husband or wife of said person is actually employed in the service of the United States and also setting forth the nature of such employment and the time when such person first entered such employment

The commission shall retain such certificates and shall cause to be noted on the registration card of each person so registered the fact that such person is an employe of this Commonwealth or of the Federal Government as the case may be

At least once every two years the commission shall verify the employment of all persons thus registered at either the office of the [Auditor General of this Commonwealth] department board or commission of the State Government in whose employ such person is alleged to be or at the office of the department division or bureau of the Federal Government in whose employ such person is alleged to be If any such person is found to be no longer an employe of this Commonwealth or of the Federal Government his registration card shall be removed from the district register until such time as said person appears at the office of the commission and declares the street and number of his residence in the city

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—36

Barr,	Ealy,	Kephart,	Tallman,
Becker,	Farrell,	Mallery,	Thomas,
Bowers,	Gourley,	McGinnis,	Wade,
Carr,	Haluska,	McQuiddy,	Walker,
Chapman,	Heyburn,	Ruth,	Watkins,
Coleman,	Holland,	Scarlett,	Wilson, H. I.,
Cox,	Homsher,	Snowden,	Wilson, T. B.,
Deitrick,	James,	Stevenson,	Woodring,
DiSilvestro,	Jones,	Stiefel,	Woodward,

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which the concurrence of the House is requested.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 661, entitled:

An Act to amend clause (g) of section nineteen of the act approved the first day of June one thousand nine hundred thirty-seven (P. L. 1132) entitled "An act to provide for the permanent personal registration of electors in cities of the second class A as a condition of their right to vote at elections and primaries and their enrollment as members of political parties as a further condition of their right to vote at primaries prescribing certain procedure for the conduct of elections and primaries and the challenge and proof of qualifications of electors and prescribing the powers and duties of citizens parties political bodies registration commissions commissioners registrars inspectors of registration and other appointees of registration commissions county election boards election officers municipal officers departments and bureaus police officers courts judges prothonotaries sheriffs county commissioners peace officers county treasurers county controllers registrars of vital statistics certain public utility corporations real estate brokers rental agents and boards of school directors and imposing penalties" by changing the procedure relating to the registration of State and Federal employes

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Clause (g) of section nineteen of the act approved the first day of June one thousand nine hundred thirty-seven (P. L. 1132) entitled "An act to provide for the permanent personal registration of electors in cities of the second class A as a condition of their right to vote at elections and primaries and their enrollment as members of political parties as a further condition of their right to vote at primaries prescribing certain procedure for the conduct of elections and primaries and the challenge and proof of qualifications of electors and prescribing the powers and duties of citizens parties political bodies registration commissions commissioners registrars inspectors of registration and other appointees of registration commissions county election boards election officers municipal officers departments and bureau police officers courts judges prothonotaries sheriffs county commissioners peace officers county treasurers county controllers registrars of vital statistics certain public utility corporations real estate brokers rental agents and boards of school directors and imposing penalties" is hereby amended to read as follows

Section 19 Manner of Registration

* * * *

(g) Any person employed in the service of this Commonwealth or in the service of the Federal Government and required thereby to be absent from any city of the second class A wherein he resided when entering such employment his wife or her husband shall be registered as of the district wherein he or she shall have resided immediately prior to entering such service and be enrolled as a member of the political party he or she designates without declaring a residence by street and number All persons employed by this Commonwealth who register in this manner shall produce a certificate from the [Auditor General] head of the proper department board or commission under the seal of his office setting forth that said person or the husband or wife of said person is actually employed in the service of this Commonwealth and also setting forth the nature of such employment and the time when such person first entered such employment

All persons employed by the Federal Government who register in this manner shall produce a certificate from the head of the proper department or chief of the proper division or bureau under the seal of his office setting forth that said person or the husband or wife of said person is actually employed in the service of the United States and also setting forth the nature of such employment and the time when such person first entered such employment

The commission shall retain such certificates and shall cause to be noted on the registration card of each person so registered the fact that such person is an employe of this Commonwealth or of the Federal Government as the case may be

At least once every two years the commission shall verify the employment of all persons thus registered at either the office of the [Auditor General of this Commonwealth] department board or commission of the State Government in whose employ such person is alleged to be or at the office of the department division or bureau of the Federal Government in whose employ such person is alleged to be If any such person is found to be no longer an employe of this Commonwealth or of the Federal Government his registration card shall be removed from the district register until such time as said person appears at the office of the commission and declares the street and number of his residence in the city

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—36

Barr,	Ealy,	Kephart,	Tallman,
Becker,	Farrell,	Mallery,	Thomas,
Bowers,	Gourley,	McGinnis,	Wade,
Carr,	Haluska,	McQuiddy,	Walker,
Chapman,	Heyburn,	Ruth,	Watkins,
Coleman,	Holland,	Scarlett,	Wilson, H. I.,
Cox,	Homsher,	Snowden,	Wilson, T. B.,
Deitrick,	James,	Stevenson,	Woodring,
DiSilvestro,	Jones,	Stiefel,	Woodward,

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which the concurrence of the House is requested.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 662, entitled:

An Act to amend clause (k) of section three hundred two and sections nine hundred, fourteen and nine hundred seventy-seven of the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1333) entitled "An act concerning elections including general municipal special and primary elections the nomination of candidates primary and election expenses and election contests creating and defining membership of county boards of elections imposing duties upon the Secretary of the Commonwealth courts county boards of elections county commissioners imposing penalties for violation of the act and codifying revising and consolidating the laws relating thereto and repealing certain acts and parts of acts relating to elections" by changing the time for the certification of returns to the Secretary of the Commonwealth the time for the withdrawal of candidates for nomination or election at any primary and the time for filing objections to nomination petitions

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Clause (k) of section three hundred two and sections nine hundred fourteen and nine hundred seventy-seven of the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1333) entitled "An act concerning elections including general municipal special and primary elections the nomination of candidates primary and election expenses and election contests creating and defining membership of county boards of elections imposing duties upon the Secretary of the Commonwealth courts county boards of elections county commissioners imposing penalties for violation of the act and codifying revising and consolidating the laws relating thereto and repealing certain acts and parts of acts relating to elections" are hereby amended to read as follows

Section 302 Powers and Duties of County Boards The county boards of elections within their respective counties shall exercise in the manner provided by this act all powers granted to them by this act and shall perform all the duties imposed upon them by this act which shall include the following

* * *

(k) To receive from district election officers the returns of all primaries and elections to canvass and compute the same and to certify no later than the third Monday following the primary or election the results thereof to the Secretary of the Commonwealth as may be provided by law and to such other authorities as may be provided by law

Section 914 Withdrawal of Candidates Any of the candidates for nomination or election at any primary may withdraw his name as a candidate by a request in writing signed by him and acknowledged before an officer em-

powered to administer oaths and file in the office in which his nomination petition was filed Such withdrawals to be effective must be received in the office of the Secretary of the Commonwealth not later than 5 o'clock P M on the [fifth] seventh day next succeeding the last day for filing nomination petitions in said office and in the office of any county board of elections not later than the ordinary closing hour of said office on the [fifth] seventh day next succeeding the last day for filing nomination petitions in said office No name so withdrawn shall be printed on the ballot or ballot labels No candidate may withdraw any withdrawal notice already received and filed and thereby reinstate his nomination petition

Section 977 Objections to Nomination Petitions and Papers All nomination petitions and papers received and filed within the periods limited by this act shall be deemed to be valid unless within [five] seven days after the last day for filing said nomination petition or paper a petition is presented to the court of common pleas of the county in which the nomination petition or paper was filed specifically setting forth the objections thereto and praying that the said petition or paper be set aside A copy of said petition shall within said period be served on the officer or board with whom said nomination petition or paper was filed Upon the presentation of such a petition the court shall make an order fixing a time for hearing which shall not be later than ten days after the last day for filing said nomination petition or paper and specifying the time and manner of notice that shall be given to the candidate or candidates named in the nomination petition or paper sought to be set aside On the day fixed for said hearing the court shall proceed without delay to hear said objections and shall give such hearing precedence over any other business before it and shall finally determine said matter not later than fifteen (15) days after the last day for filing said nomination petitions or papers If the court shall find that said nomination petition or paper is defective under the provisions of section 976 or does not contain a sufficient number of genuine signatures of electors entitled to sign the same under the provisions of this act or was not filed by persons entitled to file the same it shall be set aside If the objections relate to material errors or defects apparent on the face of the nomination petition or paper or on the face of the accompanying or appended affidavits the court after hearing may in its discretion permit amendments within such time and upon such terms as to payment of costs as the said court may specify In case any such petition is dismissed the court shall make such order as to the payment of the costs of the proceeding including witness fees as it shall deem just If a person shall sign any nomination petitions or papers for a greater number of candidates than he is permitted under the provisions of this act if said signatures bear the same date they shall upon objections filed thereto not be counted on any petition or paper and if they bear different dates they shall be counted in the order of their priority of date for only so many persons as there are candidates to be nominated or elected

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—37

Barr,	Farrell,	Mallery,	Taylor,
Becker,	Gourley,	McGinnis,	Thomas,
Bowers,	Haluska,	McQuiddy,	Wade,
Carr,	Heyburn,	Ruth,	Walker,
Chapman,	Holland,	Scarlett,	Watkins,
Coleman,	Homsher,	Snowden,	Wilson, H. I.,
Cox,	James,	Stevenson,	Wilson, T. B.,
Deitrick,	Jones,	Stiefel,	Woodring,
DiSilvestro,	Kephart,	Tallman,	Woodward,
Ealy,			

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 675, entitled:

An Act to further amend section seventeen of the act approved the twenty-ninth day of May one thousand nine hundred thirty-one (P. L. 280) entitled "An act relating to delinquent taxes on seated lands and prescribing interest charges on non-payment thereof requiring the receivers and collectors of county city borough town township school district and poor district taxes to make a return to the county commissioners of such unpaid taxes and providing for the lien thereof authorizing the county treasurers to collect such taxes and to sell seated lands at public sale for taxes heretofore or hereafter returned as unpaid and authorizing the county commissioners to purchase such lands and resell the same under certain circumstances" making the sale of land purchased at treasurer's sale discretionary and authorizing the sale of such property on court order and the redemption thereof after such sale free and clear of all mortgages, municipal claims and ground rents and validating previous sales.

And said bill having been read at length the third time,

On the question,

Will the Senate agree to the bill on third reading?

Mr. HENRY I. WILSON. Mr. President, I ask unanimous consent to offer amendments at this time.

I might say, Mr. President, in offering these amendments, that they are the result of a conference between some of us who differed about this bill. I am offering these amendments now, after they have been prepared by the sponsor and those who were assisting him and others in the Senate who understand them, and who have handed them to me. They cover the amendments which I wished to have put in Senate Bill No. 100.

The PRESIDENT. Is there objection? The Chair hears none.

The Clerk read the amendments as follows:

Amend Title, page 1, line 1 of title, by inserting after the word "To" the following: "reenact and"; Amend Title, page 1, line 16 of title, by striking out the word "and" and inserting in lieu thereof: "providing for the readvertisement of such sales heretofore advertised but not held;" Amend Sec. 1, page 2, line 16, by inserting after the word "hereby" the following: "reenacted and;" Amend Sec. 1, (Sec. 17), page 3, by inserting between lines 28 and 29 the following: "where any such public sale has been advertised under the provisions of this section prior to this amendment and such sale not having been held, the readvertisement of such sale need not be advertised three consecutive weeks, nor include a list and description of the lands to be sold, but need only be advertised by one insertion in one or two newspapers as aforesaid at least thirty days prior to the sale, and include the purpose, the time, the place and the terms of such sale with a reference to the prior advertisement."

On the question,

Will the Senate agree to the amendments?

They were agreed to.

On the question,

Will the Senate agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill as amended lie over for printing on final passage.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 731, entitled:

An Act to further amend subsection (c) of section four hundred twelve of the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1333) entitled "An act concerning elections including general municipal special and primary elections the nomination of candidates primary and election expenses and election contests creating and defining membership of county boards of elections imposing duties upon the Secretary of the Commonwealth courts county boards of elections county commissioners imposing penalties for violation of the act and codifying revising and consolidating the laws relating thereto and repealing certain acts and parts of acts relating to elections" fixing the mileage of judges of election for transmitting returns of primaries and elections and ballot boxes

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Subsection (c) of section four hundred twelve of the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1333) entitled "An act concerning elections including general municipal special and primary elections the nomination of candidates primary and election expenses and election contests creating and defining membership of county boards of elections imposing duties upon the Secretary of the Commonwealth courts county boards of elections county commissioners imposing penalties for violation of the act and codifying revising and consolidating the laws relating thereto and repealing certain acts and parts of acts relating to elections" as amended by the act approved the fifteenth day of June one thousand nine hundred thirty-nine (P. L. 376) is hereby further amended to read as follows

Section 412 Compensation of Election Officers

* * * * *

(c) For transmitting returns of primaries and elections and the ballot box or boxes all judges of election shall be entitled to receive the additional sum of two dollars and fifty cents ($2.50) and [three cents ($.03)] five cents ($.05) per mile for mileage as full compensation for said services

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—37

Barr,	Farrell,	Mallery,	Taylor,
Becker,	Gourley,	McGinnis,	Thomas,
Bowers,	Haluska,	McQuiddy,	Wade,
Carr,	Heyburn,	Ruth,	Walker,
Chapman,	Holland,	Scarlett,	Watkins,
Coleman,	Homsher,	Snowden,	Wilson, H. I.,
Cox,	James,	Stevenson,	Wilson, T. B.,
Deitrick,	Jones,	Stiefel,	Woodring,
DiSilvestro,	Kephart,	Tallman,	Woodward,
Ealy,			

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 747, entitled:

An Act to further amend clause (f) and to amend clause (g) of section twenty of the act approved the thirtieth day of March one thousand nine hundred and thirty-seven (P. L. 115) entitled "An act to provide for the permanent personal registration of electors in cities of the first class as a condition of their right to vote at elections and primaries and their enrollment as members of political parties as a further condition of their right to vote at primaries prescribing certain procedure for the conduct of elections and primaries and the challenge and proof of qualifications of electors and prescribing the powers and duties of citizens parties bodies of electors registration commissions commissioners registrars inspectors of registration and other appointees of registration commission election officers municipal officers departments and bureaus police officers courts judges prothonotaries sheriffs county commissioners peace officers county treasurers county controllers registrars of vital statistics real estate brokers rental agents certain public service companies persons firms and corporations operating vehicles for moving furniture and household goods and boards of school directors and imposing penalties" by changing procedure relating to registration of State and Federal employes

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Clause (f) of section twenty of the act approved the thirtieth day of March one thousand nine hundred and thirty-seven (P. L. 115) entitled "An act to provide for the permanent personal registration of electors in cities of the first class as a condition of their right to vote at elections and primaries and their enrollment as members of political parties as a further condition of their right to vote at primaries prescribing certain procedure for the conduct of elections and primaries and the challenge and proof of qualifications of electors and prescribing the powers and duties of citizens parties bodies of electors registration commissions commissioners registrars inspectors of registration and other appointees of registration commission election officers municipal officers departments and bureaus police officers courts judges prothonotaries sheriffs county commissioners peace officers county treasurers county controllers registrars of vital statistics real estate brokers rental agents certain public service companies persons firms and corporations operating vehicles for moving furniture and household goods and boards of school directors and imposing penalties" as amended by the act approved the thirty-first day of July one thousand nine hundred forty-one (P. L. 710) is hereby further amended to read as follows

Section 20 Manner of Registration

* * * * *

(f) Any person employed in the service of this Commonwealth or in the service of the Federal Government and required thereby to be absent from the city wherin he resided when entering such employment his wife or her husband unless actually separated and living apart shall be registered as of the district wherein he or she shall have resided immediately prior to entering such service and be enrolled as a member of the political party he or she designates without declaring a residence by street and number All persons employed by this Commonwealth who register in this manner shall produce a certificate from the [Auditor General] head of the proper department board or commission under the seal of his office setting forth that said person or the husband or wife of said person is actually employed in the service of this Commonwealth and also setting forth the nature of such employment and the time when such person first entered such employment

All persons employed by the Federal Government who register in this manner shall produce a certificate from

the head of the proper department or chief of the proper department or chief of the proper division or bureau under the seal of his office setting forth that said person or the husband or wife of said person is actually employed in the service of the United States and also setting forth the nature of such employment and the time when such person first entered such employment

The commission shall retain such certificates and shall cause to be noted on the registration card of each person so registered the fact that such person is an employe of this Commonwealth or of the Federal Government as the case may be

Section 2 Clause (g) of section twenty of said act is hereby amended to read as follows

Section 20 Manner of Registration

* * * *

(g) At least once every two years the commission shall verify the employment of all persons thus registered at either the office of the [Auditor General of this Commonwealth] head of the proper department board or commission of the State Government in whose employ such person is alleged to be or at his office of the department division or bureau of the Federal Government in whose employ such person is alleged to be If any such person is found to be no longer an employe of this Commonwealth or of the Federal Government his registration card shall be removed from the district register until such time as said person appears at the office of the commission and declares the street and number of his residence in the city

And said bill having been read at length the third time,

On the question,

Will the Senate agree to the bill on third reading?

Mr. JASPAN. Mr. President, I desire to interrogate one of the gentlemen of the other side and ask why the need for the change from the Auditor General to the head of the proper department, board or commission?

Mr. HEYBURN. Mr. President, that bill was in the Committee on Elections and I yielded to the Chairman of that Committee, the gentleman from Philadelphia, Senator Farrell.

The PRESIDENT. Will the gentleman from Philadelphia permit himself to be interrogated?

Mr. FARRELL. I will, Mr. President.

Mr. JASPAN. Is it necessary for me to repeat the question? Can the gentleman from Philadelphia, Senator Farrell, explain the need of the change from the Auditor General to the head of the proper department, board or commission? Will the Senator from Philadelphia answer that?

Mr. FARRELL. Mr. President, I just can not answer the question, but I may say, Mr. President, these five House bills, Nos. 660, 661, 662, 675 and 747, were sent over to me as Chairman of the Committee on Elections by the Secretary of State. These five bills take in the five registration commissions of Pennsylvania, and they apply to cities of the first class and so on, and it simply provides that they would take the statement from the Auditor General to the department where these men work for registration purposes. These bills are all from the Department of the Secretary of State and it is only a change from the Auditor General to the secretary.

The PRESIDENT. Does the gentleman from Philadelphia, Senator Jaspan, have any further questions?

Mr. JASPAN. I want to repeat my previous question and ask that it be answered. The gentleman from Philadelphia has not answered my question. I believe, Mr. President, there is something rotten in Denmark.

Mr. President, I can not understand why the change has been made from the Auditor General to the head of the proper department, board or commission. Mr. President, I understand that Mr. Heyburn, a farming Senator, has an answer, but I have not gotten it thus far, and when I put the question to him previously he did not seem to know the answer, but apparently some one more or less familiar has given him the answer.

At any rate, Mr. President, there seems to be something rotten in Denmark. Apparently they have lost confidence in our Auditor General—I can appreciate why because he has a different label than the other side—but I have not lost confidence, nor have our citizens, and I ask my colleagues to vote against this bill, as it affects Philadelphia.

And the question recurring,

Will the Senate agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—31

Becker,	Ealy,	Mallery,	Tyler,
Bowers,	Farrell,	Ruth,	Wade,
Carr,	Heyburn,	Scarlett,	Walker,
Chapman,	Homsher,	Snowden,	Watkins,
Coleman,	James,	Stevenson,	Wilson, H. I.,
Cox,	Jones,	Tallman,	Wilson, T. B.,
Crider,	Kephart,	Taylor,	Woodward,
Deitrick,	Letzler,	Thomas,	

NAYS—10

Barr,	Haluska,	McGinnis,	Stiefel,
DiSilvestro,	Holland,	McQuiddy,	Woodring,
Gourley,	Jaspan,		

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 758, entitled:

An Act to further amend section fifty of the act approved the second day of May one thousand nine hundred twenty-five (P. L. 448) entitled "An act relating to fish and amending revising consolidating and changing the law relating to fish in the inland waters and the boundary lakes and boundary rivers of the Commonwealth" authorizing the Board of Fish Commissioners to adopt certain rules and regulations governing the taking of fish by trolling from moving boats electrically propelled or propelled by internal combustion motors and making it unlawful to engage in such trolling in violation of the rules and regulation thus adopted

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section fifty of the act approved the second day of May one thousand nine hundred twenty-five (P. L. 448) entitled "An act relating to fish and amending revising consolidating and changing the law relating to fish in the inland waters and the boundary lakes and boundary rivers of the Commonwealth" as last amended by the act approved the twenty-fifth day of May one thousand nine hundred thirty-seven (P. L. 801) is hereby further amended to read as follows

Section 50 Devices to Catch Game-fish Bait-fish and Fish-bait No person shall use any device means or method whatsoever except as in this article otherwise provided

for taking fish from the waters within this Commonwealth except the following that is to say for

(a) Game-fish two rods and two lines and one hand line with not more than three hooks attached to either line

(b) Bait-fish and fish-bait two rods and two lines with not more than three hooks attached to each line a dip-net or minnow seine not over four feet square or four feet in diameter a minnow trap with not more than one opening which shall not exceed one inch in diameter The rods hooks and lines must be under the immediate control of the person using the same

(c) Pickerel not more than five tip-ups when fishing only through holes in the ice

(d) It shall be unlawful to take or attempt to take fish of any kind by the methods known as snatch-fishing foul hooking or snag-fishing or the taking or fishing for fish with hook or hooks baited or otherwise attached to rod or line or other device for the taking of or fishing for fish with any device whatsoever which may be used to capture any fish by engaging such device in to or with any part of the body of a fish

(e) Eels in rivers of this Commonwealth in addition to such rods and lines eel chutes from the first day of August to the last day of November in each year Sundays excepted but only from four o'clock in the afternoon to eight o'clock in the morning on such days when a special license therefor in addition to the regular fishing license has been first secured Eel chutes to be lawful shall not have any wings of netting of any kind or any cloth or wire netting but shall be constructed of wooden slats or lath which shall not be closer than one-half inch in the bottom Eel chutes shall not be more than five feet long and the width of entrance of an eel chute shall not be more than ten feet A metal tag issued at the time the special license is secured shall be securely fastened to the eel chute in a conspicuous place

No wing walls of stone or other material shall be constructed for more than three-fourths of the distance across any river The heads of no two wing walls when constructed side by side shall be closer together than a distance of twenty feet

All eel chutes must be kept free of rubbish and all game fish found therein must be immediately returned to the water of the river uninjured

During the hours of each day and on Sunday when the operation and use of eel chutes is not legal under this section a portion of the bottoms of such chutes shall be removed to facilitate the unobstructed passage of fishes

(f) [It shall be unlawful to take or attempt to take fish of any kind by trolling from a moving boat electrically propelled or propelled by an internal combustion motor] The Board of Fish Commissioners is hereby authorized to adopt appropriate rules and regulations governing the taking of fish by trolling from a moving boat electrically propelled or propelled by an internal combustion motor Such rules and regulations shall specify the waters within the Commonwealth in which such trolling may be engaged in

-- shall be unlawful to engage in such trolling in violation of the rules and regulations duly adopted by the Board of Fish Commissioners

Section 2 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—41

Barr,	Farrell,	Letzler,	Taylor,
Becker,	Gourley,	Mallery,	Thomas,
Bowers,	Haluska,	McGinnis,	Tyler,
Carr,	Heyburn,	McQuiddy,	Wade,
Chapman,	Holland,	Ruth,	Walker,
Coleman,	Homsher,	Scarlett,	Watkins,
Cox,	James,	Snowden,	Wilson, H. I.,
Crider,	Jaspan,	Stevenson,	Wilson, T. B.,
Deitrick,	Jones,	Stiefel,	Woodring,
DiSilvestro,	Kephart,	Tallman,	Woodward,
Ealy,			

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

BILL OVER IN ORDER

Mr. HEYBURN. Mr. President, I ask unanimous consent that House Bill No. 836, on third reading, entitled:

An Act to amend the title and sections four, six, seven and eight of the act approved the nineteenth day of March, one thousand nine hundred forty-one (P. L. 6) entitled "An act relating to national and State defense, providing for the establishment of a State Council of Defense and of local and district councils of defense, prescribing the powers and duties thereof, and making an appropriation therefor," by conferring certain powers and duties upon the State Council of Defense, local and district councils of defense; eliminating certain provisions no longer in effect; and providing penalties

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 844, entitled:

An Act to further amend the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant-Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" by providing that under war time conditions the Department of Property and Supplies may make certain purchases and may authorize any department board or commission to make certain purchases without advertising or competitive bidding further providing as to the supervision of the Department of Property and Supplies over the construction and alteration of buildings and over the plans and specifications therefor relieving the Department of Property and Supplies from the duty of supervising the operation of mechanical and electrical equipment used in connection with the operation of State institutions or other State buildings and authorizing departments boards and commissions to make certain purchases of repair parts to contract for public utility services to rent machinery and equipment to employ labor on a temporary basis under certain

conditions to subscribe to certain publications and to take memberships in certain organizations and societies

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section five hundred seven of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant-Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" as last amended by the act approved the twenty-firt day of June one thousand nine hundred thirty-seven (P. L. 1865) is hereby further amended by adding at the end thereof two new paragraphs to read as follows

Section 507 Purchases

* * * *

Whenever a state of war exists between the United States and any other nation or nations and brings about commercial conditions which make it impossible because of continually changing prices to obtain contracts for the furnishing of commodities supplies and equipment necessary for the proper functioning of the departments boards or commissions the Department of Property and Supplies is hereby empowered to purchase and to authorize in writing any department board or commission to purchase within reasonable limits in any locality in the open market at the lowest and most advantageous prices commodities supplies and equipment necessary for the proper operation of the State Government without advertising or inviting bids when commercial conditions are such that make it impossible to secure competitive bids until such times as the state of war shall cease and normal market conditions shall be restored

Notwithstanding any of the foregoing provisions of this section any department board or commission may

(1) Purchase repairs or repair parts for its equipment from the manufacturer of such equipment or from the manufacturer's authorized dealer

(2) Contract for services of the public utility companies

(3) Rent machinery and other equipment and devices

(4) Employ professional or skilled labor on a temporary basis in instances where the Department of Property and Supplies does not have an applicable contract but all such employment shall be approved by the Governor except in the case of a State institution when it shall be approved by the head of the department having supervision over the institution

(5) Subscribe to periodicals magazines or newspapers or purchase books or take memberships in independent organizations or societies having related functions but all such memberships shall be approved by the Governor

Section 2 Subsections (a) (c) and (d) of section five hundred eight of said act as last amended by the act approved the twenty-first day of June one thousand nine hundred thirty-seven (P. L. 1865) are hereby further amended to read as follows

Section 508 Erection Repairs or Alterations of and Additions to Buildings (a) No administrative department except the Department of Property and Supplies and no administrative board or commission shall except as in this act otherwise specifically provided erect or construct or contract for the erection or construction of any new building or make or contract for making any alterations or additions to an existing building involving an expenditure of more than four thousand dollars ($4,000) and in any case in which any other department or any board or commission is by this act authorized to erect or construct buildings or make alterations or additions [such erection or construction shall be under the complete supervision and shall be the responsibility of the Department of Property and Supplies] involving an expenditure of less than four thousand dollars ($4,000) such erection or construction may be generally supervised by the Department of Property and Supplies

(c) All plans and specifications for new buildings and for alterations or additions to existing buildings involving an expenditure of more than four thousand dollars ($4,000) shall be subject to the approval of the Department of Property and Supplies and in addition thereto shall also be subject to the approval of the department board or commission using or intending to use the building being erected or constructed or to which an alteration or addition is being made with respect to the type and general character of the proposed building the floor layouts radiation natural light artificial illumination ventilation medical equipment or other equipment of a nature peculiar to the building for which the plans and specifications are being prepared In the case of buildings used by or for the use of departmental administrative boards or commissions the plans and specifications shall also be approved with respect to the above mentioned matters by the department with which the board or commission is connected

(d) Buildings may be erected or constructed or alterations or additions made wholly or partially by the labor of employes or inmates or patients of State institutions if in the judgment of the agency responsible for the managemnet of such institutions [and of the Department of Property and Supplies] the work can be properly and safely done by such employes inmates or patients In [such] cases involving an expenditure of more than four thousand dollars ($4,000) the Department of Property and Supplies or outside supervising engineer or engineering concern as it may approve shall have full and direct responsibility for the management of the work and the department board or commission using or intending to use the building shall have complete charge of such employes inmates or patients

Section 3 Clause (k) of section two thousand four hundred two of said act as added to said section by the act approved the twenty-first day of June one thousand nine hundred thirty-seven (P. L. 1865) and as relettered (1) by the act approved the twenty-first day of July one thousand nine hundred forty-one (P. L. 429) is hereby amended to read as follows

Section 2402 Grounds Buildings and Monuments in General The Department of Property and Supplies shall have the power and its duty shall be

* * * * *

(1) To establish standards for [and supervise generally the operation of] all mechanical and electrical equipment used in connection with the operation of any State institution or other State building

Section 4 Section two thousand four hundred three of said act as last amended by the act approved the twenty-first day of June one thousand nine hundred thirty-seven (P. L. 1865) is hereby further amended by adding at the end thereof a new paragraph to read as follows

Section 2403 Standards and Purchases

* * * *

Whenever a state of war exists between the United States and any other nation or nations and brings about commercial conditions which make it impossible because of continually changing prices to obtain contracts for the furnishing of commodities supplies and equipment necessary for the proper functioning of the departments boards or commissions the Department of Property and Supplies is hereby empowered to purchase and to authorize in writing any department board or commission to purchase within reasonable limits in any locality in the open market at the lowest and most advantageous prices com-

modities supplies and equipment necessary for the proper operation of the State Government without advertising or inviting bids for the same when commercial conditions are such that make it impossible to secure competitive bids until such times as the state of war shall cease and normal market conditions shall be restored

Section 5 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—27

Becker,	Farrell,	Mallery,	Wade,
Bowers,	Heyburn,	Scarlett,	Walker,
Carr,	Homsher,	Snowden,	Watkins,
Crider,	James,	Stevenson,	Wilson, H. I.,
Crowe,	Jones,	Tallman,	Wilson, T. B.,
Deitrick,	Kephart,	Taylor,	Woodward,
Ealy,	Letzler,	Thomas,	

NAYS—13

Barr,	Gourley,	Jaspan,	Ruth,
Coleman,	Haluska,	McGinnis,	Stiefel,
Cox,	Holland,	McQuiddy,	Woodring,
DiSilvestro,			

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

BILL OVER IN ORDER

Mr. HEYBURN. Mr. President, I ask unanimous consent that House Bill No. 917, on third reading, entitled:

An Act to promote interstate cooperation for the use, conservation; protection and equitable diversion of the water resources of the Delaware River Basin between and among the States of Pennsylvania, New York and New Jersey, for the purpose of meeting prospective needs for domestic and municipal water supply; regulating and limiting the use of the waters of the Delaware River and its tributaries and prescribing rules and standards; requiring permits from and providing for hearings by, the Water and Power Resources Board and for appeals from its decisions; vesting power in the Water and Power Resources Board to vary or modify the rules and standards under certain conditions and to adopt rules and regulations and further defining its powers and duties; requiring notice to the States of New York and New Jersey of all applications for water diversion; providing for the filing of stipulations by the Attorney General with the United States Supreme Court and obtaining its approval of water diversions

Go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 993, entitled:

An Act to amend clause (g) of section two hundred four of the act approved the twenty-second day of May one thousand nine hundred and thirty-three (P. L. 853) entitled "An act relating to taxation designating the subjects property and persons subject to and exempt from taxation for all local purposes providing for and regulating the assessment and valuation of persons property and subjects of taxation for county purposes and for the use of those municipal and quasi-municipal corporations which levy their taxes on county assessments and valuations amending revising and consolidating the law relating thereto and repealing existing laws" by providing that the exemption from local taxation afforded to certain public property shall not extend to property otherwise taxable which is owned or held by an agency of the Government of the United States

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Clause (g) of section two hundred four of the act approved the twenty-second day of May one thousand nine hundred and thirty-three (P. L. 853) entitled "An act relating to taxation designating the subjects property and persons subject to and exempt from taxation for all local purposes providing for and regulating the assessment and valuation of persons property and subjects of taxation for county purposes and for the use of those municipal and quasi-municipal corporations which levy their taxes on county assessments and valuations amending revising and consolidating the law relating thereto and repealing existing laws" is hereby amended to read as follows

Section 204 Exemptions from Taxation The following property shall be exempt from all county city borough town township road poor and school tax to wit

* * * * *

(g) All other public property used for public purposes with the ground thereto annexed and necessary for the occupancy and enjoyment of the same but this shall not be construed to include property otherwise taxable which is owned or held by an agency of the Government of the United States

Section 2 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—41

Barr,	Farrell,	Letzler,	Taylor,
Becker,	Gourley,	Mallery,	Thomas,
Bowers,	Haluska,	McGinnis,	Tyler,
Carr,	Heyburn,	McQuiddy,	Wade,
Chapman,	Holland,	Ruth,	Walker,
Coleman,	Homsher,	Scarlett,	Watkins,
Cox,	James,	Snowden,	Wilson, H. I.,
Crider,	Jaspan,	Stevenson,	Wilson, T. B.,
Deitrick,	Jones,	Stiefel,	Woodring,
DiSilvestro,	Kephart,	Tallman,	Woodward,
Ealy,			

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 1092, entitled:

An Act to amend section twelve of the act approved the fourteenth day of June one thousand nine hundred twenty-three (P. L. 710) entitled "An act allowing and regulating boxing sparring and wrestling matches and exhibitions establishing a State Athletic Commission making an appropriation therefor and appropriating moneys received for monument and memorial purposes and prescribing penalties" changing the minimum age

for participants in amateur boxing sparring and wrestling matches and exhibitions and providing a penalty

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section twelve of the act approved the fourteenth day of June one thousand nine hundred twenty-three (P. L. 710) entitled "An act allowing and regulating boxing sparring and wrestling matches and exhibitions establishing a State Athletic Commission making an appropriation therefor and apropriating moneys received for monument and memorial purposes and prescribing penalties" is hereby amended to read as follows

Section 12 Age of Participant and Spectators No person under the age of eighteen years shall participate in any boxing sparring or wrestling match or exhibition and no children under sixteen years of age shall be permitted to attend as spectators Provided That persons sixteen and seventeen years of age may participate in amateur boxing sparring and wrestling matches or exhibitions with other persons not over seventeen years of age under such regulations as the State Athletic Commission shall prescribe

Whoever violates any of the provisions of this section shall upon conviction thereof in a summary proceeding be sentenced to pay the cost of prosecution and a fine not exceeding one hundred dollars ($100) for each such offense and in default of the payment thereof shall be imprisoned for a period not exceeding sixty (60) days

Section 2 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—33

Barr,	Haluska,	Letzler,	Taylor,
Becker,	Heyburn,	Mallery,	Thomas,
Bowers,	Holland,	McGinnis,	Wade,
Carr,	Homsher,	Scarlett,	Walker,
Crider,	James,	Snowden,	Watkins,
Deitrick,	Jaspan,	Stevenson,	Wilson, H. I.,
DiSilvestro,	Jones,	Stiefel,	Wilson, T. B.,
Ealy,	Kephart,	Tallman,	Woodward,
Farrell,			

NAYS—7

Chapman,	Cox,	McQuiddy,	Woodring,
Coleman,	Gourley,	Ruth,	

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

SENATE BILL No. 99, PRINTER'S No. 28 CALLED UP FROM POSTPONED CALENDAR

Mr. STEVENSON. Mr. President, I call up for action at this time, Senate Bill No. 99, Printer's No. 28, from page 16, of the Third Reading Postponed Calendar.

Agreeably to order,

The Senate resumed the third reading and consideration of Senate Bill No. 99, entitled:

A Joint Resolution proposing an amendment to Section one of article Fourteen of the Constitution of the Commonwealth of Pennsylvania by making sheriffs eligible to succeed themselves

The General Assembly of the Commonwealth of Pennsylvania hereby resolves as follows

Section 1 The following amendment to the Constitution of the Commonwealth of Pennsylvania be and the same is hereby proposed in accordance with the provisions of the eighteenth article thereof

That section one of article fourteen of the Constitution of Pennsylvania be amended to read as follows

Section 1 County officers shall consist of sheriffs coroners prothonotaries register of wills recorder of deeds commissioners treasurers surveyors auditors or controllers clerks of the courts district attorneys and such other as may from time to time be established by law and no treasurer shall be eligible for the term next succeeding the one for which he may be elected

And said bill having been read at length the third time,

On the question,

Will the Senate agree to the bill on third reading?

Mr. EALY. I do not know whether the Senators are in a mood to listen to a short speech on this bill but I feel that I want to put something on record as to my position in regard thereto. We can not at the time we are meeting here properly evaluate what we do; time only tells which things are important and which are not.

I remember reading in a local paper last week an historical and biographical sketch of Charles R. Buckalew, at one time a Senator in this body. According to this article, which I think states the facts correctly, Mr. Buckalew was elected to the United States Senate by the Legislature by a majority of one vote, and a plurality of two votes. When he went to the Senate of the United States his vote saved President Andrew Johnson from being convicted in the impeachment proceedings. There was not any one at the time who voted for him for United States Senator who imagined the importance of his vote.

It seems to me sometimes when the Senators are speaking and acting here in this Senate it might be well to remember the words of old Omar, the poet, who said:

"The Moving Finger writes; and, having writ,
Moves on: Nor all your piety nor wit
Shall lure it back to cancel half a line,
Nor all your tears wash out a word of it."

Some weeks ago one of the men who seem to be interested in this bill said that in matters connected with the Constitution Senator Ealy seems to be sort of hidebound. Well, if he meant by that statement that I am conservative, why, I accept it. It seems to me that true conservatism is really the best kind of liberalism; but that man seemed to be ignorant of the purposes and intent of a Constitution. A Constitution is a contract or an agreement between the people as to how they should be governed. It protects the people from the government which they set up; it protects a minority against the majority; it protects the people against themselves.

So, in our Constitution we have some things which are very basic, as for instance, our three branch form of government, the Legislative, the Executive and the Judicial.

Then, we have some things which are not so important which are, in our Constitution, more or less administrative. These things should be changed from time to time as necessity arises. We have in our Constitution a provision that a Governor may not succeed himself. Since the Constitution of 1874, which provides for this, that has been an important provision of the Constitution.

In all cases where an official is given particular power or given an opportunity of doing harm or an opportunity

of corruption or of using his office to the detriment of the people, then we throw around that office a safeguard that he may only serve one term.

As I said, a Governor of the state may not succeed himself under our present Constitution. In many of the states a Governor may succeed himself, but there are other provisions in those Constitutions for safeguarding the people. For instance, the office of attorney general in many of the states is elective—in most of the states as a matter of fact—and some of the other officers which here are regarded as cabinet officers and members appointed by the Governor, in other states are elected by the people; and all of these things protect the people from usurpation of powers by an executive.

Then we have in our Constitution a provision that neither the state treasurer nor the auditor general may succeed himself. That is our provision to protect the people against use of either of those offices for improper purposes and so in our Constitution we have certain county officers which are in the same category.

In the very first Constitution of Pennsylvania, that of 1776, it was provided that neither the treasurer of a county nor the sheriff may succeed himself. That provision was continued in every Constitution from the very beginning, in the Constitution of 1790, the Constitution of 1838 and the Constitution of 1873-74, and in the 1920's, when a group of prominent people in this state were appointed to draft a prospective Constitution they continued that provision therein, that a sheriff and a treasurer may not succeed themselves.

These provisions were put in there in order to protect the people against the misuse of the powers of those offices.

There should be no change in the basic principles of a Constitution unless there is some real reason therefor. The office of sheriff is a potentially powerful office; he may call out the posse comitatus, he may call out the people in case of necessity, he appoints detectives for the county, and he collects a great deal of money and should be required to clean up the office every four years.

In the City of Philadelphia, for instance, I am told that some sheriffs who went out of office had hundreds of thousands of dollars in their possession which money was not paid out to the persons entitled to it. I am not finding fault with any of those sheriffs for doing so as I do not know all the facts, although I am told that the City of Philadelphia collected from a former sheriff a considerable sum of money and that there is a suit now pending against the estate of a former sheriff of Philadelphia.

If a sheriff might be permitted to succeed himself, in the larger counties particularly, the amounts of money which he would collect, and might possibly keep in some way from being properly audited, by covering up his bookkeeping in one way or another, would be a powerful thing in a city like Philadelphia and in a county like Allegheny. If sheriffs wanted to use the money they take in for reelecting themselves, you could probably not defeat a sheriff for re-election and I can not see why or how any county chairman would wish to have a sheriff permitted to succeed himself, because if a sheriff could use the powers of his office for that purpose pretty soon he would be more powerful than the county chairman himself.

There is another thing with regard to this office of sheriff, as, if he is permitted to succeed himself, in connection with the district attorney, who may also succeed himself, there might be a combination formed for protection of vice and crime, which would make it almost impossible to stop. We have now certain district attorneys in various counties of the Commonwealth whose offices are under investigation. We have, I think, in the case of one sheriff the same thing happening and we should not, unless there is a real reason or demand for it, change this basic provision in the Constitution, which was put in there for the protection of the people.

I spoke to sheriffs who came down here lobbying for this bill and I told them, "You men are high class men but you are not the only men who are going to run for sheriff and this provisions was put in the Constitution to keep sheriffs honest and I think it is a proper provision in the Constitution." I told them that one of the county treasurers in my district said "I notice a bill which provides that a sheriff may succeed himself." He said, "If a sheriff could do that, why, I think the county treasurer should," but when I told that to these sheriffs they said, "No, we do not think a county treasurer should succeed himself." At the same time they spoke about discrimination against the office of sheriff. Well, no officer has a vested right to his office. We do not say that there is discrimination against the Auditor General, State Treasurer or the Governor because there is a provision in the Constitution that they may not succeed themselves. That should have no weight whatever.

It was also stated, "Well, these sheriffs are not interested because they can not succeed themselves; this bill will have to be passed at two sessions of the Legislature and then be submitted to the people." Well, I suspect that they figure it will take a certain period of time and when that time passes they may run again for sheriff and they sort of expect to be then frozen into office.

Of course, that is only a purely selfish proposition. There is only one crime in the world, and that is the crime of selfishness. I was rather surprised to hear a few weeks ago when one of the Senators told me that a high official of his county said that he was not for an increase in his salary. If it would not embarrass that man I would like to bring him down here and exhibit him to the people of the state as one of a fast vanishing race of people who were not willing to have taxes of a neighbor increased in order that they may have more money.

This is a purely selfish proposition, the people of this state put in their Constitution that there should be no succession by a sheriff or a treasurer; they put it in there for the protection of the people. There is no real reason why we should change it.

Mr. WOODWARD. Mr. President, I will take only one minute. I agree entirely with the sentiments uttered by my distinguished colleague, the Senator from Somerset, Senator Ealy, and I admit that we are about to punch another hole in the sacred constitution of 1874 which Senator Henry I. Wilson and I framed in 1873—but as Grover Cleveland said, it is the condition—not the theory. It so happens that the sheriff of Philadelphia county is my political boss and neighbor and I will probably meet him at the station Friday morning and I would hate to have him read in the newspapers that his Senator voted "no" on this bill and, therefore, I shall have to waive the constitution in this respect and vote "aye".

Mr. STEVENSON. Mr. President, I am a very keen

admirer of the conservatism of the gentleman from Somerset, Senator Ealy. I think he is a fine restraining influence against unwarranted change or innovation in our American institutions and traditions.

However, I would have to lean very heavily upon the figment of my imagination in order to feel that this in any way is gnawing at the fundamentals of our government; and if it is gnawing at all I think the incursions are rather obtuse.

It seems to me, Mr. President, that a great deal of water has gone over the dam since our Constitution was adopted in 1874. Perhaps at that time there may have been reasons why a sheriff might not succeed himself, reasons why this inhibition was placed in the Constitution, but at the present time it seems to me that those reasons have all disappeared. In the first place, the sheriff no longer controls the jury wheel, and I think that was one of the main reasons why a sheriff was forbidden to build up his power, by reason of the fact that he had control of the juries.

Then, again, the sheriff no longer needs to call a posse comitatos, which has been regarded by some as a very dangerous weapon. What he does do is to rely on the state police when he needs any assistance to prevent rioting or unlawful assembly.

Mr. President, so far as the accounts of the sheriff are concerned, each year his accounts are audited. There is no reason why a sheriff can steal any moneys today from the public funds. In fact he now is, in my opinion, simply an arm of the court. He is interested, of course, in the shrievery board and the custody of the prisoners, but he no longer possesses all those powers which he formerly had. I can not see how this in any way strikes at the fundamentals of our government.

In my opinion, this bill will greatly enhance the service of the office of sheriff. At the present time a sheriff has not any particular inducement to run his office in high order, because at the end of his term he knows he can not go before the people for re-election, and, if he has the privilege of submitting his name and making an accounting to the people, he is going to run a higher type of office.

For that reason, I feel very strongly that this opportunity to improve the office of shrievery should not be neglected and so, Mr. President, I am not going to go back and quote Homer or Virgil, or any other of the ancient poets, but I do hope that the members of the Senate will abound in their own common sense and support this measure.

Mr. McGINNIS. Mr. President, there is only one county office that I feel should be held to one term and that is treasurer. I think perhaps a treasurer should be given only one term, and then have his books audited, and then he ought not be allowed to run again, but outside of the treasurer I can see no reason whatever why any officer should not succeed himself. I am sure that every Senator on this floor tonight is very happy that we do not have in our Federal Constitution that the President can not have more than two terms, because in this world crisis if we had had such a provision in our constitution, we might have had Landon or Willkie in there now.

Mr. SCARLETT. Mr. President, after listening to the very fine speech of the gentleman from Somerset, Senator Ealy, I am compelled to withdraw from the four Georges and vote "no" on this bill.

Mr. McQUIDDY. Mr. President, from practical experience in over thirty-five years in labor, I think it is a dangerous thing to permit a sheriff to succeed himself.

And the question recurring,

Will the Senate agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—32

Barr,	DiSilvestro,	Letzler,	Thomas,
Becker,	Farrell,	Mallery,	Tyler,
Bowers,	Gourley,	McGinnis,	Wade,
Carr,	Haluska,	Ruth,	Walker,
Chapman,	Holland,	Stevenson,	Watkins,
Coleman,	Jaspan,	Stiefel,	Wilson, H. I.,
Cox,	Jones,	Tallman,	Wilson, T. B.,
Crowe,	Kephart,	Taylor,	Woodward,

NAYS—10

Crider,	Homsher,	McQuiddy,	Snowden,
Ealy,	James,	Scarlett,	Woodring,
Heyburn,	McCreesh,		

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendment.

BILLS ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 92, entitled:

An Act to amend the act approved the twenty-fourth day of June one thousand nine hundred thirty-nine (P. L. 872) entitled "An act to consolidate amend and revise the penal laws of the Commonwealth" changing and revising sections of said act relating to obstructing an officer in the execution of process fornication and bastardy lotteries firearms receiving stolen property trespass on posted property cheating by fraudulent pretenses principals in the second degree and accessories aiders and abettors and repealing certain sections relating to larceny and certain existing acts.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL OVER IN ORDER

Mr. McGINNIS. Mr. President, in the absence of the sponsor of this bill I ask unanimous consent that Senate Bill No. 127, on second reading, entitled:

An Act permitting certain organizations to conduct the playing of the game of bingo under certain circumstances providing for the issuance suspension and revocation of licenses therefor and for payment of a registration fee and providing penalties

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 143, entitled:

An Act validating certain expenditures heretofore made by county commissioners in order to furnish filing cabinets or other office equipment to rationing boards.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 150, entitled:

An Act to further amend clause (17) of subdivision (4) of subsection (j) of section four of the act approved the fifth day of December one thousand nine hundred thirty-six (1937 P. L. 2897) entitled "An act establishing a system of unemployment compensation to be administered by the Department of Labor and Industry and its existing and newly created agencies with personnel (with certain exceptions) selected on a civil service basis requiring employers to keep records and make reports and certain employers to pay contributions based on payrolls to provide moneys for the payment of compensation to certain unemployed persons providing procedure and administrative details for the determination payment and collection of such contributions and the payment of such compensation providing for cooperation with the Federal Government and its agencies creating certain special funds in the custody of the State Treasurer and prescribing penalties" excluding services of real estate salesmen real estate brokers and unsalaried newspaper correspondents from the definition of "employment."

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL OVER IN ORDER

Mr. HEYBURN. Mr. President, I ask unanimous consent that House Bill No. 171, on second reading, entitled:

An Act to further amend the act approved the second day of May one thousand nine hundred twenty-nine (P. L. 1278) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto" further clarifying the term "deceased service persons" changing the provisions for the burial of deceased service persons and their widows and for markers and headstones on their graves changing the name of the veterans' grave registrar to director of veterans' affairs and prescribing his duties

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILL RECOMMITTED

Mr. HEYBURN. Mr. President, I move that Senate Bill No. 182, on second reading, entitled:

An Act making an appropriation to the Medical School of the University of Pittsburgh, Pennsylvania

be recommitted to the Committee on Appropriations.

Mr. HENRY I. WILSON. Mr. President, I second the motion.

The motion was agreed to.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 198, entitled:

An Act to amend section nine hundred fifteen of the act approved the first day of May one thousand nine hundred thirty-three (P. L. 103) entitled "An act concerning townships of the second class and amending revising consolidating and changing the law relating thereto" continuing the liability of taxpayers after the tax collector has been exonerated.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 236, entitled:

A Supplement to the act approved the twelfth day of June one thousand nine hundred and thirty-nine (P. L. 335) entitled "An act creating a temporary commission to examine report upon and recommend measures to improve the economic cultural health and living conditions of the urban colored population of the State and making an appropriation of the expenses of such commission" by extending the term of such commission until the next regular session of the General Assembly and making an appropriation.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL RECOMMITTED

Mr. KEPHART. Mr. President, I move that Senate Bill No. 276, on second reading, entitled:

An Act further restricting, for the continuance of the present war, the hours during which certain licensees under the "Beverage License Law," approved the third day of May, one thousand nine hundred thirty-three (P. L. 252), as reenacted and amended, and the "Pennsylvania Liquor Control Act," approved the twenty-ninth day of November, one thousand nine hundred thirty-three (P. L. 15, 1933-34), as reenacted and amended, or their servants, agents or employes may sell liquor or malt or brewed beverages; and prescribing penalties

be recommitted to the Committee on Judiciary Special.

Mr. BARR. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

Mr. CARR. Mr. President, I am not going to ask for a roll call on the motion to recommit this bill, but I do want to go on record as voting against this recommittal and I think perhaps there may be some other Senators who might also want to be recorded that way.

Mr. STIEFEL. Mr. President, I want to inquire of the gentleman from Philadelphia, Senator Kephart, the purpose of recommitting this bill to the Committee of Judiciary Special.

Mr. KEPHART. Mr. President, Article 3, Section 6 of

the Constitution provides that no bill shall be amended without being recited in full, and this bill violates that section and we will have to send it back to committee for further study.

Mr. STIEFEL. Mr. President, am I to understand that the Committee on Judiciary Special will forthwith attend to this task?

Mr. KEPHART. Mr. President, I attended to that task forthwith; it has already been attended to.

And the question recurring,

Will the Senate agree to the motion?

It was agreed to.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 289, entitled:

An Act limiting the extent to which liability may be made retroactive in cases in which, upon the basis of court decision or administrative ruling, a liability to the Commonwealth for taxes or other moneys is asserted which had not theretofore been claimed.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 356, entitled:

An Act to amend sections twelve and seventeen of the act, approved the twenty-first day of June, one thousand nine hundred thirty-nine (P. L. 626), entitled "An act providing for and regulating the assessment and valuation of all subjects of taxation in counties of the second class; creating and prescribing the powers and duties of a Board of Property Assessment, Appeals and Review; imposing duties on certain county and city officers; abolishing the board for the assessment and revision of taxes in such counties; and prescribing penalties," by providing for appeals from the judgment order or decrees of the court of common pleas to the Supreme or Superior Court, and for exoneration and refund of taxes when any assessment has been reduced by the Board of Property Assessment, Appeals and Review or by any court.

And said bill having been read at length the second time,

On the question,

Will the Senate agree to the bill on second reading?

Mr. BARR. Mr. President, I do not think this bill is on our desks, at least I could not find it this afternoon, and I wanted to submit amendments to this bill.

The PRESIDENT. The Chair is advised that copies of the bill are on the desks of the Senators.

Mr. BARR. This bill probably arrived on our desks during the recess and I did not know it was here.

Mr. President, I would like to ask the sponsor of this bill if he would have any objection to the bill going over in order until tomorrow?

Mr. GELTZ. Mr. President, I object. This is a Senate bill and if amendments are offered, tomorrow, after going over in order until tomorrow, the bill would not be passed. I have no objection to it going over in order temporarily if the gentleman can get his amendments prepared.

BILL OVER IN ORDER

Mr. BARR. Mr. President, I ask unanimous consent that Senate Bill No. 356, on second reading, go over in its order, temporarily.

The PRESIDENT. Is there objection? The Chair hears none.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 372, entitled:

An Act to amend clause eight of section seven hundred and two of the act, approved the first day of May, one thousand nine hundred and thirty-three (P. L. 103), entitled "An act concerning townships of the second class; and amending, revising, consolidating, and changing the law relating thereto," by empowering townships of the second class to levy tax, under certain circumstances, for the purpose of paying for the removal and disposal of ashes, garbage and other refuse material.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL OVER IN ORDER

Mr. HEYBURN. Mr. President, I ask unanimous consent that Senate Bill No. 373, on second reading, entitled:

An Act providing for the creation and for the administration by a State Building and Loan Insurance Board created in this act, of a state fund for the insurance of shares in building and loan associations and savings and loan associations; and prescribing penalties

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

REQUEST THAT BILL GO OVER IN ORDER

Mr. HEYBURN. Mr. President, I ask unanimous consent that Senate Bill No. 374, on second reading, entitled:

An Act to further amend section 402 of the act, approved the ninth day of April, one thousand nine hundred and twenty-nine (P. L. 343), entitled, "An act relating to the finances of the State government; providing for the settlement, assessment, collection, and lien of taxes, bonus, and all other accounts due the Commonwealth, the collection and recovery of fees and other money or property due or belonging to the Commonwealth, or any agency thereof, including escheated property and the proceeds of its sale, the custody and disbursement or other disposition of funds and securities belonging to or in the possession of the Commonwealth, and the settlement of claims against the Commonwealth, the resettlement of accounts and appeals the courts, refunds of moneys erroneously paid to the Commonwealth, auditing the accounts of the Commonwealth and all agencies thereof of all public officers collecting moneys payable to the Commonwealth or any agency thereof, and all receipts of appropriations from the Commonwealth and imposing penalties; affecting every department, board, commission and officer of the State government, every political subdivision of the State, and certain officers of such subdivisions, every person, association, and corporation required to pay, assess, or collect taxes, or to make returns or reports under the laws imposing taxes for State purposes, or to pay license fees or other moneys to the Commonwealth, or any agency thereof, every State depository and every debtor or creditor of the Commonwealth," exempting the affairs

of the State Building and Loan Insurance Board from audit by the Auditor General

go over in its order.

The PRESIDENT. Is there objection?

Mr. JASPAN. Mr. President, I desire to interrogate the gentleman from Philadelphia, Senator Farrell.

The PRESIDENT. Will the gentleman from Philadelphia permit himself to be interrogated?

Mr. FARRELL. I will, Mr. President.

Mr. JASPAN. Can the gentleman from Philadelphia, Senator Farrell, explain the reason for having this bill go over in order?

Mr. FARRELL. Mr. President, the only explanation I can give is that it is because of Caucus action; they will not pass the bills and I can not make them. I am very much in favor of these two bills but I can not make the Caucus pass these bills, so by Caucus action it was agreed that these bills should go over in order.

Mr. JASPAN. In other words, Mr. President, I take it that the gentleman from Philadelphia, Senator Farrell, has little hope for passage of these bills; is that correct?

Mr. FARRELL. Mr. President, I would not say whether these bills will be passed. I feel that relatives and friends of the family should be notified of the funeral of these bills. I sponsored similar bills two years ago and got them by the Senate and had them started in the House but all my efforts were of no avail. These bills look good to me but I can not get anybody else to think as I do.

The gentleman from Philadelphia, Senator Shapiro, vigorously opposes these bills and if I am not going to get any help I am not going to be able to pass these good bills. If these bills do not look good to the Senators it is all right with me. These bills insure State building and loan associations against loss up to $5,000. I am a director of a Federal building and loan association, and of course if we go on and do not insure local building and loan associations we will not get anywhere with the local building and loan associations because every one will back up Federal building and loan associations, and not State building and loan associations, because Federal building and loan associations are insured up to $5,000 against loss.

I guess nobody better than the good Senator from Philadelphia knows where the opposition to these bills comes from, and if the Senate of Pennsylvania does not see the value of these bills, then I simply surrender.

Mr. JASPAN. Mr. President, I am thoroughly in accord with the statements made by my colleague from Philadelphia, Senator Farrell. I think these bills are very good bills and I assure the gentleman from Philadelphia, Senator Farrell, that if they come up for final passage I will vote along with him. I was very much interested in the same bills back in 1941, but through a little chicanery and trickery they were lost in the final days of the Legislature.

Mr. President, I hope that the other side will permit the second reading of these bills tonight and take a chance on a third reading tomorrow, but by holding these bills over for one day—probably next week will be our last week—probably these bills will be lost in the shuffle.

Therefore, Mr. President, I object to any attempt to have these bills go over in order.

POINT OF ORDER

Mr. WATKINS. Mr. President, I rise to a point of order.

The PRESIDENT. The gentleman from Schuylkill will procceed.

Mr. WATKINS. What is before the Senate, Mr. President.

The PRESIDENT. Unanimous consent has been requested that Senate Bill No. 374 go over in its order.

Mr. WATKINS. That consent has not been as yet granted, Mr. President?

The PRESIDENT. That is right.

Mr. STIEFEL. Mr. President, I had not intended to speak on this matter, but when the gentleman from Philadelphia, Senator Farrell, got up and complained about non-support from our side, I want to remind him that I was one of the champions of these measures in 1941, and now I too hope that he will espouse the measures and will insist upon prompt consideration of these three bills.

Mr. President, these bills were introduced long ago we have had ample time to consider them, and if they pass tonight or tomorrow, the bills can then pass the House. I hope the gentleman from Philadelphia, Senator Farrell, will continue to fight for them because otherwise the people in Philadelphia, where there is considerable interest in these measures, will be deprived of the benefit of these bills. The bills were introduced merely for purposes of complying with requests of constituents.

Mr. JAMES. Mr. President, it has been requested that these bills go over in order largely at my request; I am still insisting upon that request and if necessary I shall put it in the form of a motion.

I differ somewhat with my friend from Philadelphia Senator Farrell. I do not represent a Federal building and loan association but I represent about eight or nine mutual building and loan associations, some of which I am a director, some of which I am secretary. There are four or five bills which are very important, affecting the very existence and life of these mutual building and loan associations, which are the creation of the common people I have had no opportunity to examine any of these bills I have not seen them yet and they are not on my desk.

Therefore, I repeat the request that this bill go over in order.

Mr. FARRELL. Mr. President, I have no objection to these bills going over in order, if it is not the purpose of the members of the Senate to pickle these bills. I want to say for the benefit of the Senate that it does not matter to me. I attended a convention on building and loan associations in Harrisburg last year. There were 603 building and loan associations represented and they unanimously endorsed these bills and that looks pretty good to me. I do not claim to be a great building and loan man but as I say, I am a director and have been for many years, but if the members of the Senate do not see the value of these bills, if they do not see the possibility of State building and loan associations just going to ruin, then that is their lookout.

I just have to say this, Mr. President: who in the name of common sense is going to join a local building and loan association when he can join a Federal building and loan association and be insured up to $5,000 against loss? That is just what these bills would do, but if the members of

the Senate do not see it that way then I guess I am dumb, and whatever happens, it is O. K. with me.

The PRESIDENT. There is objection to the granting of unanimous consent. What is the pleasure of the Senate?

BILLS OVER IN ORDER

Mr. JAMES. Mr. President, I move that Senate Bill No. 374, on second reading, go over in its order.

Mr. WATKINS. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

Mr. JASPAN. Mr. President, I ask for a roll call.

The yeas and nays were required by Mr. JASPAN and were as follows, viz:

YEAS—21

Barr,	Gourley,	Jones,	Thomas,
Coleman,	Haluska,	Kephart,	Wade,
Cox,	Heyburn,	Scarlett,	Walker,
Crider,	Holland,	Snowden,	Watkins,
Ealy,	James,	Stevenson,	Woodring,
Geltz,			

NAYS—18

Becker,	DiSilvestro,	Mallery,	Stiefel,
Bowers,	Farrell,	McGinnis,	Tyler,
Carr,	Homsher,	McQuiddy,	Wilson, H. I.,
Crowe,	Jaspan,	Ruth,	Woodward,
Dent,	Letzler,		

So the question was determined in the affirmative.

Mr. HEYBURN. Mr. President, I move that Senate Bill No. 375, on second reading, entitled:

An Act to amend sections 504A, 607 and 608A of the act, approved the fifteenth day of May, one thousand nine hundred and thirty-three (P. L. 565), entitled "An act relating to the powers and duties of the Department of Banking and the Secretary of Banking in exercising supervision over, and taking possession of and conducting or liquidating the business and property of, corporations, associations, and persons receiving deposits or otherwise transacting a banking business, corporations acting as fiduciaries and building and loan associations; providing for the payment of the expenses of the Department of Banking by supervised corporations, associations, or persons, and appropriating the Banking Department Fund; authorizing the Department of Banking, under certain circumstances, to examine corporations, associations, or persons affiliated or having business transactions with supervised corporations, associations or persons; authorizing appeals to the Supreme Court and prescribing and limiting the powers and duties of certain other courts and their prothonotaries, registers of wills, recorders of deeds, and certain State departments, commissions, and officers; authorizing certain local public officers and State departments to collect fees for services rendered under this act; providing penalties; and repealing certain acts and parts of acts," by providing for the taking of possession of the business and property of building and loan associations and savings and loan associations the shares of which are insured in the State Building and Loan Fund

go over in its order.

Mr. WATKINS. I second the motion.

It was agreed to.

PERMISSION TO ADDRESS SENATE

Mr. BECKER asked and obtained unanimous consent to address the Senate.

Mr. BECKER. Mr. President, with respect to Senate Bill No. 374, and also with respect to Senate Bill No. 375, I wish to state that these bills came out of the Committee on Banking. We had a meeting of the Committee on Banking at which the members of the Committee were well represented. There was opposition to these bills. The sponsor of the bills, the gentleman from Philadelphia, Senator Farrell, was not present for the reason that he is not a member of the committee. I have discussed with him the merits of these bills and I am aware of what the bills represent. We had opposition, and the opposition came from members of the committee who on the floor of the Senate are on the other side. It was at my personal request that these bills were permitted to come out on the floor so that our friends on the other side might be permitted to remove the objection, if possible, so that the bills could move. I think it only right that I should say, as Chairman of that Committee, supposed to be impartial in consideration of bills in the Committee of Banking, that if my friends on the other side who have spoken in favor of these bills can remove the objection that comes from their side, I think the bills will move on the floor of the Senate.

PERMISSION TO ADDRESS SENATE

Mr. DiSILVESTRO asked and obtained unanimous consent to address the Senate.

Mr DiSILVESTRO. Mr. President, while my colleague from Lebanon, Senator Becker, was speaking he was looking directly in my direction when he said that there were Democrats opposed to these bills. I want it definitely understood that I was for these bills two years ago and I am still for them. I do not know whether the gentleman from Lebanon had me in mind or the vacant chair when he was looking in this direction.

Mr. BECKER. I did not say, sir, that the Democrats were opposed to the bill; I said the opposition came from the other side of the Senate.

BILL OVER IN ORDER

Mr. HEYBURN. Mr. President, I ask unanimous consent that House Bill No. 398, on second reading, entitled:

An Act enabling city county poor institution district ward school borough and township tax collectors their executors and administrators if they are deceased or either surety or sureties to collect taxes for the payment of which they have become personally liable without having collected the same by the expiration of the authority of their respective warrants or by the expiration of their terms of office extending the time for the collection of the same and validating collections and proceedings for collections made or commenced without previous authority

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 406, entitled:

An Act to further amend section three hundred eleven of the act approved the second day of May, one thousand nine hundred and twenty-nine (P. L. 1278), entitled "An act relating to counties of the second, third, fourth, fifth, sixth, seventh and eighth classes; and revising, amending and consolidating the laws relating thereto," extending

the retirement system of counties of the second class to additional employes.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 415, entitled:

An Act authorizing cemetery companies to accept certain gifts in trust, and to be appointed trustees or substituted trustees of certain funds; regulating their rights and duties in respect to trust funds, the income therefrom and the investment thereof, permitting them to give their own bonds; and validating certain actions.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 471, entitled:

An Act limiting the time within which suits or actions, hereafter begun, shall be brought for damages to surface land and property resulting from the mining of coal and operations in connection therewith.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 476, entitled:

An Act to further amend section nine of the act approved the sixteenth day of May one thousand nine hundred and twenty-three (P. L. 207) entitled "An act providing when how upon what property and to what extent liens shall be allowed for taxes and for municipal improvements for the removal of nuisances and for water rents or rates sewer rates and lighting rates for the procedure upon claims filed therefor the methods for preserving such liens and enforcing payment of such claims the effect of judicial sales of the properties liened the distribution of the proceeds of such sales and the redemption of the property therefrom for the lien and collection of certain taxes heretofore assessed and of claims for municipal improvements made and nuisances removed within six months before the passage of this act and for the procedure on tax and municipal claims filed under other and prior acts of Assembly" making additional provision for and fixing the compensation for the filing and collecting of tax claims.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 492, entitled:

An Act to reenact and further amend the title of, and the act, approved the twenty-ninth day of September, one thousand nine hundred thirty-eight (P. L. 53) entitled "An act relating to institutions of counties, cities and institution districts for the care, maintenance and treatment of mental patients; providing for the transfer of such institutions to the Commonwealth; providing for the management and operation or closing and abandonment thereof, and the maintenance of mental patients therein, including the collection of maintenance in certain cases; providing for the retransfer of certain property to institution districts under certain circumstances; conferring and imposing upon the Governor, the Department of Welfare, the courts of common pleas and counties, cities and institution districts certain powers and duties; prohibiting cities, counties and institution districts from maintaining and operating institutions, in whole or in part, for the care and treatment of mental patients; and repealing inconsistent laws," including institutions of wards, boroughs, townships and other political subdivisions under the terms thereof; and providing for the retransfer of certain property to counties, cities, wards, boroughs, townships, institution districts and other political subdivisions.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 509, entitled:

An Act to amend section three hundred and six of the act approved the twenty-fourth day of June, one thousand nine hundred and thirty-seven, (P. L. 2017), entitled "An act creating in each county (except of the first class) as a separate corporation, and in each city of the first and second class as a part of the city government, an institution district for the care and maintenance of certain indigent persons and children; prescribing the powers and duties of county commissioners, county treasurers, city departments of public welfare, the State Department of Welfare and the State Department of Public Assistance in respect thereto; abolishing certain poor districts and terminating the terms of directors, overseers, guardians and managers of the poor and poor district auditors, and providing for the temporary employment of certain of them; providing for the transfer, vesting, sale and disposition of the property of poor districts and the payment of their obligations; imposing certain existing obligations on institution districts and on the Commonwealth; regulating the affairs of poor districts until abolished; revising, amending, changing and consolidating the law relating to the care of the poor; and repealing existing laws," providing for fixing the number and compensation of employes of institution districts and conferring powers and imposing duties on county officers.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

SENATE BILL No. 356, PRINTER'S No. 366 CALLED UP

Mr. BARR. Mr. President, I call up at this time Senate Bill No. 356, Printer's No. 366, on page 19, of the Second Reading Calendar, which went over in order temporarily.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 356, entitled:

An Act to amend sections twelve and seventeen of the act, approved the twenty-first day of June, one thousand nine hundred thirty-nine (P. L. 626), entitled "An act providing for and regulating the assessment and valuation of all subjects of taxation in counties of the second class; creating and prescribing the powers and duties of a Board of Property Assessment, Appeals and Review; imposing duties on certain county and city officers; abolishing the board for the assessment and revision of taxes in such counties; and prescribing penalties," by providing for appeals from the judgment order or decrees of the court of common pleas to the Supreme or Superior Court, and for exoneration and refund of taxes when any assessment has been reduced by the Board of Property Assessment, Appeals and Review or by any court.

The first section was read.

On the question,

Will the Senate agree to the section?

Mr. BARR offered the following amendment:

Amend Section 1, Section 12, page two, line twenty-one, by inserting after the word "taxpayer" the following: "or the Board of Property Assessment, Appeals and Review."

It was agreed to.

The section was agreed to as amended.

The second section and title were separately read and agreed to.

And said bill having been read at length the second time and agreed to as amended,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 511, entitled:

An Act to further amend the act, approved the fourth day of June, one thousand nine hundred and thirty-seven, (P. L. 1625), entitled "An act providing for the creation, maintenance and operation of a county employes retirement system in counties of the third class; and imposing certain charges on counties," extending and further regulating such retirement systems.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 514, entitled:

An Act to amend the act approved the fifth day of August one thousand nine hundred forty-one (P. L. 803) entitled "An act providing for the creation maintenance and operation of a county employes' retirement system in counties of the fifth class imposing certain charges on counties and prescribing penalties" further regulating such retirement system.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 519, entitled:

An Act to amend the act approved the eighth day of July, one thousand nine hundred forty-one (P. L. 298), entitled "An act authorizing the creation of, and providing for, and regulating the maintenance and operation of a county employes' retirement system in counties of the fourth class, imposing certain charges on counties, and fixing penalties," further regulating such retirement systems.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 523, entitled:

An Act to amend section six hundred three of the act, approved the second day of May, one thousand nine hundred twenty-nine (P. L. 1278) entitled "An act relating to counties of the second, third, fourth, fifth, sixth, seventh and eighth classes; and revising, amending and consolidating the laws relating thereto," by providing for the completion of public monuments.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 531, entitled:

An Act authorizing counties of the second class to enter into contracts with any city within the county for the hospitalization of persons suffering from infectious diseases, and to make appropriations therefor.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 536, entitled:

An Act to further amend section four of the act approved the twenty-ninth day of May one thousand nine hundred and thirty-one (P. L. 280) entitled "An act relating to delinquent taxes on seated lands and prescribing interest charges on nonpayment thereof requiring the receivers and collectors of county city borough town township school district and poor district taxes to make a return to the county commissioners of such unpaid taxes and providing for the lien thereof authorizing the county treasurers to collect such taxes and to sell seated lands at public sale for taxes heretofore or hereafter returned as unpaid and authorizing the county commissioners to purchase such lands and resell the same under certain circumstances" providing that all liens in favor of the Commonwealth other than tax liens charged against real estate heretofore or hereafter sold for taxes by the county treasurers are divested by such sales.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with.

The Senate proceeded to the second reading and consideration of House Bill No. 537, entitled:

An Act to amend section one thousand five hundred and two, by adding thereto clause XLVII, of the act, approved the twenty-fourth day of June, one thousand nine hundred and thirty-one (P. L. 1206), entitled "An act concerning townships of the first class; amending, revising, consolidating, and changing the law relating thereto," authorizing certain townships of the first class to appropriate moneys for the support of hospitals.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 541, entitled:

An Act to further amend subsection fourteen, of section six hundred two of the act, approved the twenty-ninth day of November, one thousand nine hundred and thirty-three (P. L. 15, 1933-34), entitled, as amended, "An act to regulate and restrain the sale, manufacture, possession, transportation, importation, traffic in, and use of alcohol, and alcoholic and malt or brewed beverages; conferring powers and imposing duties upon the Pennsylvania Liquor Control Board and its agents, the Department of Public Instruction, other officers of the State government, courts, and district attorneys; authorizing the establishment and operation of State stores for the sale of such beverages not for consumption on the premises, and the granting of licenses, subject to local option, to sell such beverages for consumption on and off the premises; forbidding importation or bringing of such beverages into the State except as herein provided; prohibiting certain sales or practices in connection with, and transactions in such beverages by licensees and others; providing for the forfeiture of certain property; making disposition of the receipts from State stores and of fees; and imposing penalties," exempting certain coin operated motion picture machines from provisions of the act requiring special permits.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 554, entitled:

An Act to amend sections two five seven ten eleven twelve fifteen seventeen nineteen twenty-one twenty-two twenty-six and thirty-one and to repeal sections nine twenty-four and thirty-six of the act approved the sixth day of August one thousand nine hundred forty-one (P. L. 861) entitled "An act to create a uniform and exclusive system for the administration of parole in this Commonwealth establishing the 'Pennsylvania Board of Parole' conferring and defining its jurisdiction duties powers and functions including the supervision of persons placed upon probation in certain designated cases providing for the method of appointment of its members regulating the appointment removal and discharge of its officers clerks and employes dividing the Commonwealth into administrative districts for purposes of parole fixing the salaries of members of the board and of certain other officers and employes thereof making violations of certain provisions of this act misdemeanors providing penalties therefor and for other cognate purposes and making an appropriation," by reducing the membership of said board further conferring revising and defining its jurisdiction duties powers and functions changing the appointment removal and discharge of certain officers decreasing the salaries of members of the board and fixing the salaries of certain officers and employes.

And said bill having been read at length the second time,

On the question,

Will the Senate agree to the bill on second reading?

REQUEST THAT BILL GO OVER IN ORDER

Mr. COX. Mr. President, I ask unanimous consent that Senate Bill No. 554, on second reading, go over in its order.

The PRESIDENT. Is there objection?

Mr. JONES. Mr. President, I object.

Mr. COX. Mr. President, it is embarrassing for me to even mention the word parole. I have been so interested in the proper supervision of the granting of paroles for the last three years, I am afraid that when I leave this Senate my middle name will be "parole".

In 1941 this Legislature passed a parole act, which was the result of a careful survey and a careful study; it was not a bill which was prepared, as many bills have been prepared which have passed this Legislature on the spur of the moment or without due thought and consideration. It was a bill that was carefully drafted, the study placed in the drafting of that bill came from all over the Commonwealth of Pennsylvania, by men with great practical and scientific experience in the field of parole.

This is one bill which was bitten by a legislative gremlin the minute it became a law. If you listen to the history of the misfortunes that have happened to this bill, I am satisfied that you will agree with me that the bill has never had a chance and that the Parole Board has never had a chance to function in a manner that would enable us to determine whether or not the plan was a good plan or a bad plan.

The bill was approved in August, 1941. Appointment of the board was not made until the spring of 1942. The appointments were delayed by Governor James because it seems that shortly after he signed the bill he regretted having signed it.

In the Special Session of 1942, Governor James attempted to have the Legislature postpone the functioning of this plan, but friends of parole on both sides, both parties, refused to permit the postponement and it began to function.

The board started to work on June 1, 1942. That was the date under which the Act provided that the entire system would be set up and functioning, yet on that date the Board began to function for the first time.

In September 1942, civil service examinations were given. In March of 1942 the Supreme Court sustained the Act.

On January 18, 1943, which is a date during which the Legislature was in session, the first appointment of em-

ployes were made by the Board and at that time there were only five or six.

On February 1, 1943, the rest of the employes started. These dates are very recent dates.

It is interesting to note that in January 1943, the Jaspan ripper was introduced in the Senate, on January 18, 1943, the first employes were employed by the Board and on the next day the Jaspan ripper was introduced.

It seems that almost from the beginning of this Session of the Legislature that the plan and the Board were under attack. A hearing was held by the Committee on Judiciary General and the Board was brought before that Committee for the purpose of examination. Because of great public demand and great public interest in the parole plan, the Committee on Judiciary General held an open hearing. You, who attended that hearing, I know, were just as much impressed as I was with the character and the ability of the people who were here because of their interest in the bill, and strange to say, with all the noise that we had heard previously, at that hearing there was not one person who appeared in opposition to the parole plan—not one person.

I know from my own personal experience that many of the judges whose attitude was contrary to or against the parole plan in the beginning, have since either changed their minds or have, because of their ultimate fairness, made this statement, that the board has never had a chance to function so that we can determine whether it functions properly or not. Let us give it a chance.

Last week I talked with two of the most able judges of our county, Judge Ralph Smith, a candidate for the Democratic nomination for Governor in the last primary election. I also talked with Judge Henry Ellenbogen. Both of those men helped to prepare this bill and both of those men still feel that it should have an opportunity.

The attack on the bill has been very varying and I think everything has been said that possibly could be said about it, that is, about things relative to the bill that are not good, but so far it has been mostly talk and it has not been proven.

Mr. President, understand my position to be this; I had nothing to do with the preparation of the bill; the members of the Board or the employes are not appointees of mine or friends of mine. The members of the Board were appointed by Governor James and I say to you very frankly that if those men are not qualified and if they are not doing the job that the Legislature or the Governor want them to do, the Governor has the right to replace them and if that is a fact I certainly am not going to do anything to attempt to prevent it.

One of the criticisms made of this Board was the fact that this year they submitted a request for an appropriation in excess of $1,600,000. Immediately certain persons within the Legislature rose up in arms. They felt that was a tremendously excessive budget and they felt that the cost of parole supervision was terrific, that the cost far exceeded the value and the good that came from proper parole supervision in Pennsylvania.

In order to be fair about the matter, I made a very careful study of comparative costs in other states which have parole acts.

Mr. President, do you know that under this budget the cost of parole per person, per day, in this state would be twenty-five cents and yet if we were to keep these people in jail in Pennsylvania, the average cost would be $1.25 per day? There would be and there will be, unless the Legislature changes the Act and changes the jurisdiction, approximately ten thousand people supervised by the Parole Board. This board has jurisdiction over all persons whose maximum sentence is two years or greater. This is important because it means that the Board has jurisdiction over all persons in any Court in Pennsylvania having criminal jurisdiction.

I have here some comparative figures which I think are quite interesting. In New York jurisdiction is confined to persons in state penitentiaries and reformatories only. The Parole Board of New York has no jurisdiction over the great city penal institutions in New York city or the other county institutions.

The case load in New York is 73.4 as compared to 100 in Pennsylvania. The budget is $616,190 per annum. The budget asked by our Parole Board is a little over $800,000, per annum and yet in number of persons served in jurisdiction the Parole Board of Pennsylvania has a far more difficult job to do than the Parole Board of New York. In parole affairs and parole circles, the Parole Act has been proven to have been very successful in New York.

Then, Mr. President, in the little state of New Jersey we have a similar situation. New Jersey is a very small state. Their jurisdiction is much restricted and our budget would compare favorably to that of New Jersey, considering the ratio of the number of persons under the jurisdiction of that board. When you measure cost you can not always do so by determining how much money you pay out.

All our papers today each day carry articles on the growing criminal wave among adolescents and small children. In the city of Pittsburgh I understand that there is a curfew act today which compels persons sixteen years of age or under to be off the streets. As acting clerk of courts of Allegheny County I am very close to what is happening there, in the office of the district attorney, the office of the sheriff and in the criminal court, and the business of our office has fallen away tremendously. That is true because many of the economic causes of crime have been eliminated, because a great percentage of the adult population has been taken out of the country, but we have found a steady and a very serious increase in crime by younger people.

Unfortunately, most people have a wrong impression of the reason for having a maximum and a minimum sentence. They seem to feel that once a man has served his minimum sentence that under the law he has the right to be released, but that is not the theory, that is not the fact—under the law his sentence is the maximum—but the courts have said under the provisions of the law, if a man behaves himself and proves that he has been rehabilitated when in prison that he can be paroled at the end of his minimum sentence.

The question of when to parole is a very vital one to the welfare of this Commonwealth. When a man is sentenced to prison he is sentenced there for one primary objective, that is, for the purpose of rehabilitation. If you were conversant with the way penitentiaries operate, you would realize that the amount of rehabiliation which takes place because of educational facilities and normal training is very little, and if we are to continue this pro-

cess of rehabilitation we must do it during the time that a person is on parole.

Prior to passage of this Act we had no real parole supervision in Pennsylvania. We did have parole supervision under the Department of Justice, but everybody admitted very frankly that it was inadequate, because there were not sufficient employes, and their obligations and their duties consisted in the most part of getting data for the Pardon Board.

In the present bill, introduced by the gentleman from Luzerne, Senator Jones, who I am convinced is as much interested in proper parole as I am, we find certain changes that go absolutely to the basis of parole structure in Pennsylvania. For instance, under the present Act there are five members, and Senator Jones in his proposed bill cuts them to three members. Under the present Act there is a parole supervision. I was very much gratified today when out of the blue the gentleman from Philadelphia, Senator Shapiro, told you of the fine antecedents of Doctor Giardini, your present Parole Director.

Under the present Act there are ten supervisors, ten men who each have one district in Pennsylvania to supervise. Those men received their positions on the basis of a civil service examination. Those men are the ten supervisors in Pennsylvania because in an examination they proved themselves to be the best qualified of all those who took the examination to supervise parole in Pennsylvania. One fundamental defect in the present bill amending the parole Act is the fact that civil service is taken away from these ten men.

The Parole Director is taken out of the act, the Board has been cut from five members to three members, and now we have a situation existing, if this bill should pass, where there would be three members of the Parole Board, there would be no Parole Director, there would be ten supervisors appointed by the Parole Board, with the consent of the Governor. That language sounds very nice, but we are all practical and we all know that means political patronage, and surely we must know from experience, in a field as involved and as important as crime, no system can operate if we are going to permit any of the executives of the system to be placed in a position where they must perform their duties because of the demands of people with political influence.

This bill would have the effect of placing in jeopardy the positions of these most important executives of the Parole Board, if any politican responsible for their appointment should lose interest in them.

Under the old system the Department of Justice had at its beginning out in Pittsburgh, one of the finest personnel offices that any city could ever have. It was very fortunate, because it had men who had years of training and who specialized in this very kind of work. I knew most of those men and their work intimately; I had worked with them in connection with my work at the Western Penitentiary. Due to a change in administration every one of those men lost his employment, other people were substituted, and then at the end of that administration they were all fired. If we amend this Act to take those ten supervisiors out of civil service, in my opinion, that will be a mortal blow to proper parole supervision in Pennsylvania.

These are only a few brief comments. I offer them to you in the hope that you will agree with me that it is ultimately fair, because of the fact that the Parole Board has not had a proper opportunity to show if it could function properly, to let the whole matter rest until 1945, until the next session of the Legislature. As you know, since January I have done everything in my power to get this Senate to consent to a real investigation of the whole penal system of the Commonwealth of Pennsylvania, not only the parole system alone. That is a matter of great necessity, it is going to come, and if it does not come in this Session of the Legislature, perhaps the next Legislature will recognize the necessity for doing it.

I am certainly going to hope that the present friends of proper parole and proper parole supervision have not diminished in number in the Senate and I hope that through the years we will have some converts so that this matter will not die and if I am back in the Senate in 1945, I certainly will be as eager as any man in this Senate to try to determine whether the Board and the system have properly functioned during that two year period.

At that time we can certainly remedy any defects in the system and if the system is not any good we can certainly toss it out and get a system that really will function.

Mr. JONES. Mr. President, this bill came up for second reading and the gentleman from Allegheny, Senator Cox, raised questions as to its advisability, placing the burden upon me to explain the amendments to the bill.

I want to say at the outset that I have no personal interest in this matter whatsoever. I do not know a single member of that Board. I do know the individuals who wrote the original Act. They are close personal friends, friends that I regard highly both for their own personal selves and for their legal and intellectual ability.

They had written this bill, and in theory it was a good bill, but in practice it developed that there were many inadequacies, many mistakes in application and in administration, many errors, so that it became necessary to make definite corrections. This bill proposes to make those corrections.

I want to say, too, that I believe in the parole system and I believe that such a system should be in vogue and used to serve its purpose to the state of Pennsylvania.

When a man commits a crime it is the purpose of the law, in passing sentence upon him, first, to punish him, and secondly, to set an example to the public so that others shall not follow and do the same thing, but there is a point where both of those purposes are served, and so, in the passage of the Act providing for sentence, the law sets forth a minimum penalty and a maximum penalty, the maximum penalty being in double the time of the minimum penalty, and it is the intent and purpose that this minimum penalty shall serve the purpose of punishment and example to the people at large, and that after serving the minimum sentence, the remaining term, until the maximum period has expired, shall be a period of parole, at which time this prisoner is taken out of the walls surrounding him, where he as it were, was in a cage, where he follows the strict discipline and the regime of the prison and its strict regulations, where there is no opportunity for rebuilding. Having come out of that jail or that prison at the expiration of his minimum term, he

is on parole, placed in the custody of officers who supervise his conduct.

Those officers must be trained, they must be skilled and qualified, and they must know this individual very thoroughly, his antecedents, his background, his habits, his environment, his associates and hundreds of other things, and from them they study his difficulties and know what should be done to bring him out of them, and thereby they rehabilitate him and he adjusts himself to society, he becomes an industrious, useful citizen and society is protected from him and he, himself, does not come in conflict again with the law.

It has been argued by the gentleman from Philadelphia, Senator Jaspan, a few days ago, that the principal objection to this parole system is that parolees violate the law afterwards, that there are numerous violations and infractions of the law afterwards and violations of parole, but I say to you because that there are such infractions, that does not negative the value of the parole system, it rather enhances its value and demonstrates its value and the efficiency with which parole officers are administering the parole law.

It would be just as well if the gentleman from Philadelphia, Senator Jaspan, argued that because tires blow out we should not use tires any more, or because people get indigestion by eating food they should not eat food any more, or because there is heavy mortality at childbirth, therefore, there should not be any more childbirth.

On the other hand, constant regulation, supervision and the finding of those very infractions demonstrate the activity and the effiiciency and the earnestness with which parole officers are looking after those on parole; it does not discount the system, and I believe that the Senators are quite agreed that a parole system should continue, that this parole system continue with a civil service provision, but I have provided amendments which accomplish certain purposes, the first of which is to cut down the membership of the board from five to three members.

The state of New York, which just has been mentioned by the gentleman from Allegheny, Senator Cox, has one of the best systems and operates most satisfactorily, and it has a three man board. I, myself, have been a member of a three man board for the last twelve years, the Board of Assessors in Luzerne County, and I know that a three man board operates efficiently and adequately and expeditiously and with considerable dispatch, whereas a five man board is more cumbersome, lacking in expedition and is slow in making decisions and in getting business done. I think these men should be men of the highest character, in order that they will perform their work honestly and conscientiously.

One of the main purposes of these amendments is to effect economies in the administration of the parole system, As you know, the Parole Board has only recently requested an appropriation of $1,650,000, an enormous sum of money for the operation of parole—that system ought to be operated at approximately half that cost; it can be accomplished. My bill will do it this way: it saves the cost and expense of two members of the board, aggregating $10,000 each; it saves the cost and salaries of a parole officer. I believe that the board ought to function as parole directors and not merely sit by and "let George do the work," so to speak, but they, themselves, each of them should perform their proper function in the operation of this parole system.

These amendments also propose to reduce the salary of supervisors by five hundred dollars; there are ten supervisors, which makes $5,000, making a total saving, if you count it up, of approximately $35,000.

The greatest saving would be accomplished in this circumstance: at the present time the board operates between the Eastern Penitentiary and the Western Penitentiary, White Hill, Muncy, Huntingdon, and so forth, and the members of the board travel back and forth and have hotel expenses, traveling expenses, incidental expenses, so that in the last biennium their total expenses were $300,000.

My bill proposes that the supervisor in the respective district shall function in that capacity; he is in the immediate vicinity, and he shall examine the prisoner six months before he is eligible for parole; expenses of the supervisor will be at a minimum, so that these economies will be thus effected.

I say, too, that my amendments provide a definite check and balance system. In our national government and in our state government we have checks and balances that make our government almost perfect as a Democratic organization—without those checks and balances would be to revert back to the monarchies and the despotisms of Europe—but taking the plan from our own form of government, we have provided that the Pardon Board shall exercise some supervision as a check on the activities of the Parole Board, and the Parole Board shall make reports each time it shall recommend parole and each time it refuses parole at the expiration of the minimum sentence.

If the Parole Board does not agree that a prisoner shall be released, it becomes their duty to give their reasons to the Pardon Board so that they, too, can double-check with the Parole Board and determine whether the prisoner is receiving just treatment. When an individual is recommended for parole, the Pardon Board likewise shall receive a report giving the reasons therefor and they then shall pass judgment, checking and rechecking the determination of the Parole Board that such prisoner shall be released or shall not be released. There in effect and in fact, the Superior Court exercises the jurisdiction of appeal.

There is another important amendment to this bill, which provides that the district attorney who tried the case, the judge who heard the case, and the warden or person or official in charge of the particular penal institution shall, and it becomes their duty, to recommend their position toward that prisoner, what they think about him, what they would recommend about parole, and in addition to that, the supervisors are compelled to make their reports. With this combined information and judgment of those who are closest to the prisoner, who knew him from the beginning, they can determine fairly and reasonably whether that prisoner should be on parole or whether he should be released.

In the penal institutions the wardens have particular advantages in that respect, they have their penologists, their psychiatrists, their social workers, and they have their qualifications, so that with their combined opinion crystalized, by the time the term expires they can reasonably and honestly know what the prisoner was like while in the institution.

I say, too, that this bill corrects some of the violations of the law made by the present board, and I need only refer to the opinion of the Supreme Court of Pennsyl-

vania in which is appointed out, through Justices Drew and Patterson, the law as follows:

"The law as enacted (referring to the Parole Act of 1941) needlessly creates an extravagantly expensive system of parole (that comes, gentlemen, from the Supreme Court of Pennsylvania) by permitting the present costly county parole system as well as that of the Board of Pardons, to continue to function, although it calls for an 'exclusive' system of parole; it places the appointment of an unlimited number of parole officers and employes in political hands; and it is so inartistically drawn that, even its many and serious defects are now overlooked, it is bound to result in confusion and litigation before its true character is ascertained."

As you will see, this opinion refers to the inadequacy of the present system, in permitting the lower court to place prisoners on parole with the county officials, or to place a prisoner serving his minimum sentence or any part of the sentence as a special parolee with the Board of Pardons.

I say to you, too, that this board is violating the law in another particular which we correct by our amendments. They exercise jurisdiction over juveniles, not the juveniles who have been committed alone by the criminal courts, but the juveniles who have been committed to White Hill directly by the court, delinquent boys and girls, and they are under this parole system of 1941; they are no part of the parole system, they are entirely and exclusively within the hands of the court, and yet the President of the Parole Board, notwithstanding the advice of Justice Brown of the Philadelphia courts and of the counsel for the board itself, deliberately assumed jurisdiction over those juveniles. These amendments will correct that violation. I say to you, too, that there was another serious infraction by the Parole Board. The Parole Board would exercise supervision over a prisoner after the maximum term had expired. My bill proposes that when that maximum term expires, he is as free as though he had served his parole in prison, and it should be so. There is no reason under the sun, if after that person had gone through a process of education with the supervisors and the parole officers, between the minimum and the maximum sentence, that he should not be discharged and no longer kept under the supervision of the parole officers, perhaps for the rest of his life, if they should so elect.

It clarifies the act, it makes it definite in all of these provisions where it was weak, it adds strength to the present parole law, it gives vitality and greater force and effect without the criticisms that we have so frequently heard.

In this connection may I read a letter to you which was received by one of the Senators from his Court on April 22. The letter was addressed to Honorable Howard I. James, Harrisburg, Pennsylvania, and is as follows:

"Doylestown, Pa., April 22, 1943.

"Honorable Howard I. James,
Senate Chambers,
Harrisburg, Pa.

"Dear Senator James:

"Judge Keller and I have received the copies of Senate Bill No. 554 to amend the present State Parole Board Act which you kindly sent us. We have gone over the proposed amendment and are both of the opinion that in general it is very satisfactory and a vast improvement over the original act. Judge Keller has authorized me to say that we would like to see this amending act enacted.

"However, there are several comments that we would like to make. In the first place we believe that it would simplify our sentencing of prisoners, particularly in such cases as drunken driving, manslaughter, etc., where the maximum sentence provided by the act is exactly three years, if the jurisdiction of the Parole Board were limited to cases where the maximum sentence imposed exceeds three years and that the Court retain exclusive jurisdiction where the maximum sentence was three years or less. As this act is drawn, if the Court wished to retain jurisdiction of the prisoner for the greatest maximum period, the maximum sentence would have to be, "two years, eleven months and twenty-seven days." This is not a serious matter, but is more a consideration of convenience. If the Court preferred to place such prisoner under the jurisdiction of the Board it could still do so by "Special Order" under Section 17.

"In Section 7, amending Section 17, I call attention to line 19 of page 7. As worded, this sentence does not appear to be very clear. In giving exclusive power to the Board in cases of maximum sentences for less than three years, this line reads; ". . . when the Court may by special order direct supervision by the Board . . ." It seems to us that for clarity it should read; ". . . if the Court shall by special order direct supervision by the Board . . ." Apparently the word, "directed" is a clerical error inasmuch as it does not appear in the original act.

"Our third criticism is that the act does not make any reference to the change in jurisdiction on the effective date of this amendment over cases then pending. It should be made clear whether, and how cases in which sentence was imposed before the effective date of this act, but in which the minimum sentence has not been served, will be effected by the amendment. The same doubt also arises in sentences imposed before the effective date of the act and in which the minimum sentence has been served, but no parole has been asked for and or acted upon.

"Thanking you for sending us these copies of the act and trusting that the bill may be passed, I remain,

Very truly yours,
CALVIN S. BOYER."

And so I appeal to the members of the Senate of Pennsylvania to approve these amendments to Senate Bill No. 554, and thereby improve the present parole act without in the slightest degree affecting its efficiency, its operation and without doing any damage or injury whatsoever.

I thank you.

And the question recurring,

Will the Senate agree to the bill on second reading?

It was agreed to.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 579, entitled:

An Act to further amend section one thousand one hun-

dred forty-seven of the act, approved the first day of May, one thousand nine hundred thirty-three (P. L. 103), entitled "An act concerning townships of the second class; and amending, revising, consolidating, and changing the law relating thereto," by providing as to certain additional roads, streets, lanes and alleys which may be accepted as public highways by boards of supervisors of townships of the second class.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 590, entitled:

An Act to amend section six hundred four, section six hundred five, and to add section six hundred eight to the act, approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 177), entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments, boards, commissions, and officers thereof, including the boards of trustees of State Normal Schools, or Teachers Colleges; abolishing, creating, reorganizing or authorizing the reorganization of certain administrative departments, boards, and commissions; defining the powers and duties of the Governor and other executive and administrative officers, and of the several administrative departments, boards, commissions, and officers; fixing the salaries of the Governor, Lieutenant-Governor, and certain other executive and administrative officers; providing for the appointment of certain administrative officers, and of all deputies and other assistants and employes in certain departments, boards, and commissions; and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments, boards and commissions shall be determined," by further defining the duties of the Auditor General, the State Treasurer and the Secretary of Internal Affairs, and requiring fiscal reports to be filed with the Governor by all administrative departments, boards, and commissions.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 594, entitled:

An Act to amend section one of the act approved the twelfth day of May one thousand nine hundred and thirty-nine (P. L. 133) entitled "An act to regulate the sale and possession of sulfanilamide and its derivatives in the interest of public health" by excepting sulfathiazole-impregnated finger or small adhesive gauze bandages.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 596, entitled:

An Act to further amend sections four hundred four and four hundred ten of the act approved the twenty-ninth day of November, one thousand nine hundred thirty-three, (P. L. 15—1933-34), entitled as amended "An act to regulate and restrain the sale, manufacture, possession, transportation, importation, traffic in, and use of alcohol, and alcoholic and malt or brewed beverages; conferring powers and imposing duties upon the Pennsylvania Liquor Control Board and its agents, the Department of Public Instruction, other officers of the State government, courts, and district attorneys; authorizing the establishment and operation of State stores for the sale of such beverages not for consumption on the premises, and the granting of licenses, subject to local option, to sell such beverages for consumption on and off the premises; forbidding importation or bringing of such beverages into the State except as herein provided; prohibiting certain sales or practices in, connection with, and transactions in such beverages by licensees and others; providing for the forfeiture of certain property; making disposition of the receipts from State stores and of fees; and imposing penalties," conferring jurisdiction on the county court of Allegheny County in cases of appeals from the Pennsylvania Liquor Control Board.

The first section was read.

On the question,

Will the Senate agree to the section?

Mr. WALKER offered the following amendments:

Amend Sec. 1 (Sec. 404), page 3, line 8, by striking out the word "Refusals" and inserting in lieu thereof: "Refusal"; Amend Sec. 1 (Sec. 410), page 6, line 9, by striking out "ilcense" and inserting in lieu thereof: "license",

They were agreed to.

The section was agreed to as amended.

The title was read and agreed to.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 597, entitled:

An Act to add Section 699.7 to the act, approved the twenty-fourth day of June, one thousand nine hundred and thirty-nine (P. L. 872), entitled "An act to consolidate, amend and revise the penal laws of the Commonwealth," prohibitisg the buying or selling of Federal ration stamps, coupons or other indicia or tokens necessary for the purchase of food, clothing, footwear, fuel or other commodities or articles; prohibiting the acceptance of such stamps, coupons or other indicia or tokens with knowledge that they have been bought or sold; and providing penalties.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 598, entitled:

An Act to aid the Federal Government in the enforcement of its allocation and rationing program; making it unlawful to sell or buy commodities rationed by Federal authority without receiving or giving the required coupons, stamps, certificates, ration checks or other ration documents or giving such documents that have been unlawfully obtained; empowering the Governor to designate commodities hereafter rationed to be subject to this act; and prescribing penalties.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 603, entitled:

An Act authorizing the Department of Property and Supplies to establish, operate and maintain self-sustaining restaurants, as herein defined, in the State Capitol and adjacent buildings, creating a revolving fund for this purpose to be known as The State Restaurant Fund, providing additional duties for the State Treasurer and the Department of Health in connection therewith, and appropriating the necessary funds for these purposes.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 607, entitled:

An Act to further amend sections four hundred twenty-six and four hundred twenty-seven of the act approved the second day of June, one thousand nine hundred fifteen (P. L. 736), entitled, as amended "An act defining the liability of an employer to pay damages for injuries received by an employe in the course of employment; establishing an elective schedule of compensation; providing procedure for the determination of liability and compensation thereunder; and prescribing penalties," conferring exclusive jurisdiction on the county court of Allegheny County in cases of appeals from the Workmen's Compensation Board.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 608, entitled:

An Act to validate and quiet the title to real estate in this Commonwealth heretofore conveyed to a citizen of the United States or a corporation authorized to hold such real estate by any building and loan association whose charter had expired.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 609, entitled:

An Act to further amend sections seven and thirteen of the act approved the third day of May one thousand nine hundred thirty-three (P. L. 252) entitled as amended "An act to regulate and restrain the traffic in malt and brewed beverages as herein defined providing for the licensing of the manufacture transportation sale and distribution of such beverages imposing license and permit fees and providing for collection and distribution thereof restricting ownership and interest in licensed places permitting municipalities and townships by vote of the electors to prevent the licensing therein of places where such beverages may be sold for consumption on the premises and regulating elections for this purpose imposing duties upon the Pennsylvania Liquor Control Board quarter sessions courts district attorneys and Department of Justice proper authorities of political subdivisions of the State and election officers providing penalties and repealing existing acts" conferring jurisdiction on the county court of Allegheny County in cases of appeals from the Pennsylvania Liquor Control Board.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 616, entitled:

An Act to further amend section seventeen of the act, approved the twenty-second day of June, one thousand nine hundred thirty-five (P. L. 414) entitled as amended "An act to provide revenue for State purposes; imposing taxes upon certain classes of personal property; providing for the assessment, collection, and lien of the same, and the distribution of the proceeds thereof; imposing duties on executors, administrators, registers of wills, recorders of deeds, prothonotaries, and court clerks, and on persons, copartnerships, associations, banks, national banks, trust companies, and other corporations receiving deposits of money, and on certain corporations and limited partnerships; conferring powers and imposing duties on certain State officers and departments; imposing penalties; and making an appropriation," by excluding from the provisions thereof personal property held in trust under the terms of a stock bonus, pension annuity, profit-sharing or deferred compensation plan as herein defined, maintained by an employer for the exclusive benefit of his employes or their beneficiaries.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 617, entitled:

An Act to repeal section twenty-three of the act, approved the twenty-sixth day of May, one thousand nine hundred and thirty-three (P. L. 1076), entitled "An act to provide for the organization, incorporation, operation, and supervision of cooperative savings and credit associations, to be termed credit unions; designating such credit unions as corporations, and defining their powers and duties; conferring certain powers and duties on the Department of Banking and providing penalties," which section exempts credit unions organized under said act, and the shares thereof, from certain tax and bonus liability.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 623, entitled:

An Act to further amend section six hundred three of the act, approved the seventeenth day of May, one thousand nine hundred and twenty-one (P. L. 789), entitled as amended "An act relating to insurance, establishing an insurance department; and amending, revising, and consolidating the law relating to the licensing, qualification, regulation, examination, suspension, and dissolution of insurance companies, Lloyds associations, reciprocal and inter-insurance exchanges, and certain societies and orders, the examination and regulation of fire insurance rating bureaus, and the licensing and regulation of insurance agents and brokers; the service of legal process upon foreign insurance companies, associations or exchanges; providing penalties, and repealing existing laws," by providing that an attorney-at-law or a licensed real estate broker shall not be required to obtain a license to act as agent for a domestic title insurance company.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 626, entitled:

An Act to regulate persons, partnerships and corporations engaged in the business of renting motor vehicles; authorizing the Public Utility Commission to administer and enforce the provisions of this Act; and imposing penalties.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 629, entitled:

An Act to amend section four hundred thirty-seven of the act approved the second day of May one thousand nine hundred twenty-nine (P. L. 1278), entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto" by authorizing the making of appropriations to more than one historical society.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 630, entitled:

An Act to further amend subsection B of section one thousand eleven of the act approved the fifteenth day of May, one thousand nine hundred thirty-three (P. L. 565), entitled "An act relating to the powers and duties of the Department of Banking and the Secretary of Banking in exercising supervision over, and taking possession of and conducting or liquidating the business and property of, corporations, associations, and persons receiving deposits or otherwise transacting a banking business, corporations acting as fiduciaries, and building and loan associations, providing for the payment of the expenses of the Department of Banking by supervised corporations, associations, or persons, and appropriating the banking Department Fund; authorizing the Department of Banking, under certain circumstances, to examine corporations, associations or persons affiliated, or having business transactions with supervised corporations, associations or persons; authorizing appeals to the Supreme Court, and prescribing and limiting the powers and duties of certain other courts and their prothonotaries, registers of wills, recorders of deeds, and certain State departments, commissions, and officers; authorizing certain local public officers and State departments to collect fees for services rendered under this act; providing penalties; and repealing certain acts and parts of acts," further regulating distribution of the assets of building and loan associations in liquidation by the Secretary of Banking.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 631, entitled:

An Act relating to the administration, liquidation and distribution of title insurance reserve funds in the possession of the Secretary of Banking as receiver and providing for the rights and powers of corporations in respect to the writing of policies of reinsurance in connection therewith.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 641, entitled:

An Act providing for the validation and amendment of defective tax liens heretofore or hereafter entered of record; repealing inconsistent legislation.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILLS OVER IN ORDER

Mr. HEYBURN. Mr. President, I ask unanimous consent that House Bill No. 650, on second reading, entitled:

An Act to further amend section three hundred forty-eight of the act, approved the second day of May, one thousand nine hundred twenty-nine (P. L. 1278), entitled "An act relating to counties of the second, third, fourth, fifth, sixth, seventh and eighth classes; and revising, amending, and consolidating the laws relating thereto," authorizing counties of the third, fourth and fifth classes during the war period to enter into contracts up to five hundred dollars without advertising for bids

go over in its order, in order to correct a defect in the title.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. HEYBURN. Mr. President, I ask unanimous consent that House Bill No. 668, on second reading, entitled:

An Act to further amend the act, approved the fifth day of May, one thousand nine hundred and thirty-three (P. L. 289), entitled "An act relating to nonprofit corporations; defining and providing for the organization,

merger, consolidation, and dissolution of such corporations, conferring certain rights, powers, duties and immunities upon them and their officers and members, prescribing the conditions on which such corporations may exercise their powers; providing for the inclusion of certain existing corporations of the first class within the provisions of this act; prescribing the terms and conditions upon which foreign nonprofit corporations may be admitted or may continue to do business within the Commonwealth; conferring powers and imposing duties on the courts of common pleas, prothonotaries of such courts, recorders of deeds, and certain State departments, commissions, and officers; authorizing certain local public officers and State departments to collect fees for services required to be rendered by this act; imposing penalties; and repealing certain acts and parts of acts relating to corporations," by authorizing nonprofit medical service corporations to provide limited medical service benefits to subscribers of over-income

go over in its order, in order to correct a defect in the title.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. HEYBURN. Mr. President, I ask unanimous consent that House Bill No. 669, on second reading, entitled:

An Act to amend sections three, four, nine, and nineteen of the act, approved the twenty-seventh day of June, one thousand nine hundred and thirty-nine (P. L. 1125), entitled "An act providing for the regulation and supervision of nonprofit medical service corporations organized to provide medical services to subscribers of low income by the Department of Health and the Insurance Department, and defining the functions of such departments with respect thereto; authorizing certain departments, commissions, officers, and other agencies of the State and its political subdivisions to subscribe, under certain circumstances, to the medical service plan of such corporations on behalf of persons of low income; prescribing legal investments for the funds of such corporations, and the rights of doctors of medicine to register with such corporations; conferring authority on the Department of Health and on the Insurance Commissioner, each within its own sphere of lawful activity, to regulate and supervise such corporations; conferring certain rights, powers, duties, and immunities upon such corporations and their officers and members; prescribing the conditions on which such corporations may exercise their powers; exempting such corporations from taxation; prohibiting any person, copartnership, association, common law trust or corporation, except a nonprofit medical service corporation, from providing medical services on a nonprofit plan in return for prepayment, periodical, or lump sum payments; providing penalties for the violation of, and mandatory and injunctive relief for the enforcement of, the provisions of this act," by authorizing nonprofit medical service corporations to provide limited medical service benefits to subscribers of over-income

go over in its order, in order to correct a defect in the title.

The PRESIDENT. Is there objection? The Chair hears none.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 726, entitled:

An Act to amend section twelve of the act approved the twelfth day of May, one thousand nine hundred twenty-five, (P. L. 603), entitled "An act concerning conditional sales; and to make uniform the law relating thereto," making further provision for the satisfaction of conditional sales contracts filed in the office of the prothonotary.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 735, entitled:

An Act to amend sections eleven and seventeen of the act, approved the twenty-first day of June, one thousand nine hundred thirty-nine (P. L. 626), entitled "An act providing for and regulating the assessment and valuation of all subjects of taxation in counties of the second class; creating and prescribing the powers and duties of a Board of Property Assessment, Appeals and Review; imposing duties on certain county and city officers; abolishing the board for the assessment and revision of taxes in such counties; and prescribing penalties," further regulating appeals from assessments, and exonerations and refunds of taxes effected thereby; validating appeals heretofore taken; and imposing additional duties upon the said board.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 736, entitled:

An Act to further amend section sixteen of the act, approved the third day of May, one thousand nine hundred thirty-three (P. L. 252), entitled, as amended "An act to regulate and restrain the traffic in malt and brewed beverages, as herein defined; providing for the licensing of the manufacture, transportation, sale and distribution of such beverages; imposing license and permit fees, and providing for collection and distribution thereof; restricting ownership and interest in licensed places; permitting municipalities and townships, by vote of the electors, to prevent the licensing therein of places where such beverages may be sold for consumption on the premises, and regulating elections for this purpose; imposing duties upon the Pennsylvania Liquor Control Board, quarter sessions courts, district attorneys, the Department of Justice, proper authorities of political subdivisions of the State, and election officers; providing penalties; and repealing existing acts," by providing for the surrendering by persons in military service of licenses granted to them, the renewal thereof by the board during the licensee's continuance in such service and the renewal thereof thereafter.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 742, entitled:

An Act to amend section one of the act, approved the fifteenth day of June, one thousand nine hundred and thirty-nine (P. L. 346), entitled "An act to promote uniformity in the assessment and taxation of properties and persons within the territorial limits of cities of the second

class by providing that city taxes within such territorial limits shall be assessed, levied and collected upon the basis of the county assessments; imposing duties on county assessing authorities; abolishing the department of assessors in cities of the second class and transferring certain property to county taxing authorities," by defining the effect upon appeals of the certification of tax duplicates to cities of the second class and to school district coterminous therewith, and providing for exonerations and refunds of taxes assessed against properties affected by such appeals.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 750, entitled:

An Act to further amend subsection (a) of section twenty-five of the act, approved the seventh day of June, one thousand nine hundred seventeen (P. L. 447), entitled as amended. "An act relating to the administration and distribution of the estates of decedents and of minors; and of trust estates; including the appointment, bonds, rights, powers, duties, liabilities, accounts, discharge and removal of executors, administrators, guardians, and trustees, herein designated as fiduciaries; the administration and distribution of the estates of presumed decedents; widow's and children's exemptions; debts of decedents; rents of real estate as assets for payment thereof, the lien thereof, sales and mortgages of real estate for the payment thereof, judgments and executions therefor, and the discharge of real estate from the lien thereof; contracts of decedents for the sale or purchase of real estate; legacies, including legacies charged on land; the discharge of residuary states and of real estate from the lien of legacies and other charges; the appraisement of real estate devised at a valuation; the ascertainment of the curtilage of dwelling houses or other buildings devised; the abatement and survival of actions, and the substitution of executors and administrators therein; the survival of causes of action and suits thereupon by or against fiduciaries; investments by fiduciaries; the organization of corporations to carry on the business of decedents; the audit and review of accounts of fiduciaries; refunding bonds; transcripts to the court of common pleas of balances due by fiduciaries; the rights, powers, and liabilities of non-resident and foreign fiduciaries; the appointment, bonds, rights, powers, duties, and liabilities of trustees durante absentia; the recording and registration of decrees, reports and other proceedings, and the fees therefor; appeals in certain cases; and, also, generally dealing with the jurisdiction, powers, and procedure of the orphans' court in all matters relating to fiduciaries concerned with the estates of decedents", by providing for the filing of petitions for the enforcement of payment of legacies charged upon real estate by executors, administrators cum testamento annexo and administrators de bonis non cum testamento annexo.

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 787, entitled:

An Act to further amend section one hundred thirty-six of the act approved the second day of May one thousand nine hundred twenty-nine (P. L. 1278) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto" changing the requirements for creating the office of county controller by court decree in counties of the sixth seventh and eighth classes and authorizing the establishment of such office by referendum.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 805, entitled:

An Act authorizing the appointment of a clerk to the jury commissioners in counties of the third class by the court of common pleas; the fixing of his salary by the salary board, and the payment thereof by the county.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 823, entitled:

An Act to further amend section fourteen of the act approved the thirteenth day of May, one thousand nine hundred and fifteen (P. L. 286), entitled "An act to provide for the health, safety, and welfare of minors: By forbidding their employment or work in certain establishments and occupations, and under certain specified ages; by restricting their hours of labor, and regulating certain conditions of their employment; by requiring employment certificates for certain minors, and prescribing the kinds thereof, and the rules for the issuance, reissuance, filing, return, and recording of the same; by providing that the Industrial Board shall, under certain conditions, determine and declare whether certain occupations are within the prohibitions of this act; requiring that certain minors shall, during the period of their employment, attend certain schools, to be established as therein provided, and to be approved by the State Superintendent of Public Instruction, and regulating the conditions of such attendance; authorizing the State Board of Education, in certain cases, to appoint attendance officers to aid in enforcing the provisions of his act, and creating the salary and expenses of such officers a charge against the school district wherein they are employed requiring certain abstracts and notices to be posted; providing for the enforcement of this act by the Commissioner of Labor and Industry, the attendance officers of school districts, and police officers; and defining the procedure in prosecutions thereunder, and establishing certain presumptions in relation thereto; providing penalties for the violation of the provisions thereof; and repealing all acts or parts of acts inconsistent therewith," by permitting examinations to be made by any licensed physician.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 825, entitled:

An Act to amend the title and section one of the act, approved the twenty-seventh day of April, one thousand nine hundred twenty-seven (P. L. 403), entitled "An act fixing the salary of county commissioners in counties of

the third, fourth, fifth, and sixth classes," by increasing the salary of county commissioners in counties of the sixth, seventh and eighth classes.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 828, entitled:

An Act to further amend section one and paragraphs (a) and (b) of section three and sections four and seven and amend section five of the act approved the twenty-fifth day of July one thousand nine hundred thirteen (P. L. 1024) entitled "An act to protect the public health and welfare by regulating the employment of females in certain establishments with respect to their hours of labor and the conditions of their employment by establishing certain sanitary regulations in the establishments in which they work by requiring certain abstracts and notices to be posted by providing for the enforcement of this act by the Commissioner of Labor and Industry and others by prescribing penalties for violations thereof by defining the procedure in prosecutions and by repealing all acts and parts of acts inconsistent with the provisions thereof" by changing the definition of "week" and "day" and by increasing the hours of labor and temporarily suspending certain restrictions on employment.

The first and second sections were read and agreed to.

The third section was read.

On the question,

Will the Senate agree to the section?

Mr. CARR offered the following amendments:

Amend Section 3, paragraph (a), page 4, line 9, by inserting after the word "after" and before the word "females" the following: "upon application of an employer to the Secretary of Labor and Industry with the approval of the Industrial Board"; Amend Section 3, paragraph (a), page 4, line 13, by inserting after the word "week" at the end of the paragraph the following: "provided such employment is directly or indirectly in furtherance of the war effort"; Amend Section 3, paragraph (b), page 5, line 10, by inserting after the word "thereafter" at the end of the line the following: "upon application of an employer to the Secretary of Labor and Industry with the approval of the Industrial Board"; Amend Section 3(b), Page 5, Line 12—Strike out the words "any establishment" and insert the words "such establishments;" Amend Section 3, paragraph (b), page 5, line 15, by inserting after the word "week" at the end of the paragraph the following: "provided such employment is directly or indirectly in furtherance of the war effort."

They were agreed to.

The section was agreed to as amended.

The fourth, fifth, sixth and seventh sections were separately read and agreed to.

The title was read.

On the question,

Will the Senate agree to the title?

Mr. CARR offered the following amendment:

Page 2, Title, Line 3—Strike out the word "definition" and insert in lieu thereof the word "definitions."

It was agreed to.

The title was agreed to as amended.

And said bill having been read at length the second time, as amended,

On the question,

Will the Senate agree to the bill on second reading as amended?

BILLS OVER IN ORDER

Mr. BARR. Mr. President, because this is a House Bi I ask unanimous consent that, House Bill No. 828, o second reading, go over in its order.

The PRESIDENT. Is there objection? The Chair hear none.

Agreeably to order.

The rule requiring bills to be considered in Committe of the being in this case dispensed with,

The Senate proceeded to the second reading and con sideration of House Bill No. 845, entitled:

An Act to amend sections six hundred seventeen an six hundred twenty-one of the act, approved the secon day of May, one thousand nine hundred twenty-nin (P. L. 1278), entitled "An act relating to counties of th second, third, fourth, fifth, sixth, seventh and eight classes; and revising, amending and consolidating the law relating thereto," by removing certain restrictions as t the location of contagious disease hospitals, and authoriz ing counties to join with any other municipality or hos pital in establishing a joint contagious disease hospital.

And said bill having been read at length the secon time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order.

The rule requiring bills to be considered in Committe of the being in this case dispensed with,

The Senate proceeded to the second reading and con sideration of House Bill No. 862, entitled:

An Act providing for the creation, maintenance an operation of a county employes retirement system i counties of the sixth and seventh class; imposing certai charges on counties, and prescribing penalties.

The first, second, third, fourth, fifth, and sixth sectior were separately read and agreed to.

The seventh section was read.

On the question,

Will the Senate agree to the section?

Mr. THOMAS offered the following amendment:

Amend House Bill No. 862, Section 7, page 8, line 1 by inserting between the word "amount" and the wor "to" the word "equal".

It was agreed to.

The section was agreed to as amended.

The eighth, ninth, tenth, eleventh, twelfth, thirteenth fourteenth, fifteenth, sixteenth, seventeenth, eighteenth nineteenth and twentieth sections and title were separatel read and agreed to.

And said bill having been read at length the secon time and agreed to, as amended,

Ordered, To be transcribed for a third reading.

Agreeably to order.

The rule requiring bills to be considered in Committe of the being in this case dispensed with,

The Senate proceeded to the second reading and con sideration of House Bill No. 865, entitled:

An Act to amend section four hundred nine of the act, pproved the twenty-ninth day of November, one thou-and nine hundred thirty-three (P. L. 15, 1933-34), en-itled, as amended "An act to regulate and restrain the ale, manufacture, possession, transportation, importa-ion, traffic in, and use, of alcohol, and alcoholic and malt r brewed beverages; conferring powers and imposing uties upon the Pennsylvania Liquor Control Board and s agents, the Department of Public Instruction, other fficers of the State government, courts, and district at-orneys; authorizing the establishment and operation of State stores for the sale of such beverages not for con-umption on the premises, and the granting of licenses, ubject to local option, to sell such beverages for con-umption on and off the premises; forbidding importation r bringing of such beverages into the State except as erein provided; prohibiting certain sales or practices in, onnection with, and transactions in such beverages by icensees and others; providing for the forfeiture of cer-ain property; making disposition of the receipts from State stores and of fees; and imposing penalties," by providing for the surrendering by persons in military ervice of licenses granted to them, the renewal thereof by the board during licensee's continuance in such service, and the renewal thereof thereafter.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order.

The rule requiring bills to be considered in Committee of the being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 871, entitled:

An Act to further amend sections two, three hundred five, paragraph (4) of section six hundred two and section six hundred three of the act, approved the twenty-ninth day of November, one thousand nine hundred thirty-three (P. L. 15, 1933-34), entitled as amended "An act to regulate and restrain the sale, manufacture, possession, transportation, importation, traffic in, and use of alcohol, and alcoholic and malt or brewed beverages; conferring powers and imposing duties upon the Pennsylvania Liquor Control Board and its agents, the Department of Public Instruction, other officers of the State government, courts, and district attorneys; authorizing the establishment and operation of State stores for the sale of such beverages not for consumption on the premises, and the granting of licenses, subject to local option, to sell such beverages for consumption on and off the premises; forbidding importation or bringing of such beverages into the State except as herein provided; prohibiting certain sales or practices in, connection with, and transaction in such beverages by licensees and others; providing for the forfeiture of certain property; making disposition of the receipts from State stores and of fees; and imposing penalties," by defining "Official Seal" and authorizing the designation of wholesale or retail stores and suspending for the duration of the present war and for a period of one year thereafter the holding of Local Option Referenda in the question of granting liquor licenses and malt and brewed beverage retail dispenser licenses by the Pennsylvania Liquor Control Board.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order.

The rule requiring bills to be considered in Committee of the being in this case dispensed with.

The Senate proceeded to the second reading and consideration of House Bill No. 873, entitled:

An Act to amend section one and further amend section four of the act approved the thirteenth day of May one thousand nine hundred fifteen (P. L. 286) entitled "An act to provide for the health safety and welfare of minors by forbidding their employment or work in certain establishments and occupations and under certain specified ages by restricting their hours of labor and regulating certain conditions of their employment by requiring employment certificates for certain minors and prescribing the kinds thereof and the rules for the issuance reissuance filing return and recording of the same by providing that the Industrial Board shall under certain conditions determine and declare whether certain occupations are within the prohibitions of this act requiring that certain minors shall during the period of their employment attend certain schools to be established as therein provided and to be approved, by the State Superintendent of Public Instruction and regulating the conditions of such attendance authorizing the State Board of Education in certain cases to appoint attendance officers to aid in enforcing the provisions of this act and creating the salary and expenses of such officers a charge against the school district wherein they are employed requiring certain abstracts and notices to be posted providing for the enforcement of this act by the Commissioner of Labor and Industry the attendance officers of school districts and police officers and defining the procedure in prosecutions thereunder and establishing certain presumptions in relation thereto providing penalties for the violation of the provisions, thereof and repealing all acts or parts of acts inconsistent therewith" by changing the definition of week and by increasing the working hours of minors between the ages of sixteen and eighteen.

The first section was read.

On the question,

Will the Senate agree to the section?

Mr. CARR offered the following amendment:

Page 3, Section 1, Line 23—Before the bracket, insert the following words: "is hereby amended to read as follows:"

It was agreed to.

The section was agreed to as amended.

The second section was read.

On the question,

Will the Senate agree to the section?

Mr. CARR offered the following amendments:

Amend Section 4, page 5, line 1, by inserting after the word "thereafter" and before the word "minors" the following: "upon application of an employer to the Secretary of Labor and Industry with the approval of the Industrial Board"; Amend Section 4, page 5, line 5, by inserting after the word "week" and before the word "And" the following: "provided such employment is directly or indirectly in furtherance of the war effort."

They were agreed to.

The section was agreed to as amended.

The third section and title were separately read and agreed to.

And said bill having been read at length the second time and agreed to as amended,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 922, entitled:

An Act to add Clause XLVII to section one thousand five hundred two of the act, approved the twenty-fourth

day of June, one thousand nine hundred thirty-one (P. L. 1206), entitled "An act concerning townships of the first class; amending, revising, consolidating, and changing the law relating thereto," authorizing townships of the first class to make appropriations to Veterans' Home Associations.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILLS SIGNED

The PRESIDENT (Lieutenant-Governor John C. Bell, Jr.) announced that the Chief Clerk having reported that the following bills had passed both houses of the General Assembly and the same being correct, the titles were publicly read as follows:

House Bill No. 115, entitled:

An Act to further amend the act, approved the first day of May, one thousand nine hundred and twenty-nine (P. L. 905), entitled "Vehicle Code," by permitting the use of red signal lights and sound devices on certain additional vehicles; changing the provisions concerning rights of way and providing penalties.

House Bill No. 374, entitled:

An Act to amend section nine of the act, approved the thirteenth day of April, one thousand nine hundred and forty-two (P. L. 37), entitled "An act relating to air raid precautions, including blackouts; conferring certain powers and duties upon the State Council of Defense, local and district Councils of Defense, political sub-divisions, members of certain municipal and volunteer agencies and civilians necessary for the safety, defense and protection of civilians and property in the Commonwealth; providing for the mobilization, coordination and use of certain municipal agencies and volunteer agencies including their personnel and equipment; providing for immunity from liability for injury or death to persons or damage to property under certain circumstances, and providing penalties," by providing for the payment of fines recovered under said section to municipalities and townships

House Bill No. 403, entitled:

An Act to amend section seven of the act approved the seventeenth day of May, one thousand nine hundred seventeen, (P. L. 208), entitled "Pharmaceutical Practice Law," by requiring a copy of the latest edition of the Year Book of the Pennsylvania Pharmaceutical Association to be kept in every pharmacy.

House Bill No. 546, entitled:

An Act to reenact and amend the title and the act, approved the sixteenth day of May, one thousand nine hundred and thirty-five (P. L. 208), entitled, as amended, "Corporate, Net Income Tax Act," as previously reenacted and amended, by extending the provisions of the act for a further limited period of time; by further defining net income; authorizing the Department of Revenue to grant an additional extension of time for filing reports; changing the method of reporting in certain cases; and reducing the interest penalty on unpaid taxes.

House Bill No. 583, entitled:

An Act to further amend section fourteen of article four and section one of article five of the act, approved the ninth day of June, one thousand nine hundred eleven (P. L. 756), entitled "Bituminous Coal Mining Law," further regulating lamps to be carried by shot-firers and fire bosses.

House Bill No. 625, entitled:

An Act to amend section one of the act approved the sixth day of May one thousand nine hundred twenty-seven (P. L. 843) entitled "An act authorizing the Department of Highways with the approval of the Governor to build rebuild construct and maintain roads wholly upon the lands of State institutions and State parks and providing for the payment of the cost thereof" by authorizing the Department of Highways with the approval of the Governor to build rebuild construct and maintain roads bridges and viaducts wholly on State Armory properties and State Military Reservations and on the grounds of the Soldier's and Sailors' Home of Erie Pennsylvania

House Bill No. 678, entitled:

An Act to further amend the act, approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 343), entitled "Fiscal Code," by further regulating the procedure and the jurisdiction of the Board of Finance and Revenue relative to certain claims for refund; clarifying certain provisions relating to extensions of time for filing tax reports or returns; eliminating the provisions imposing interest on tax and bonus at any greater rate than six per centum per annum; changing and restricting the right of the Commonwealth to impose interest on certain unpaid taxes and bonus when such taxes and bonus are not settled within a prescribed period of time; providing for the automatic adjustment of interest liability so as to correspond to certain changes in tax or bonus liability; and further regulating the procedure for filing petitions for resettlement, petitions for review, appeals to court and the security accompanying such appeals.

House Bill No. 684, entitled:

An Act to amend the act approved the fifth day of May, one thousand nine hundred thirty-three (P. L. 364), entitled "Business Corporation Law," by authorizing the certain officers of dissolved business corporations to execute and deliver deeds, conveyances, agreements, assignments or other instruments necessary to perfect or complete transfers of real property or rights therein intended to have been completed or perfected by such corporations prior to dissolution.

House Bill No. 767, entitled:

An Act to amend section five hundred and one of the act, approved the first day of May, one thousand nine hundred and twenty-nine (P. L. 905), entitled "Vehicle Code," changing the provisions of said act relating to registration plates and the issuance thereof by the department.

House Bill No. 771, entitled:

An Act to amend section three hundred and one of the act, approved the first day of May, one thousand nine hundred and twenty-nine (P. L. 1005), entitled "Tractor Code," changing the provisions of said act relating to registration plates and the issuance thereof.

House Bill No. 780, entitled:

An Act to amend the definition of "Trailer" in section one hundred two of the act, approved the first day of May, one thousand nine hundred twenty-nine (P. L. 1005), entitled "Tractor Code," providing that a wagon or truck drawn by a tractor for the transportation of agricultural products of the owner, shall be exempt from registration fees.

House Bill No. 789, entitled:

An Act to amend the definition of "Trailer" in section one hundred two, as amended, of the act, approved the first day of May, one thousand nine hundred twenty-nine

P. L. 905), entitled "Vehicle Code," provided that in certain cases where wagons and agricultural machinery are used for hauling the products of the owner, no registration fee shall be required therefore.

House Bill No. 797, entitled:

An Act to amend section two of article five of the act, approved the second day of June, one thousand eight hundred ninety-one (P. L. 176), entitled "Anthracite Coal Mining Law," by providing that certain low pressure boilers used for heating purposes only, shall be exempt from the requirements of said section which prohibits the installation of boilers within one hundred feet of structures in which persons are employed in the preparation of anthracite coal.

House Bill No. 849, entitled:

An Act relating to child care centers; conferring certain powers and duties upon the State Council of Defense, local and district councils of defense and political subdivisions; providing for the adoption of rules and regulations for the maintenance, operation and conduct thereof; and authorizing appropriations by political subdivisions.

House Bill No. 1056, entitled:

An Act abolishing the entire Mercantile License Tax system: repealing the various license taxes under said system except as to taxes already due; abolishing certain offices and employments; providing for the collection of delinquent taxes; providing for the final settlement of accounts between the Commonwealth and county treasurers; and making certain repeals.

Whereupon,

The PRESIDENT (Lieutenant-Governor John C. Bell, Jr.) in the presence of the Senate signed the same.

BILLS ON FIRST READING

Mr. HEYBURN. Mr. President, I move that the Senate do now proceed to the first reading of all bills reported from committees for the first time at today's session.

Mr. TALLMAN. Mr. President, I second the motion.

The motion was agreed to.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 26, entitled:

An Act providing for the payment of moneys to school districts of the fourth class, the taxes of which have been reduced by the acquisition of certain lands and property by the Commonwealth.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 55, entitled:

An Act to amend section two hundred fourteen of the act approved the eighteenth day of May one thousand nine hundred eleven (P. L. 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" providing for temporary filling of vacancies on boards of school directors in districts of the second third and fourth class caused by induction or enlistment in the military or naval forces of the United States in time of war

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 56, entitled:

An Act authorizing the Department of Highways and counties, cities, boroughs, towns and townships to adopt and take over as public roads and highways, certain highways taken over, located, extended or constructed by the Federal Government or any agency thereof in the exercise of the war power; and providing the procedure therefor.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 254, entitled:

An Act authorizing the Pennsylvania Historical Commission on behalf of the Commonwealth of Pennsylvania, to acquire, by gift, the Harmony Society Graveyard in the Borough of Ambridge, Pennsylvania, providing for the control, management and maintenance thereof; authorizing the Commission to make and enforce rules and regulations for the preservation, maintenance and visitation thereof.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 289, entitled:

An Act to amend section eight of the act approved the nineteenth day of March one thousand nine hundred forty-one (P. L. 3) entitled "An act providing for the organization government discipline maintenance and regulation of an additional land force to be known as the Pennsylvania Reserve Defense Corps for the defense of the Commonwealth during any period of time in which the National Guard of Pennsylvania or any part thereof shall be in active service of the United States" providing compensation for officers and enlisted men in said Pennsylvania Reserve Defense Corps for armory drills.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 315, entitled:

An Act to further amend section sixteen of the act, approved the eleventh day of April, one thousand eight hundred sixty-two (P. L. 471), entitled "A further supplement to the act, entitled 'An act for the regulation and continuance of a system of education by common schools,' approved the eighth day of May, one thousand eight hundred and fifty-four," clarifying and providing for the computation of cost of tuition for pupils from without the school district in certain cases.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 317, entitled:

An Act to further amend section two of the act approved the fourth day of June one thousand nine hundred and fifteen (P. L. 828) entitled "An act to provide revenue by imposing a State tax upon sales or agreements to sell or memoranda of sales of stock and upon deliveries or transfers of share or certificates of stock in domestic and foreign corporations copartnership associations and joint-stock associations providing the manner of collecting such tax and prescribing penalties" by further extending the exemptions from the tax imposed by the said act

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 355, entitled:

An Act to amend section three of the act, approved the twenty-seventh day of May, one thousand eight hundred forty-one (P. L. 400) entitled "An act relating to the election of county treasurers and for other purposes," by changing certain provisions as to the ineligibility of certain county officers to election as county treasurer.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 360, entitled:

An Act to further amend the first three paragraphs of section one thousand two hundred one of the act approved the eighteenth day of May, one thousand nine hundred eleven (P. L. 309), entitled "An act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws, general, special or local, or any parts thereof, that are or may be inconsistent therewith," making war-time emergency provisions for substitute teachers.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 361, entitled:

An Act to amend section six hundred fifteen of the act approved the eighteenth day of May, one thousand nine hundred eleven (P. L. 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws, general, special or local, or any part thereof, that are or may be inconsistent therewith" by changing the requirement for approval of repairs of school buildings in districts of the third and fourth class.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 363, entitled:

An Act authorizing the conveyance to the Borough of Norristown of a certain tract of land in the Borough of Norristown, County of Montgomery, Pennsylvania.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 364, entitled:

An Act to amend the title and to further amend sections one two and three of the act approved the twenty-first day of May one thousand nine hundred thirty-seven (P. L. 787) entitled "An act authorizing the compromise or reduction of tax claims on real property purchased by any county city borough town school district or poor district at any sale for the nonpayment of taxes and the reconveyance or private sale of such property" giving each political subdivision having tax or municipal claims against any such real property the right to petition court for a compromise agreement or sale authorized by the act and extending the time for the holding of a hearing thereon.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 369, entitled:

An Act to amend section five hundred thirty-six of the act approved the eighteenth day of May one thousand nine hundred eleven (P. L. 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" making further provision for the fiscal year in school districts of the second class.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 395, entitled:

An Act to amend sections three and twenty-two and clause eighty-eight of section one hundred one of the act approvad the twenty-eighth day of May one thousand nine hundred thirty-seven (P. L. 1019) entitled "An act relating to statutory laws prescribing an enacting clause for statutes fixing the effective date and time of statutes hereafter enacted providing for notice of application for local and special legislation for the correction of errors in statutes and for the printing and publication of statutes prescribing rules for the interpretation of statutes defining certain words and phrases when used in statutes and prescribing rules for the construction and operation of amendments reenactments and repeals of statutes" further providing for the position of the enacting clause and the preparation of laws for printing and further defining the phrase "political subdivision."

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 411, entitled:

An Act authorizing the Department of Property and upplies, with the approval of the Governor and the oard of Trustees of the Philadelphia State Hospital, to cquire a certain tract of land for the use of said hosital, and making an appropriation therefor.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 416, entitled:

An Act authorizing the Department of Property and upplies, with the approval of the Governor and the oard of Trustees of Western State Penitentiary to acuire certain tracts of land for the use of the State Penientiary at Rockview, and making an appropriation thereor.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 426, entitled:

An Act to further amend section one thousand four undred four of the act, approved the eighteenth day of Iay, one thousand nine hundred eleven (P. L. 309), entitled "An act to establish a public school system in the Commonwealth of Pennsylvania, together with the proisions by which it shall be administered, and prescribing enalties for the violation thereof; providing revenue to stablish and maintain the same, and the method of colecting such revenue; and repealing all laws, general, pecial or local, or any parts thereof, that are or may be nconsistent therewith," by authorizing boards of school irectors to enter into contracts with the approval of the Department of Public Instruction whereby transportaion is furnished by boards having facilities therefor to upils of other boards in return for such payments by uch other boards as may be agreed upon; and providing hat the entrance into any such contract shall not affect r limit the right of any board of school directors to reeive reimbursement from the Commonwealth under any ct of Assembly for the cost of transporting pupils.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 428, entitled:

An Act authorizing the Department of Property and Supplies, with the approval of the Governor, and the Board of Trustees of Danville State Hospital, to acquire ertain tracts of land for the use of said hospital, and naking an appropriation therefor.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of House Bill No. 451, entitled:

An Act to add section seven and one-tenth to the act pproved the sixteenth day of July, one thousand nine undred forty-one (P. L. 400), entitled "An act to proect the debtors, obligors or guarantors of debts for which udgments are entered, or may be entered, and owners f real property affected thereby, and others indirectly liable for the payment thereof, by prescribing the method of fixing the fair market value of such property sold on execution, and limiting the amount collectible thereafter on such judgments," providing for the entry of release and discharge of said judgments under certain circumstances.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 461, entitled:

An Act to amend the act approved the eighteenth day of May, one thousand nine hundred and eleven (P. L. 309), entitled "An act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws, general, special or local, or any parts thereof, that are or may be inconsistent therewith," by providing and regulating the release of pupils from the public schools for religious instruction.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 462, entitled:

An Act making an appropriation to the State Veterans' Commission for the expense of the commission; furnishing certain assistance to needy Pennsylvania veterans of any war or their dependents; for participation in certain defense activities and for the rehabilitation and care of veterans, including the acquisition of land and construction of buildings for such purpose.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of House Bill No. 467, entitled:

An Act to further amend the act approved the fourth day of May one thousand nine hundred twenty-seven (P. L. 519) entitled "An act concerning boroughs and revising amending and consolidating the law relating to boroughs" by prescribing the procedure to be followed by borough councils and officials in the adoption as a single ordnance of a consolidation revision or codification of all the ordinances of such borough.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of House Bill No. 488, entitled:

An Act authorizing the Secretary of Highways at the request of and under agreement with the Public Roads Administration of the United States to lay out establish construct and maintain flight strips and roads to the sites of war activities or to replace roads or streets which have been closed by defense or military activities and to condemn property for such purposes authorizing a width of two hundred feet for such roads in certain cases and making an appropriation.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 497, entitled:

An Act to further amend section one of article two, and section one of article ten, of the act, approved the seventh day of March, one thousand nine hundred and one (P. L. 20), entitled "An act for the government of cities of the second class," abolishing the Department of Public Welfare of such cities; and transferring its powers and duties and records and certain city property to the county institution district of the county in which the city is located.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 498, entitled:

An Act to further amend section one hundred two, and to amend sections two hundred two and two hundred three of the act approved the twenty-fourth day of June, one thousand nine hundred thirty-seven (P. L. 2017), entitled "An act creating in each county (except of the first class) as a separate corporation, and in each city of the first and second class as a part of the city government, an institution district for the care and maintenance of certain indigent persons and children; prescribing the powers and duties of county commissioners, county treasurers, city departments of public welfare, the State Department of Welfare and the State Department of Public Assistance, in respect thereto; abolishing certain poor districts and terminating the terms of directors, overseers, guardians and managers of the poor and poor district auditors, and providing for the temporary employment of certain of them; providing for the transfer, vesting, sale and disposition of the property of poor districts and the payment of their obligations; imposing certain existing obligations on institution districts and on the Commonwealth; regulating the affairs of poor districts until abolished; revising, amending, changing and consolidating the law, relating to the care of the poor; and repealing existing laws," abolishing city institution districts in cities of the second class; and transferring their powers and duties and their property to the county institution district of the county in which the city is located.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 519, entitled:

An Act establishing as state highways certain county highways and requiring their construction repair and maintenance of such.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 523, entitled:

An Act to amend subsection (c) of section twelve hundred three of the act, approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 343), entitled "An act relating to the finances of the State government; providing for the settlement, assessment, collection, and lien of taxes, bonus, and all other accounts due the Commonwealth, the collection and recovery of fees and other money or property due or belonging to the Commonwealth, or any agency thereof including escheated property and the proceeds of its sale, the custody and disbursement or other disposition of funds and securities belonging to or in the possession of the Commonwealth, and the settlement of claims against the Commonwealth, the resettlement of accounts and appeals to the courts, refunds of moneys erroneously paid to the Commonwealth, auditing the accounts of the Commonwealth and all agencies thereof, of all public officers collecting moneys payable to the Commonwealth, or any agency thereof, and all receipts of appropriations from the Commonwealth and imposing penalties; affecting every department, board, commission, and officer of the State government, every political subdivision of the State, and certain officers of such subdivisions, every person, association, and corporation required to pay, assess, or collect taxes, or to make returns or reports under the laws imposing taxes for State purposes, or to pay license fees or other moneys to the Commonwealth, or any agency thereof, every State depository and every debtor or creditor of the Commonwealth," by excepting therefrom the transfer of stock assigned by a decedent before his death as collateral security for a loan and requiring the holder of such stock to report concerning the sale thereof to the Department of Revenue.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 550, entitled:

An Act to further amend sections three and four of the act approved the thirteenth day of May one thousand nine hundred twenty-seven (P. L. 988) entitled "An act providing for and regulating the State registration of nurses and licensed attendants the annual recording of registration certificates and regulating the profession of nursing and repealing certain existing laws" by temporarily changing qualifications for registration.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 551, entitled:

An Act authorizing the Department of Public Instruction with the approval of the Board of Trustees of the Kutztown State Teachers College to contract with the borough of Kutztown for the right to connect the said college with the borough sewer system and the payment of a part of the cost of construction of such sewer system, and making an appropriation.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 566, entitled:

An Act to further amend section one of the act, approved the twenty-second day of June, one thousand nine hundred thirty-one (P. L. 662), entitled "An act relating to retirement from the Pennsylvania National Guard," by providing that Colonels having certain service shall be placed on retired list as Brigadier Generals.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 569, entitled:

An Act to amend section eleven of the act approved the fifth day of June, one thousand nine hundred forty-one, (P. L. 84), entitled "An act providing for and regulating the appointment, promotion and reduction in rank, suspension and removal of paid members of the police force in boroughs, incorporated towns and townships of the first class maintaining a police force of not less than three members; creating a civil service commission in each borough, incorporated town and township of the first class; defining the duties of such civil service commission; imposing certain duties and expense on boroughs, incorporated towns and townships of the first class; imposing penalties, and repealing inconsistent laws," providing for preference under preexisting law in favor of war veterans.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 571, entitled:

An Act empowering cities of the third class, boroughs, incorporated towns and townships to co-operate with each other, through joint agreements, in the exercise of their governmental powers, duties, and functions relating to the public health, recreation, zoning, and municipal planning.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 572, entitled:

An Act providing for fresh pursuit by military forces, and authorizing this State to cooperate with other states therein.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 578, entitled:

An Act relating to chattel mortgages on livestock, poultry, farm machinery, farm equipment and crops, grown, growing or to be grown designating the operation and effect of the lien of such mortgages; providing for the filing, indexing and docketing of such mortgages and related instruments in prothonotaries' offices and prescribing prothonotaries' fees, providing for the filing in Pennsylvania of similar lien instruments originally filed or recorded in other states; regulating the assignment, release, satisfaction and extension of the lien of such mortgages; prescribing methods of foreclosure; defining defaults and violations; and fixing penalties.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 581, entitled:

An Act to further amend section one thousand seven hundred seven of the act, approved the eighteenth day of May, one thousand nine hundred eleven (P. L. 309), entitled "An act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws, general, special or local, or any parts thereof, that are or may be inconsistent therewith," by allowing certain pupils to attend schools in other districts.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 590, entitled:

An Act requiring political subdivisions to refund taxes and license fees erroneously and inadvertently paid thereto, and giving a right of action against such political subdivision for the recovery of such taxes and fees upon their failure to make such refunds, making the provisions of the act retroactive and repealing existing laws.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 604, entitled:

A Joint Resolution proposing an amendment to section two article twelve of the Constitution of the Commonwealth of Pennsylyvania.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 605, entitled:

A Joint Resolution proposing an amendment to section eighteen article five of the Constitution of the Commonwealth of Pennsylvania.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 624, entitled:

An Act to further amend section two thousand six hundred twenty-three of the act, approved the eighteenth day of May, one thousand nine hundred eleven (P. L. 309), entitled "An act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violations thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws, general, special, or local, or any parts thereof, that are or may be inconsistent therewith," by providing for the fixing of the compensation of the controller auditing the accounts of second and third class school districts.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 629, entitled:

An Act to amend the title and sections one and four-

teen of the act approved the fourth day of April one thousand nine hundred twenty-nine (P. L. 144) entitled "An act prescribing the powers and duties of the Department of Agriculture with regard to farm products; providing for cooperation with the Department of Internal Affairs to establish standard receptacles for farm products; authorizing the Department of Agriculture to establish and promulgate standards for the grade and other classification of farm products and to promulgate regulations for the enforcement thereof; defining farm products to include agricultural, horicultural, vegetable, fruit, and floricultural products of the soil, live stock and meats, wool, hides, poultry, eggs, dairy products, nuts, mushrooms, and honey; and providing penalties," by further defining farm products and placing canned farm products within the terms of the act.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of House Bill No. 711, entitled:

An Act to further amend section one thousand one hundred twenty-six of the act approved the eighteenth day of May, one thousand nine hundred eleven (P. L. 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same and the method of collecting such revenue; and repealing all laws, general special or local, or any parts thereof, that are or may be inconsistenet therewith" by further providing for the appointment of assistant county superintendents.

And said bill having been read at length the first time,
Ordered, to be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of House Bill No. 722, entitled:

An Act to amend section one of the act, approved the eighth day of July, one thousand nine hundred and nineteen (P. L. 782), entitled "An act providing that clerks assisting the registers of wills in the collection of inheritance taxes, in counties having a population of less than one million five hundred thousand inhabitants, shall be appointed and their compensation fixed by the Auditor General; and prescribing the method of their payment and that of other expenses incident to the collection of said taxes," by providing that the Secretary of Revenue shall appoint and fix the compensation of clerks assisting the register of wills in the collection of inheritance taxes in counties other than the first and second class and requiring the approval of the Secretary of Revenue to pay the compensation from such taxes.

And said bill having been read at length the first time,
Ordered, to be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of House Bill No. 723, entitled:

An Act to amend sections one, two and three of the act, approved the fourth day of May, one thousand nine hundred and twenty-seven (P. L. 727) entitled "A supplement to the act, approved the twentieth day of June, one thousand nine hundred and nineteen (P. L. 521) entitled 'An act providing for the imposition and collection of certain taxes upon the transfer of property passing from a decedent who was a resident of this Commonwealth at the time of his death, and of property within this Commonwealth of a decedent who was a nonresident of the Commonwealth at the time of his death; and making it unlawful for any corporation of this Commonwealth, or national banking association located therein, to transfer the stock of such corporation or banking association, standing in the name of any such decedent, until the tax on the transfer thereof has been paid; and providing penalties; and citing certain acts for repeal,' authorizing the Auditor General to appoint investigators and appraisers and providing for their compensation," by giving the Secretary of Revenue complete supervision of appraisements in estates of resident decedents and the power to adopt rules and regulations; by conferring upon the Secretary of Revenue the power to employ necessary investigators and appraisers for the enforcement of the transfer inheritance tax laws and to fix the compensation of permanent appraisers.

And said bill having been read at length the first time,
Ordered, to be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of House Bill No. 725, entitled:

An Act to amend paragraph seven A of section one thousand two hundred ten of the act, approved the eighteenth day of May, one thousand nine hundred and eleven (P. L. 309), entitled "An act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws, general, special or local, or any parts thereof, that are or may be inconsistent therewith," by regulating salaries of continuation teachers in first class districts.

And said bill having been read at length the first time,
Ordered, to be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of House Bill No. 751, entitled:

An Act to amend section twelve, and to further amend section fourteen, and to amend sections fifteen, eighteen, twenty-two, twenty-three, twenty-six, twenty-nine, thirty-one, thirty-six, forty and forty-two of the act, approved the twentieth day of June, one thousand nine hundred and nineteen (P. L. 521), entitled "An act providing for the imposition and collection of certain taxes upon the transfer of property passing from a decedent who was a resident of this Comonwealth at the time of his death, and of property within this Commonwealth of a decedent who was a nonresident of the Commonwealth at the time of his death; and making it unlawful for any corporation of this Commonwealth or national banking association located therein, to transfer the stock of such corporation or banking association, standing in the name of any such decedent, until the tax on the transfer thereof has been paid; and providing penalties; and citing certain acts for repeal," by providing for certification to the Secretary of Revenue as to the necessity for the appointment of expert appraisers or those possessed of technical knowledge and for the approval by the Secretary of Revenue of the appointment of such expert appraisers and of the statements rendered by them for compensation; and for the monthly transmitted by the Secretary of Revenue of the returns of such appraisers and the recording by him thereof; vesting in the Secretary of Revenue the powers of the register of wills in certain cases; requiring duplicate tax receipts and the bond and monthly return to be sent to the Secretary of Revenue; prohibiting transfer of stock without certificate from the Secretary of Revenue, and penalty for violation; providing for refunds for erroneous inheritance tax payments on proof of the Secretary of Revenue and for dismissal by the Secretary of Revenue of appraisers for accepting fees or rewards; vesting in the

Secretary of Revenue the power to appoint and fix the compensation of, additional appraisers or experts employed for appraisal purposes and for their payment; and providing further for the collection by the Secretary of Revenue of all inheritance taxes due the Commonwealth from nonresident decedents and making monthly reports thereon to the State Treasurer.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 768, entitled:

An Act to amend sections four hundred seven and one thousand two hundred and one of the act, approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 343), entitled "An act relating to the finances of the State government; providing for the settlement, assessment, collection, and lien of taxes, bonus, and all other accounts due the Commonwealth, the collection and recovery of fees and other money or property due or belonging to the Commonwealth, or any agency thereof, including escheated property and the proceeds of its sale, the custody and disbursement or other disposition of funds and securities belonging to or in the possession of the Commonwealth, and the settlement of claims against the Commonwealth, the resettlement of accounts and appeals to the courts, refunds of moneys erroneously paid to the Commonwealth, auditing the accounts of the Commonwealth and all agencies thereof, of all public officers collecting moneys payable to the Commonwealth, or any agency thereof, and all receipts of appropriations from the Commonwealth and imposing penalties; affecting every department, board, commission, and officer of the State government, every political subdivision of the State, and certain officers of such subdivisions, every person, association, and corporation required to pay, assess, or collect taxes, or to make returns or reports under the laws imposing taxes for State purposes, or to pay license fees or other moneys to the Commonwealth, or any agency thereof, every State depository and every debtor or creditor of the Commonwealth," to further reorganize the Departments of Revenue and of the Auditor General in such manner as to vest in the Department of Revenue the appointment, the fixing of the compensation, and the approval of the expense accounts and supervision of clerks, investigators, appraisers, expert appraisers, permanent appraisers, and other employees necessary to enable the registers of wills of the several counties to collect transfer inheritance taxes; vesting in the Secretary of Revenue the power to credit the commissions and other expenses and costs of certain accounting officers in the collection of the transfer inheritance tax.

And said bill having been read at length the first time, Ordered, to be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 770, entitled:

An Act to further amend section four of the act, approved the first day of May, one thousand nine hundred and thirteen (P. L. 138), entitled "An act defining vocational education; providing for the establishment and regulation of vocational schools; and providing for State aid in the maintenance thereof, and for the payment of tuition by certain school districts, and reimbursement thereof by the State," by adding clause (d), providing for future rehabilitation programs in public schools.

And said bill having been read at length the first time, Ordered, to be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 816, entitled:

An Act providing temporary increases in the salaries of certain members of the teaching and supervisory staffs of school districts authorizing additional appropriations and temporary loans therefor requiring the Commonwealth to reimburse school districts for the full amount of such increases authorizing the Superintendent of Public Instruction to withhold payments due from the Commonwealth in certain cases; authorizing additional temporary increases; and validating such increases heretofore made.

And said bill having been read at length the first time, Ordered, to be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 835, entitled:

An Act to further amend section ten of the act approved the twenty-first day of May one thousand nine hundred and thirty-one (P. L. 149) entitled "An act imposing a State tax payable by those herein defined as distributors on liquid fuels used or sold and delivered within the Commonwealth which are ordinarily practically and commercially usable in internal comubustion engines for the generation of power providing for the collection and lien of the tax and the distribution and use of the proceeds thereof requiring such distributors to secure permits to file corporate surety bonds and reports and to retain certain records imposing duties on retail dealers common carriers county commissioners and such distributors providing for rewards imposing certain costs on counties conferring powers and imposing duties on certain State officers and departments providing for refunds imposing penalties and making an appropriation" appropriating one-half cent per gallon of said tax for the maintenance construction reconstruction resurfacing and improvement of certain roads streets and bridges in certain political subdivisions.

And said bill having been read at length the first time, Ordered, to be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 847, entitled:

An Act to amend the title and sections three and four of the act, approved the thirty-first day of July, one thousand nine hundred forty-one (P. L. 644), entitled "An act to authorize housing authorities to undertake the development or administration of projects to provide safe and sanitary dwellings for persons engaged in national defense activities who would not otherwise be able to secure such dwellings within the vicinity thereof; to limit the initiation of the development of such projects until December 31, 1943; to authorize housing authorities to cooperate with or act as agent of the Federal Government in the development and administration of such projects of the Federal Government, to acquire or lease such projects and to sell or lease certain projects to the Federal Government; to authorize public bodies to assist such projects of housing authorities and of the Federal Government to provide safe and sanitary dwellings for persons engaged in national defense activities," by extending the limitation of the initiation of such projects from December thirty-first, one thousand nine hundred forty-three, until December thirty-first, one thousand nine hundred forty-five.

And said bill having been read at length the first time, Ordered, to be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 929, entitled:

An Act creating a commission to study the method of participation by the Commonwealth and local school dis-

tricts in the maintenance of a thorough and efficient system of public schools, prescribing its powers and duties, and making an appropriation.

And said bill having been read at length the first time, Ordered, to be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 989, entitled:

An Act to amend clause three of section thirteen of article nineteen of the act, approved the twenty-fifth day of June, one thousand nine hundred and nineteen (P. L. 581), entitled "An act for the better government of cities of the first class of this Commonwealth," by providing that persons certified by the Civil Service Commission as eligible for appointment or promotion to various positions who are prevented from accepting such appointment or promotion because of their entrance into the armed forces of the United States Government during time of war, shall be retained on a preferred eligible list for such appointments or promotions until two years after the termination of hostilities in such ward.

And said bill having been read at length the first time, Ordered, to be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 1003, entitled:

An Act authorizing and directing the Department of Highways to erect and maintain, as a post war construction project, a toll bridge over the Allegheny River between a point in or near the Borough of Tarentum, Allegheny County, and a point in Westmoreland County, and to provide the necessary approaches and connections with State highways; providing for the acceptance of Federal aid empowering counties to pay certain damages; providing for the collection of tolls on such bridge; and making an appropriation.

And said bill having been read at length the first time, Ordered, to be laid aside for second reading.

ADJOURNMENT

Mr. HEYBURN. Mr. President, I move that the Senate do now adjourn until Thursday, April 29, 1943, at 2:00 o'clock p. m. Eastern War Time.

Mr. BECKER. Mr. President, I second the motion.

The motion was agreed to.

The Senate adjourned at 11.59 o'clock p. m. Eastern War Time until Thursday, April 29, 1943, at 2:00 o'clock p. m. Eastern War Time.

HOUSE OF REPRESENTATIVES

WEDNESDAY, April 28, 1943

The House met at 1 p. m.

The SPEAKER (Ira T. Fiss) in the Chair.

PRAYER

The Chaplain, Rev. Lester C. Updegrove, offered the following prayer:

O God, the strength of all those who put their trust in Thee; mercifully accept our prayers. Our mortal nature which is weak needs Thy divine strength which is ever unfailing. Without Thee we can do no good thing. Grant us the help of Thy grace, that in keeping Thy commandments we may please Thee, both in will and in deed; through Jesus Christ Our Lord. Amen.

JOURNAL APPROVED

The SPEAKER. The Clerk will read the Journal of Tuesday, April 27, 1943.

The Clerk proceeded to read the Journal of Tuesday, April 27, 1943, when, on motion of Mr. COULSON, unanimously agreed to, the further reading was dispensed with and the Journal approved.

BILL INTRODUCED AND REFERRED

By Mr. TIEMANN. HOUSE BILL No. 1111.

An Act providing for the payment by the State Treasurer of one-half of the amount of the tax on premiums paid by foreign casualty insurance companies, to the treasurers of the several cities, boroughs, towns and townships and for the payment thereof into police pension funds and in certain cases into the State Employes' Retirement Fund for certain purposes.

Referred to the Committee on Ways and Means.

RESOLUTION INTRODUCED AND REFERRED

By Mr. HARE. (Concurrent) RESOLUTION No. 66.

In the House of Representatives, April 28, 1943.

Resolved (if the Senate concur), That the Department of Public Instruction prepare a pamphlet containing the Declaration of Independence, the Constitution of the United States and the Constitution of this Commonwealth, and have the same printed and published and distributed to the several public schools throughout the Commonwealth and to the pupils thereof.

Referred to the Committee on Education.

SENATE MESSAGE

SENATE BILLS FOR CONCURRENCE

The Clerk of the Senate being introduced, presented for concurrence bills numbered and entitled as follows:

SENATE BILL No. 304.

An Act to amend Sections 1604, 1605, 1606, 1607 and 1608 of the act, approved the third day of June, one thousand nine hundred thirty-seven (P. L. 1333), entitled "An act concerning elections, including general, municipal, special and primary elections, the nominations of candidates, primary and election expenses and election contests; creating and defining membership of county boards of elections; imposing duties upon the Secretary of the Commonwealth, courts, county boards of elections, county commissioners; imposing penalties for violation of the act, and codifying, revising and consolidating the laws relating thereto; and repealing certain acts and parts of acts relating to elections," by further regulating the payment of primary and election expenses, the making of contributions therefor and the filing of expense accounts

Referred to the Committee on Elections.

SENATE BILL No. 398.

An Act regulating the issuance of execution on judgments confessed on written instruments and providing

that when such judgments are entered in one county defenses may be made to the same by petitions to open filed in any other county where execution thereon is issued or made.

Referred to the Committee on Judiciary General.

SENATE BILL No. 465.

An Act authorizing the Department of Welfare to enter into contracts for foodstuffs to supply State institutions, and to purchase the same in open market, and to process the same for preservation; providing for transfers from appropriations made to such institutions in payment therefor; authorizing dehydrating plants and equipment at State institutions, and the use of inmate labor thereat; conferring power and imposing duties on the Department of Property and Supplies; and making an appropriation

Referred to the Committee on Appropriations.

SENATE BILL No. 494.

An Act to amend Article VI of the act approved the twenty-fourth day of June one thousand nine hundred thirty-nine (P. L. 872) entitled "An act to consolidate amend and revise the penal laws of the Commonwealth" by making it unlawful to throw certain articles upon the land of another and providing penalties.

Referred to the Committee on Judiciary Special.

SENATE BILL No. 524.

An Act to amend sections four hundred twenty-six and four hundred twenty-seven of the act approved the twenty-first day of June one thousand nine hundred thirty-nine (P. L. 566) entitled "An act defining the liability of an employer to pay damages for occupational disease contracted by an employe arising out of and in the course of employment establishing an elective schdule of compensation providing procedure for the determination of liability and compensation thereunder imposing duties on the Department of Labor and Industry the Workmen's Compensation Board Workmen's Compensation Referees and deans of medical schools creating a medical board to determine controverted medical issues establishing an Occupational Disease Fund in custody of the State Workmen's Insurance Board imposing upon the Commonwealth a part of the compensation payable for certain occupational diseases making an appropriation and prescribing penalties" conferring execlusive jurisdiction on the county court of Allegheny County in cases of appeals from the Workmen's Compensation Board.

Referred to the Committee on Workmen's Compensation.

SENATE BILL No. 573.

An Act to amend sections two and three of the act approved the twenty-fourth day of July one thousand nine hundred and forty-one (P. L. 490) entitled "An act relating to acknowledgments of written instruments and to make uniform the law with relation thereto" by authorizing deputy recorders of deeds to take acknowledgments and validating acknowledgments taken by them.

Referred to the Committee on Judiciary General.

COMMUNICATION FROM THE GOVERNOR

The Secretary to the Governor being introduced, presented a communication in writing from His Excellency the Governor, which was read as follows:

APPROVAL OF HOUSE BILL No. 522

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, April 28, 1943.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 522, Printer's No. 142, entitled "An Act relating to post-war planning creating a Post-War Planning Commission and defining its powers and duties conferring powers and duties upon State administrative departments boards and commissions political subdivisions and other agencies and making an appropriation."

EDWARD MARTIN.

SENATE MESSAGES

The Clerk of the Senate Mr. McGroerty, being introduced, presented extracts from the Journal of the Senate:

For signature, Senate Bills 20, 202, 240, 281, 295, 298 and 407.

Recalled from the Governor for amendment Senate Bill No. 112.

House Bill returned without amendment 115, 374, 625 678, 684, 767, 771, 780, 789, 797, 849.

House Bill returned with amendment 583.

Senate Bills for concurrence 121, 123, 171, 336, 338, 339, 349, 361, 371, 372, 378, 412, 499, 570, 571, 582, 609.

Bills for concurrence 30, 94 473 and 477.

HOUSE BILLS CONCURRED IN BY SENATE

The Clerk of the Senate being introduced, returned bills from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 115.

An Act to further amend the act approved the first day of May one thousand nine hundred and twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" by permitting the use of red signal lights and sound devices on certain additional vehicles changing the provisions concerning rights of way and providing penalties.

HOUSE BILL No. 374.

An Act to amend section nine of the act approved the thirteenth day of April one thousand nine hundred and forty-two (P. L. 37) entitled "An act relating to air raid precautions including blackouts conferring certain powers and duties upon the State Council of Defense local and district Councils of Defense political subdivisions members of certain municipal and volunteer agencies and civilians

necessary for the safety defense and protection of civilians and property in the Commonwealth providing for the mobilization coordination and use of certain municipal agencies and volunteer agencies including their personnel and equipment providing for immunity from liability for injury or death to persons or damage to property under certain circumstances and providing penalties" by providing for the payment of fines recovered under said section to municipalities and townships.

HOUSE BILL No. 625.

An Act to amend section one of the act approved the sixth day of May one thousand nine hundred twenty-seven (P. L. 843) entitled "An act authorizing the Department of Highways with the approval of the Governor to build rebuild construct and maintain roads wholly upon the lands of State institutions and State parks and providing for the payment of the cost thereof" by authorizing the Department of Highways with the approval of the Governor to build rebuild construct and maintain roads bridges and viaducts wholly on State Armory properties and State Military Reservations and on the grounds of the Soldiers' and Sailors' Home of Erie Pennsylvania and the Pennsylvania State College.

HOUSE BILL No. 678.

An Act to further amend the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 343) entitled "An act relating to the finances of the State government providing for the settlement assessment collection and lien of taxes bonus and all other accounts due the Commonwealth the collection and recovery of fees and other money or property due or belonging to the Commonwealth or any agency thereof including escheated property and the proceds of its sale the custody and disbursement or other disposition of funds and securities belonging to or in the possession of the Commonwealth and the settlement of claims against the Commonwealth the re-settlement of accounts and appeals to the courts refunds of moneys erroneously paid to the Commonwealth auditing the accounts of the Commonwealth and all agencies thereof of all public officers collecting moneys payable to the Commonwealth or any agency thereof and all receipts of appropriations from the Commonwealth and imposing penalties affecting every department board commission and officer of the State government every political subdivision of the State and certain officers of such subdivisions every person association and corporation required to pay assess or collect taxes or to make returns or reports under the laws imposing taxes for state purposes or to pay license fees or other moneys to the Commonwealth or any agency thereof every State depository and every debtor or creditor of the Commonwealth" by further regulating the procedure and the jurisdiction of the Board of Finance and Revenue relative to certain claims for refund clarifying certain provisions relating to extensions of time for filing tax reports or returns eliminating the provisions imposing interest on tax and bonus at any greater rate than six per centum per annum changing and restricting the right of the Commonwealth to impose interest on certain unpaid taxes and bonus when such taxes and bonus are not settled within a prescribed period of time providing for the automatic adjustment of interest liability so as to correspond to certain changes in tax or bonus liability and further regulating the procedure for filing petitions for resettlement petitions for review appeals to court and the security accompanying such appeals

HOUSE BILL No. 684.

An Act to amend the act, approved the fifth day of May, one thousand nine hundred thirty-three (P. L. 364), entitled "An act relating to business corporations; defining and providing for the organization, merger, consolidation, reorganization, winding up and dissolution of such corporations; conferring certain rights, powers, duties, and immunities upon them and their officers and shareholders; prescribing the conditions on which such corporations may exercise their powers; providing for the inclusion of certain existing corporations of the second class within the provisions of this act; prescribing the terms and conditions upon which foreign business corporations may be admitted, or may continue, to do business within the Commonwealth; conferring powers and imposing duties on the courts of common pleas, and certain State departments, commissions, and officers; authorizing certain State departments, boards, commissions, or officers to collect fees for services required to be rendered by this act; imposing penalties; and repealing certain acts and parts of acts relating to corporations," by authorizing the certain officers of dissolved business corporations to execute and deliver deeds, conveyances, agreements, assignments or other instruments necessary to perfect or complete transfers of real property or rights therein intended to have been completed or perfected by such corporations prior to dissolution.

HOUSE BILL No. 767.

An Act to amend section five hundred and one of the act approved the first day of May one thousand nine hundred and twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" changing the provisions of said act relating to registration plates and the issuance thereof by the department.

HOUSE BILL No. 771.

An Act to amend section three hundred and one of the act approved the first day of May one thousand nine hundred and twenty-nine (P. L. 1005) entitled "An act relating to and regulating tractors and trailers and their operation providing for their registration and the licensing of certain operators by the Department of Revenue upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of tractors and trailers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns and townships within the Commonwealth liability for damages caused by the negligent operation of tractors and trailers imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" changing the provisions of said act relating to registration plates and the issuance thereof.

HOUSE BILL No. 780.

An Act to amend the definition of "Trailer" in section one hundred two of the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 1005) entitled "An act relating to and regulating tractors and trailers and their operation providing for their registration and the licensing of certain operators by the Department of Revenue upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of tractors and trailers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns and townships within the Commonwealth liability for damages caused by the negligent operation of tractors and trailers imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" providing that a wagon or truck drawn by a tractor for the transportation of agricultural products of the owner shall be exempt from registration fees.

HOUSE BILL No. 789.

An Act to amend the definition of "Trailer" in section one hundred two as amended of the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" providing that in certain cases where wagons and agricultural machinery are used for hauling the products of the owner no registration fee shall be required therefor.

HOUSE BILL No. 797.

An Act to amend section two of article five of the act approved the second day of June one thousand eight hundred ninety-one (P. L. 176) entitled "An act to provide for the health and safety of persons employed in and about the anthracite coal mines of Pennsylvania and for the protection and preservation of property connected therewith" by providing that certain low pressure boilers used for heating purposes only shall be exempt from the requirements of said section which prohibits the installation of boilers within one hundred feet of structures in which persons are employed in the preparation of anthracite coal.

HOUSE BILL No. 849.

An Act relating to child care centers conferring certain powers and duties upon the State Council of Defense local and district councils of defense and political subdivisions providing for the adoption of rules and regulations for the maintenance operation and conduct thereof authorizing appropriations by political subdivisions and providing penalties.

With the information that the Senate has passed the same without amendment.

BILLS SIGNED BY SPEAKER

Bills numbered and entitled as follows having been prepared for presentation to the Governor and the same being correct, the titles were publicly read as follows:

SENATE BILL No. 20.

An Act to amend sections nine hundred twenty-two and nine hundred seventy-nine of the act, approved the third day of June, one thousand nine hundred and thirty-seven (P. L. 1333), entitled "An act concerning elections, including general, municipal, special and primary elections, the nomination of candidates, primary and election expenses and election contests; creating and defining membership of county boards of elections; imposing duties upon the Secretary of the Commonwealth, courts, county boards of elections, county commissioners; imposing penalties for violation of the act, and codifying, revising and consolidating the laws relating thereto; and repealing certain acts and parts of acts relating to elections," providing for nominations where successful candidates have died before or on the day of the primary.

SENATE BILL No. 202.

An Act to further amend paragraph (a) of section four of the act approved the first day of June, one thousand nine hundred thirty-seven (P. L. 1168), entitled "An act to protect the right of employes to organize and bargain collectively; creating the Pennsylvania Labor Relations Board; conferring powers and imposing duties upon the Pennsylvania Labor Relations Board, officers of the State government, and courts; providing for the right of employes to organize and bargain collectively; declaring certain labor practices by employers to be unfair; further providing that representatives of a majority of the employes be the exclusive representatives of all the employes; authorizing the board to conduct hearings and elections, and certify as to representatives of employes for purposes of collective bargaining; empowering the board to prevent any person from engaging in any unfair labor practice, and providing a procedure for such cases, including the issuance of a complaint, the conducting of a hearing, and the making of an order; empowering the board to petition a court of common pleas for the enforcement of its order, and providing a procedure for such cases; providing for the review of an order of the board by a court of common pleas on petition of any person aggrieved by such order, and establishing a procedure for such cases; providing for an appeal from the common pleas court to the Supreme Court; providing the board with investigatory powers, including the power to issue subpoenas and the compelling of obedience to them through application to the proper court; providing for service of papers and process of the board; prescribing certain penalties," by making further changes in the qualifications of members of the Pennsylvania Labor Relations Board.

SENATE BILL No. 240.

An Act to further amend section eleven of the act, approved the thirteenth day of May, one thousand nine hundred and twenty-five (P. L. 644), entitled "An act relating to and regulating the solicitation of moneys and property for charitable, religious, benevolent, humane, and patriotic purposes," by exempting alumni or alumnae associations from the provisions of the act in certain cases.

SENATE BILL No. 281.

An Act to amend section one of the act approved the eleventh day of May one thousand eight hundred ninety-three (P. L. 42) entitled "An act to authorize corporations organized for profit under the laws of Pennsylvania to make allowances or pensions to employes for faithful and long continued service who in such service have become old infirm or disabled" authorizing certain corporations to make allowances or pensions to officers or employes.

SENATE BILL No. 295.

An Act to further amend section two hundred fifty-four of the act approved the second day of May, one thousand nine hundred twenty-five, (P. L. 448), entitled "An act relating to fish; and amending, revising, consolidating, and changing the law relating to fish in the inland waters and the boundary lakes and boundary rivers of the Commonwealth," by authorizing the Board of Fish Commissioners to close streams, or parts thereof, for a certain period after stocking the same.

SENATE BILL No. 298.

An Act providing for and regulating the accumulation, investment and expenditure by counties, cities, boroughs, incorporated towns and townships, of funds for post war projects.

SENATE BILL No. 407.

An Act to amend section three of the act, approved the seventeenth day of July, one thousand nine hundred thirty-five (P. L. 1092), entitled "An act defining fraternal benefit societies and their status; authorizing such societies to create subordinate lodges and to pay benefits to members and their beneficiaries from funds collected and regulating such benefits and collections; providing for the organization and incorporation of such societies and for their supervision, regulation, and examination by the Insurance Commissioner, and for the admission of foreign societies; designating tables of mortality as a basis for rates of contribution; requiring all societies to make annual and other reports; and appointing the Insurance Commissioner as attorney for service of process; providing penalties for any violations of the act; exempting such societies from taxation and certain other societies from its provisions; and requiring beneficial associations, other than fraternal benefit societies, to report to and be supervised by the Insurance Commissioner; and repealing existing laws," providing for the waiving of the requirement for the holding of meetings by societies under certain conditions.

HOUSE BILL No. 49.

An Act to amend the title and sections one to twelve both inclusive of the act approved the nineteenth day of March one thousand nine hundred forty-one (P. L. 3) entitled "An act providing for the organization government discipline maintenance and regulation of an additional land force to be known as the Pennsylvania Reserve Defense Corps for the defense of the Commonwealth during any period of time in which the National Guard of Pennsylvania or any part thereof shall be in active service of the United States" changing the name of the Pennsylvania Reserve Defense Corps to Pennsylvania State Guard and authorizing additional annual allowances to uniformed officers for arms uniforms and equipment and prohibiting discrimination in the acceptance of enlistments or the issuance of commisions by reason of race or color

HOUSE BILL No. 544.

An Act to reenact and amend the title and the act approved the fourteenth day of June one thousand nine hundred thirty-five (P. L. 341) entitled as amended "An act to provide revenue by imposing a State tax upon sales of cigarettes by dealers as herein defined requiring persons engaged in the sale of cigarettes at wholesale and retail to secure permits prescribing the method and manner of collecting such tax conferring powers and imposing duties on the Department of Revenue and persons as herein defined engaged in the sale of cigarettes at retail or wholesale and providing penalties" as previously reenacted and amended by extending the provisions of the act for a further limited period of time

HOUSE BILL No. 626.

An Act to validate and confirm certain contracts heretofore entered into by Boards of Township Supervisors where the Township has received in maintenance and improvement of its highways a reasonable quid pro quo for such contracts and to authorize ratify confirm and validate payments on such contracts by the Township and to provide that no Township Supervisor shall be subject to surcharge for payments heretofore made on any such contract

Whereupon,

The SPEAKER, in the presence of the House, signed the same.

HOUSE BILL No. 546 TAKEN FROM TABLE

Mr. WINNER. Mr. Speaker, I move that House Bill 546 together with the message from the Senate which was laid on the table be taken from the table.

The motion was agreed to.

The message was read by the Clerk as follows:

SENATE MESSAGE

AMENDED HOUSE BILL RETURNED FOR CONCURRENCE

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 546.

An Act to reenact and amend the title and the act approved the sixteenth day of May one thousand nine hundred thirty-five (P. L. 208) entitled as amended "An act to provide revenue for State purposes by imposing an excise tax for a limited period of time on the net incomes of certain corporations joint-stock associations and limited partnerships providin for the assessment collection settlement and resettlement of taxes and reviews and appeal therefrom conferring powers and imposing duties on certain persons corporations joint-stock associations limited partnerships State and county officers boards and departments making an appropriation and providing penalties" as previously reenacted and amended by extending the provisions of the act for a further limited period of time by reducing the rate of tax eliminating the deduction for Federal taxes by further defining net income authorizing the Department of Revenue to grant an additional extension of time for filing reports changing the method of reporting in certain cases reducing the interest penalty on unpaid taxes and making certain of the changes effected by this reenacting and amending act retroactive to a certain extent

With the information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendments.

The Clerk read the amendments as follows:

Amend title page 2, line 1, by striking out after the word "taces" the word "by".

Amend Section 1, page 4, line 20, by inserting after the word "Federal" the words "income or excess profits"; also in line 29, by inserting after the word "Federal" the words "income or excess profits"; also on page 5, line 2, by inserting after the word "Federal" the words "income or excess profits"; also in line 6, by inserting after the word "for" the word "such"; also in line 8, by inserting after the word "for" the word "such"; also in line 12, by inserting after the word "Federal" the words "excess profits"; also on page 11, line 23, by striking out at the beginning of said line the word "pen" and inserting in lieu thereof the word "per".

On the question,

Will the House concur in the amendments made by the Senate?

Mr. WINNER. Mr. Speaker, I request that the House concur in the amendments made by the Senate.

Mr. LEVY. Mr. Speaker, on the request made by the gentleman from Montgomery relative to concurrence by this House in the amendments inserted in House Bill 546, Printer's No. 471, permit me to inform you, that House Bill 546, in order to refresh your memories, is the bill which fleeces from the United States Treasury the sum of over thirty million dollars, consistent with the Democratic party's stand, when this bill was on final passage in the House, we cannot vote for concurrence in the manipulation of a tax which would fleece from the United States Treasury over thirty million dollars in order that the Republican party in Pennsylvania might repay a political debt to the corporations and utilities of Pennsylvania.

The Senate has apparently found in its wisdom that it must include an amendment to an already disgraceful piece of legislation, and if I am correct the amendment further binds the corporations in the state of Pennsylvania to make their returns and to pay their tax every year. I would ask, Mr. Speaker, if the sponsor of the bill or if the Republican leadership of the House would dare answer the question to the people of Pennsylvania that this bill is doing more than the fleecing of over thirty million dollars from the United States Treasury. Then why the need for this piece of legislation? Certainly if this bill is to be the base of the teachers' higher cost of living wage, of course under House Bill 816 we contend that this is not the method that should be used.

As I said before in debate on House Bill 546, if this over thirty million dollars was to buy one tank or round of ammunition that is to be used in North Africa or in the Tunisian battlefield I say that the Republican party is today on final concurrence in this bill not cooperating with the Federal Government in its war program.

Mr. WINNER. Mr. Speaker, in answer to the gentleman from Philadelphia, Mr. Levy, concerning the amendments inserted in House Bill 546, Printer's No. 471 by the Senate, I cannot understand why the gentleman would oppose these amendments. They are simply clarifying amendments. The one amendment has to do with the wording Federal taxes. Instead of "Federal taxes" they simply say "Federal income or excess profit taxes". And the other amendment is merely a correction of a misspelled word; instead of in the original bill as it passed the House, it was "pen" instead of "per" the amendments are very simple and do not affect the bill in any respect and I ask all Members of the House to vote for this amendment.

On the question recurring,

Will the House concur in the amendments made by the Senate?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—128

Alspach,	Fox,	Krepps,	Root,
Auker,	Freed,	Krise,	Rose, W. E.,
Barton,	Fullerton,	Laughner,	Rowley,
Bonawitz,	Garber,	Lee,	Royer,
Boorse,	Gardner,	Leisey,	Salus,
Bower,	Gates,	Leydic,	Sarge,
Boyd,	Gillan,	Lichtenwalter,	Serrill,
Bretherick,	Goodling,	Livingstone,	Simons,
Brice,	Gorman,	Lyons,	Smith,
Brunner, C. H.,	Greenwood,	Madigan,	Sollenberger,
Cadwalader,	Gross,	Mahany,	Sorg,
Calvin,	Gyger,	McAtee,	Stockham,
Campbell,	Hall,	McClester,	Stonier,
Cook,	Hannon,	McKinney,	Tahl,
Cooper,	Hare,	McMillen,	Taylor,
Cordier,	Haudenshield,	McSurdy,	Thrasher,
Costa,	Helm,	Menna,	Tiemann,
Coulson,	Hewitt,	Miller,	Trout,
Dague,	Hocke,	Mintess,	Turbett,
Dalrymple,	Hoffman,	Mock,	Van Allsburg,
Denman,	Holmes,	Moore,	Wachhaus,
Dennison,	Hoopes,	Moser,	Wagner, K. H.,
Depuy,	Hunter, W. M.,	Muir,	Wagner, P. L.,
Dix,	Huntley,	Murray,	Wallin,
Elder,	Imbrie,	Nowak,	Walton,
Ely,	Irvin,	O'Connor,	Watkins,
Erb,	James,	O'Dare,	Winner,
Ewing,	Jones,	Reagan,	Wood, L. H.,
Figlock,	Kennedy,	Reese, D. P.,	Wood, N.,
Flack,	Kitchen,	Reilly,	Worley,
Fleming,	Kline,	Riley,	Yeakel,
Foor,	Kowalski,	Robertson,	Fiss,
			Speaker.

NAYS—73

Baker,	Duffy,	Leonard,	Reese, R. E.,
Barrett,	Elliott,	Levy,	Regan,
Bentley,	Finnerty,	Longo,	Reynolds,
Bentzel,	Flynn,	Lovett,	Rose, S.
Boles,	Goodwin,	Maxwell,	Sarraf,
Boory,	Grant,	Mihm,	Scanlon,
Bradley,	Green,	Modell,	Schuster,
Brigerman,	Haberlen,	Mooney,	Skale,
Brown,	Hamilton,	Moran,	Snider,
Brunner, P. A.,	Harris,	Munley,	Stank,
Burns,	Heatherington,	O'Brien,	Tate,
Chervenak,	Herman,	O'Neill,	Thompson,
Chudoff,	Hersch,	Owens,	Trent,
Cohen,	Hoggard,	Petrosky,	Verona,
Coleman,	Hunter, B. F.,	Pettit,	Weiss,
Corrigan,	Kirley,	Polaski,	Welsh,
Croop,	Kolankiewicz,	Powers,	Wright,
Cullen,	Lane,	Readinger,	Yester,
Dillon,			

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the amendments were concurred in.

Ordered, That the Clerk inform the Senate accordingly.

FORMER MEMBERS WELCOMED

The SPEAKER. The Chair welcomes this afternoon former members of the House, the gentleman from Crawford, Mr. Eckels, and the gentleman from Montgomery, Mr. Zimmerman.

ANNOUNCEMENTS BY THE CLERK

There will be a meeting of the

Committee on Counties immediately after recess in the Conference Room.

Committee on Judiciary Special immediately after recess in Room 325.

Committee on Motor Vehicles in Room 327.

Committee on Ways and Means in Room 327 immediately after the recess.

Committee on Appropriations in Room 328.

RECESS

Mr. COHEN. Mr. Speaker, I ask permission of the House for a fifteen minute recess for the purpose of a caucus by the Members of the Democratic party in the old House Caucus Room. I ask all the Democratic Members to please come up immediately, because we are coming down in fifteen minutes.

The SPEAKER. If there is no objection the Chair is about to declare a recess for fifteen minutes. Is there objection? The Chair hears none and a recess is declared.

AFTER RECESS

The time of recess having expired the House was called to order.

The SPEAKER (Ira T. Fiss) in the Chair.

COMMUNICATION FROM THE GOVERNOR

The Secretary to the Governor being introduced, presented a communication in writing from His Excellency the Governor, which was read as follows:

APPROVAL OF HOUSE BILLS Nos. 170, 817, 818, 819, 820, 824, 826, 829, 831, 833, 889, 914.

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, April 28, 1943.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed the following:

House Bill No. 170, Printer's No. 475, entitled "An Act to further amend the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled 'An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant-Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined' by changing the name of the Pennsylvania Motor Police to the Pennsylvania State Police."

House Bill No. 817, Printer's No. 238, entitled "An Act to amend the title and the act approved the twenty-ninth day of June one thousand nine hundred thirty-seven (P. L. 2420) entitled 'An act fixing the hours of rest each calendar week and the vacation period of members of the Pennsylvania Motor Police Motor Police and Patrolmen and Guards in State Parks' by changing the name of the Pennsylvania Motor Police to Pennsylvania State Police."

House Bill No. 818, Printer's No. 239, entitled "An Act to amend sections one two and four of the act approved the twenty-fourth day of July one thousand nine hundred forty-one (P. L. 494) entitled 'An act creating a Highway Traffic Advisory Committee to the War Department of the United States of America providing for its appointment prescribing the powers and duties and authorizing the use by the committee of the employes equipment supplies and facilities of certain State agencies' by changing the name Pennsylvania Motor Police to Pennsylvania State Police."

House Bill No. 819, Printer's No. 240, entitled "An Act to further amend the title and the act approved the eighteenth day of July one thousand nine hundred thirty-five (P. L. 1314) entitled as amended 'An act authorizing the utilization of the Pennsylvania Motor Police Training School for training persons to act as policemen in the political subdivisions of the Commonwealth prescribing the qualifications for admission of such persons to such school providing for the payment of certain costs by such students conferring certain powers upon the Pennsylvania Motor Police and making an appropriation' by imposing upon the Pennsylvania State Police the duties formerly imposed upon the Pennsylvania Motor Police."

House Bill No. 820, Printer's No. 247, entitled "An Act to amend the title and certain sections of the act approved the twenty-ninth day of June one thousand nine hundred thirty-seven (P. L. 2423) entitled 'An act establishing a Pennsylvania Motor Police Retirement System providing for payments upon retirement death disability involuntary retirement and of certain medical expenses from the State Employes' Retirement Fund under the Administration of the State Employes' Retirement Board providing for contributions by members of the Pennsylvania Motor Police and the Commonwealth providing for the guarantee by the Commonwealth of certain of said funds providing for the subrogation of the Commonwealth to the rights of the member or dependents against certain third parties exempting annuities allowances returns benefits and rights from taxation and judicial processes and providing penalties' by changing the name of the Pennsylvania Motor Police Retirement System to the Pennsylvania State Police Retirement System and changing the name of the Pennsylvania Motor Police to the Pennsylvania State Police and conforming said act to existing law."

House Bill No. 824, Printer's No. 248, entitled "An act to further amend certain sections of the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 1046) entitled 'An act appropriating the moneys in the Motor License Fund' as reenacted and amended by making the moneys in the Motor License Fund available to the Pennsylvania State Police to defray the expense required by such agency in the proper conduct of part of its work."

House Bill No. 826, Printer's No. 249, entitled "An act to further amend sections eight hundred and twenty-three (i) and (j) and one thousand two hundred and eleven of the act approved the first day of May one thousand nine hundred and twenty-nine (P. L. 905) entitled 'An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties

ities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds' as variously amended by changing the name Pennsylvania Motor Police to Pennsylvania State Police."

House Bill No. 829, Printer's No. 250, entitled "An Act to amend the title and sections four five six and eight of the act approved the third day of July one thousand nine hundred forty-one (P. L. 249) entitled 'A supplement to the act approved the twenty-ninth day of June one thousand nine hundred thirty-seven (P. L. 2423) as amended entitled "An act establishing a Pennsylvania Motor Police Retirement System providing for payment upon retirement death disability involuntary retirement and of certain medical expenses from the State Employes' Retirement Fund under the Administration of the State Employes' Retirement Board providing for contributions by members of the Pennsylvania Motor Police and the Commonwealth providing for the guarantee by the Commonwealth of certain of said funds providing for the subrogation of the Commonwealth to the rights of the members or dependents against certain third parties exempting annuities allowances returns benefits and rights from taxation and judicial processes and providing penalties"' by changing the name Pennsylvania Motor Police Retirement System to Pennsylvania State Police Retirement System and the name Pennsylvania Motor Police to Pennsylvania State Police."

House Bill No. 831, Printer's No. 251, entitled "An Act to amend the title and certain sections of the act approved the twenty-first day of June one thousand nine hundred thirty-nine (P. L. 660) entitled 'An act providing for the return of escaped prisoners and convicts after apprehension to the penitentiary or state institution from which they escape by the agents of the Department of Justice or the Pennsylvania Motor Police and requiring the penitentiary or state institution to defray the expenses thereof' by changing the name Pennsylvania Motor Police to Pennsylvania State Police."

House Bill No. 833, Printer's No. 252, entitled "An Act to further amend the title and the act approved the twenty-seventh day of April one thousand nine hundred twenty-seven (P. L. 414) entitled as amended 'An act providing for a system of recording the identification of persons convicted of crime and of fugitives from justice and habitual criminals conferring powers and imposing duties upon the Pennsylvania Motor Police district attorneys police officers wardens or keepers of jails prisons workhouses or other penal institutions and sheriffs providing for the payment of certain expenses by the counties and imposing penalties' by imposing upon the Pennsylvania State Police the duties and powers previously exercised by the Pennsylvania Motor Police under the act."

House Bill No. 889, Printer's No. 258, entitled "An Act to amend section eight of the act approved the twenty-second day of June one thousand nine hundred thirty-one (P. L. 694) entitled 'An act imposing a tax on gross receipts as an excise on the use of the public highways by certain owners or operators of motor vehicles transporting passengers and property for hire' by changing the name State Highway Patrolmen to Pennsylvania State Police."

House Bill No. 914, Printer's No. 259, entitled "An Act to further amend the title and certain sections of the act approved the twenty-seventh day of April one thousand nine hundred twenty-seven (P. L. 450) entitled as amended 'An act relating to fires and fire prevention imposing duties and conferring powers upon the Pennsylvania Motor Police authorizing the appointment of the chiefs of fire departments and certain public officers and others as assistants to the Pennsylvania Motor Police and defining their powers and duties providing for the investigation of the cause origin and circumstances of fires and the inspection of all and the removal or change of certain buildings imposing duties on school authorities and on certain corporations associations and fire rating agencies providing for the attendance of witnesses before the Pennsylvania Motor Police and the enforcement of its orders and prescribing penalties' by imposing upon the Pennsylvania State Police the duty of administering and enforcing the act."

EDWARD MARTIN.

COMMUNICATION FROM THE GOVERNOR

The Secretary to the Governor being introduced, presented a communication in writing from His Excellency the Governor, which was read as follows:

APPROVAL OF RESOLUTION RECALLING HOUSE BILL No. 651

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, April 28, 1943.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Concurrent Resolution recalling from the Governor House Bill No. 651, Printer's No. 130, for the purpose of further consideration and amendment.

Accordingly, the original bill is herewith returned.

EDWARD MARTIN.

BILL AND MESSAGE LAID ON TABLE

Mr. JAMES. Mr. Speaker, I move that the bill together with the communication from the Governor be laid on the table.

The motion was agreed to.

HOUSE BILL No. 487 TAKEN FROM TABLE

Mr. COOPER. Mr. Speaker, I move that House Bill No. 487 together with the communication from the Governor which was laid on the table be taken from the table.

The motion was agreed to.

The communication was read by the Clerk as follows:

COMMUNICATION FROM THE GOVERNOR

The Secretary to the Governor being introduced, presented a communication in writing from His Excellency the Governor, which was read as follows:

APPROVAL OF RESOLUTION RECALLING HOUSE BILL No. 487

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, April 22, 1943.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Concurrent Resolution recalling from the Governor House Bill No. 487, Printer's No. 150, for the purpose of amendment.

Accordingly, the original bill is herewith returned.

EDWARD MARTIN.

RECONSIDERATION OF VOTE

Mr. COOPER. Mr. Speaker, I move that the vote by which this bill passed finally be reconsidered.

Mr. BRETHREICK. Mr. Speaker, I second the motion.

The SPEAKER. How did the gentleman from Allegheny, Mr. Cooper, vote on the final passage of this bill?

Mr. COOPER. Mr. Speaker, I voted in the majority.

The SPEAKER. How did the gentleman from Delaware, Mr. Bretherick, vote on the final passage of this bill?

Mr. BRETHERICK. Mr. Speakre, I voted in the majority.

On the question,

Will the House agree to the motion?

It was agreed to.

Mr. COOPER. Mr. Speaker, I move that the vote by which this bill passed third reading be reconsidered.

The motion was agreed to.

On the question,

Will the House agree to the bill on third reading?

Mr. COOPER. Mr. Speaker, I ask unanimous consent to offer amendments at this time.

The SPEAKER. The amendments will be read by the Clerk for information.

The Clerk read the amendments as follows:

Amend page 1, line 12 of the title by inserting after the word "for" and before the word "granting", the following: "and regulating the"

Amend page 2, section 1, by adding at the end of line 20, the following: "No such warrant or other office right shall be granted unless and until written approval of the Water and Power Resources Board of the Department of Forests and Waters has been obtained, following the submission of formal application and plans to the Board showing the manner in which the said lands within the flood water channel of the navigable river will be occupied and used and the extent to which the flood carrying capacity of the channel will be reduced or modified; Provided, however, That preference in granting any such patent shall be given to applicants of owners of the land abutting the land intervening between the former islands to which patents have been granted and the former mainland of navigable rivers. Such patents may be issued in accordance with any agreement entered into by all such land owners providng for an allotment of the land intervening between the former islands.

The SPEAKER. Will the House give unanimous consent to the offering of amendments at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendments?

They were agreed to.

Will the House agree to the bill on third reading as amended?

Ordered, that the bill as amended lie over for printing.

HOUSE BILL No. 421 TAKEN FROM TABLE

Mr. LEISEY. Mr. Speaker, I move that House Bill No. 421 together with the communication from the Governor which was laid on the table be taken from the table.

The motion was agreed to.

The communication was read by the Clerk as follows:

COMMUNICATION FROM THE GOVERNOR

The Secretary to the Governor being introduced, presented a communication in writing from His Excellency the Governor, which was read as follows:

APPROVAL OF RESOLUTION RECALLING HOUSE BILL No. 421

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, April 27, 1943.

To the Honorable, the House of Representatives of th Commonwealth of Pennsylvania:

I have the honor to inform you that I have this da approved and signed House Concurrent Resolution re calling from the Governor House Bill No. 421, Printer' No. 85, for the purpose of amendment.

Accordingly, the original bill is herewith returned.

EDWARD MARTIN

RECONSIDERATION OF VOTE

Mr. LEISEY. Mr. Speaker, I move that the vote b which this bill passed finally be reconsidered.

Mr. BOWER. Mr. Speaker, I second the motion.

The SPEAKER. How did the gentleman from Cheste Mr. Leisey, vote on the final passage of this bill?

Mr. LEISEY. Mr. Speaker, I voted in the majority.

The SPEAKER. How did the gentleman from North umberland, Mr. Bower vote on the final passage of th bill?

Mr. BOWER. Mr. Speaker, I voted in the majority.

On the question,

Will the House agree to the motion?

It was agreed to.

Mr. LEISEY. Mr. Speaker, I move that the vote b which this bill passed third reading be reconsidered.

The motion was agreed to.

On the question recurring.

Will the House agree to the bill on third reading?

Mr. LEISEY. Mr. Speaker, I ask unanimous consent t offer amendments at this time.

The SPEAKER. The amendments will be read by th Clerk for information.

The Clerk read the amendments as follows:

Amend title, page 1, last line of title, by inserting aft the word "purposes" the following: "and to accept gran of money and service for said purposes from private public sources, State or Federal"

The SPEAKER. Will the House give unanimous conse to the offering of amendments at this time? Is there o jection? The Chair hears none.

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the bill on third reading amended?

It was agreed to.

Ordered, that the bill as amended lie over for printin

LEAVES OF ABSENCE

By unanimous consent leave of absence was granted follows:

Mr. Stank for Mr. BRADLEY for the remainder of th week.

Mr. SAMUEL ROSE for himself for the remainder the week.

Mr. MODELL for himself after today's session for th remainder of the week.

Mr. CULLEN for himself after 4:30 p. m.

Mr. FLYNN for himself after today's session for the remainder of the week.

Mr. SKALE for himself after today's session for the remainder of the week.

Mr. CHERVENAK for himself after today's session for the remainder of the week.

Mr. COLEMAN for himself after today's session for the remainder of the week.

Mr. FULLERTON for himself after today's session for the remainder of the week.

Mr. MOSER for himself after today's session for the remainder of the week.

Mr. LLOYD H. WOOD for himself and Messrs. CADWALADER, WINNER and CHARLES H. BRUNNER, Jr. for the remainder of the week.

The Speaker for Mr. BOIES for the remainder of the week.

Mr. Alspach for Mr. SHAW until he returns for duty in the House.

REPORTS FROM COMMITTEES

Mr. WALLIN, from the Committee on Education, reported as committed, House Bill No. 474, entitled:

An Act to further amend section five hundred sixty-one of the act approved the eighteenth day of May, one thousand nine hundred eleven (P. L. 309), entitled "An act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws, general, special or local; or any parts thereof, that are or may be inconsistent therewith," changing the penalty to be added to delinquent school taxes in third and fourth class districts.

Mr. MURRAY, from the Committee on Military Affairs, reported as committed, House Bill No. 502, entitled:

An Act to amend sections two, three, four and five of the act, approved the second day of June, one thousand nine hundred thirty-seven (P. L. 1206), entitled "An act relating to memorial halls in counties of the second class, erected in memory of the soldiers, sailors and marines who served in the Civil War and providing for the use, upkeep, and management and control of such halls," by including Disabled American Veterans among the organizations named in the act.

Mr. O'BRIEN, from the Committee on Appropriations, reported as committed, House Bill No. 1086, entitled:

An Act making an appropriation to Philadelphia Camp No. 200, Sons of Union Veterans, for repairs and maintenance of Post 2, Grand Army of Republic Memorial Hall Philadelphia, and contents thereof.

Mr. LEE, from the Committee on Education, reported as committed, House Bill No. 837, entitled:

An Act to further amend section two hundred twenty-six of the act, approved the eighteenth day of May, one thousand nine hundred eleven (P. L. 309), entitled "An act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws, general, special or local, or any parts thereof, that are or may be inconsistent therewith," by permitting a school director to resign and be elected solicitor of the board in certain cases.

Mr. HOFFMAN, from the Committee on Education, reported as committed, House Bill No. 512, entitled:

An Act to further amend section five hundred and sixty-two of the act, approved the eighteenth day of May, one thousand nine hundred and eleven (P. L. 309), entitled "An act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws, general, special or local, or any parts thereof, that are or may be inconsistent therewith," providing for fixing compensation of collectors of delinquent taxes in districts of the second third and fourth class.

Mr. HAUDENSHIELD, from the Committee on State Government, reported as committed, House Bill No. 1069, entitled:

An Act to further amend clauses six and ten of section one of the act, approved the twenty-seventh day of June, one thousand nine hundred twenty-three (P. L. 858), entitled "An act establishing a State employes' retirement system ,and creating a retirement board for the administration thereof; establishing certain funds from contributions by the Commonwealth and contributing State employes, defining the uses and purposes thereof and the manner of payments therefrom, and providing for the guaranty by the Commonwealth of certain of said funds; imposing powers and duties upon the heads of departments in which State employes serve; excepting annuities, allowances, returns, benefits, and rights from taxation and judicial process; and providing penalties," by further defining "State employe," and, in certain cases, giving employes credit for service while listed as per diem employes.

Mr. LEISEY, from the Committee on Counties, reported as committed, House Bill No. 538, entitled:

An Act to further amend the act approved the second day of May, one thousand nine hundred twenty-nine (P. L. 1278), entitled "An act relating to counties of the second, third, fourth, fifth, sixth, seventh and eighth classes, and revising, amending, and consolidating the laws relating thereto," by empowering counties to acquire real estate by lease, purchase or gift for use as fairground; authorizing county commissioners to do all things necessary for the establishment and maintenance of county agricultural fairs and fairgrounds, including the appropriation of funds, joint action with other political subdivisions, the levy and collection of taxes, the creation of county fair boards, and the acceptance of State contributions.

Mr. McKINNEY, from the Committee on Appropriations, reported as committed, House Bill No. 492, entitled:

An Act appropriating moneys received from the Federal Government for housing and maintaining naval, military or other personnel at the Soldiers' and Sailors' Home at Erie to the Department of Military Affairs for the maintenance and operation of said home.

Mr. McKINNEY, from the Committee on State Government, reported as committed, House Bill No. 589, entitled:

An Act creating a Joint Legislative Committee for the purpose of gaining knowledge and information concerning the planning and operation of housing and housing projects by the examination and study of existing housing and housing projects in the Commonwealth; authorizing the employment of necessary assistants, the subpoenaing of witnesses and records, and making an appropriation.

Mr. McKINNEY, from the Committee on Constitutional Amendments, reported as committed, House Bill No. 1100, entitled:

A Joint Resolution proposing an amendment to section four, article three of the Constitution of the Commonwealth of Pennsylvania.

Mr. SORG, from the Committee on Constitutional Amendments, reported as committed, Senate Bill No. 71, entitled:

A Joint Resolution proposing an amendment to section four article two of the Constitution of the Commonwealth of Pennsylvania providing for annual sessions of the General Assembly salary of members and annual general appropriations.

Mr. MINTESS, from the Committee on Constitutional Amendments, reported as committed, Senate Bill No. 85, entitled:

A Joint Resolution making application to the Congress of the United States to call a convention for proposing an amendment to the Constitution of the United States prohibiting the imposition of conditions upon grants of moneys and the invasion of the states rights.

Mr. McKINNEY, from the Committee on Judiciary Generl, reported as committed, Senate Bill No. 201, entitled:

An Act to amend the title and section one of the act approved the twentieth day of April one thousand nine hundred and five (P. L. 239) entitled "An act providing for and defining the rights remedies duties and liabilities of purchasers of real estate at judicial sales and of their grantees heirs and devisees and of the persons then in possession thereof" extending the provisions of said act to purchasers of real estate at tax sales and their grantees heirs and devisees and persons then in possession thereof.

Mr. BOORSE, from the Committee on Municipal Corporations, reported as committed, Senate Bill No. 301, entitled:

An Act to amend section one hundred four clause (a) of section two hundred five clause (a) of section two hundred twelve section four hundred three section five hundred five and to add clause (d) to section five hundred two of the act approved the twenty-fifth day of June one thousand nine hundred and forty-one (P. L. 159) entitled "An act amending revising consolidating and changing the law relating to the borrowing of money by certain political subdivisions the authorization issuance and sale of general obligation bonds as herein defined of bonds imposing no general obligation of debt and of bonds not deemed to constitute a debt for certain purposes and to the funding of debt and the refunding of bonds regulating the keeping and use of sinking funds imposing powers and duties upon the Department of Internal Affairs and upon corporate bodies and officers of political subdivisions imposing penalties and repealing existing laws" clarifying and correcting the provisions of said sections and providing for the funding of debts represented by judgments entered by courts.

Mr. KLINE, from the Committee on State Government, reported as committed, Senate Bill No. 354, entitled:

An Act to further amend clause (d) of section four of the act, approved the twenty-eighth day of June, one thousand nine hundred and thirty-five (P. L. 452), entitled, as amended, "An act to promote the welfare of the people of the Commonwealth; creating a General State Authority as a body corporate and politic with power to construct, improve, equip, furnish, and operate projects, and to lease the same, and to fix and collect fees, rentals, and charges for the use thereof; authorizing and regulating the issuance of bonds by said Authority, and providing for the payment of such bonds, and the rights of the holders thereof; and to enter into agreements with the Government of the United States or any Federal agency; and authorizing the Department of Property and Supplies to grant, assign, convey, or lease to the Authority lands of the Commonwealth and interests therein, and to acquire lands therefor; granting the right of eminent domain; and providing that no debt of the Commonwealth shall be incurred in the exercise of any of the powers granted by this act," empowering the General State Authority to sell and convey projects and property to the Commonwealth, and to sell and convey the Butler Tuberculosis Sanatorium to the United States, or any Federal agency.

Mr. SIMONS, from the Committee on State Government, reported as committed, Senate Bill No. 377, entitled:

An Act abolishing the State Forests and Waters Fund in the State Treasury providing for the payment of the moneys therein and all future moneys heretofore payable into such special fund into the General Fund making the same available for all lawful expenditures and making certain repeals.

Mr. FLACK, from the Committee on Municipal Corporations, reported as committed, Senate Bill No. 400, entitled:

An Act to ratify, confirm, and validate, as debts of the municipality, bonds and obligations issued by municipal corporations for the payment of the cost of a public improvement which were to rest alone for their security and payment upon assessments for benefits.

Mr. JAMES, from the Committee on State Government, reported as committed, Senate Bill No. 440, entitled:

An Act creating a Commission for the Port of Chester; providing for the appointment of the members of said commission; defining its powers and duties; and making an appropriation to defray its expenses

Mr. IMBRIE, from the Committee on Mines and Mining, reported as committed, Senate Bill No. 498, entitled:

An Act creating a commission to make a study and investigation of strip mining directing such commission to make a report and recommendations to the General Assembly conferring certain powers upon such commission including the power to issue subpoenas administer oaths and affirmations retain employes and expend funds and making an appropriation.

Mr. CADWALADER, from the Committee on Counties, reported as committed, Senate Bill No. 534, entitled:

An Act to amend section four hundred thirty-seven and to further amend section four hundred thirty-eight of the act approved the second day of May one thousand nine hundred twenty-nine (P. L. 1278) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto" changing the amount of aid which the board of county commissioners may pay out of the county funds to the historical society of the county and changing the qualifications of historical societies to receive county appropriations

Mr. CORRIGAN, from the Committee on Cities-First Class, reported as committed, Senate Bill No. 587, entitled:

An Act authorizing the treasurer of any city or county of the first class, during the continuance of the hostilities incident to the present war, and for six months thereafter, to invest money in the treasury of such city or county not required for immediate use, in certain obligations of the United States Government, and to sell or have the same redeemed

Mr. FOX, from the Committee on Counties, reported as amended, House Bill No. 906, entitled:

An Act to further amend section eighteen of the act, approved the twenty-second day of June, one thousand nine hundred thirty-five (P. L. 414), entitled, as amended, "An act to provide revenue for State purposes; imposing taxes upon certain classes of personal property; providing for the assessment, collection, and lien of the same, and the distribution of the proceeds thereof; imposing duties on executors, administrators, registers of wills, recorders of deeds, prothonotaries, and court clerks, and on persons, copartnerships, associations, banks, national banks, trust companies, and other corporations receiving deposits of money, and on certain corporations and limited partnerships; conferring powers and imposing duties on certain State officers and departments; imposing penalties; and making an appropriaiton," by requiring holders of evidences of indebtedness to furnish certain information to those issuing such evidences of indebtedness and imposing certain penalties.

Mr. DALRYMPLE, from the Committee on Municipal Corporations, reported as amended, House Bill No. 915, entitled:

An Act authorizing the creation of, and providing for, and regulating the maintenance and operation of a municipal employes' retirement system in boroughs, incorporated towns, and townships of the first and second class, imposing certain charges on boroughs, incorporated towns and townships of the first and second class, and fixing penalties.

Mr. CORDIER, from the Committee on Appropriations, reported as amended, House Bill No. 942, entitled:

An Act making an appropriation to the Insurance Department for the payment of certain moral claims against the Commonwealth and that department.

Mr. BOWER, from the Committee on State Government, reported as amended, Senate Bill No. 164, entitled:

An Act creating a Safety Commission as an Independent Administrative Commission of the Commonwealth and defining its powers and duties.

Mr. WALLIN, from the Committee on Municipal Corporations, reported as amended, Senate Bill No. 346, entitled:

An Act suspending for the duration of the present national emergency and for six months thereafter the statutory provisions as to advertising and competitive bidding on contracts of counties institution districts cities first class townships and boroughs for the purchase of goods materials and merchandise which are rationed or on which a maximum price ceiling has been fixed under regulations of the Federal Government and providing for the award of contracts in such cases to the lowest and best bidder after due inquiry.

Mr. BRETHERICK, from the Committee on State Government, reported as committed, House Bill No. 605, entitled:

An Act authorizing the Pennsylvania Historical Commission to acquire by gift from the Erie County Historical Society a plot of ground in the city of Erie, Pennsylvania, to be used as a permanent resting place for the Flagship Niagara, and making an appropriation to said Commission for the improvement, development and preparation of such plot of ground and the removal of the said Flagship thereto.

Mr. SARGE, from the Committee on State Government, reported as committed, House Bill No. 1102, entitled:

An act to further amend section one of the act, approved the twenty-fifth day of May, one thousand nine hundred thirty-three (P. L. 1016), entitled, "An act relating to aeronautics; providing for the maintenance and operation of intermediate landing fields and air navigation facilities by the Commonwealth alone or in cooperation with the United States Government or political subdivisions of the Commonwealth; providing for the execution of leases or the issuance of licenses to the United States Government or to political subdivisions of the Commonwealth for the maintenance of navigation facilities on intermediate landing fields of the Commonwealth; conferring powers and duties on the Department of Revenue with respect thereto; and repealing certain acts and parts of acts," by transferring certain powers and duties from the Department of Revenue to the Pennsylvania Aeronautics Commission.

Mr. SARGE, from the Committee on State Government, reported as committed, House Bill No. 1103, entitled:

An act to further amend Section two hundred two, to reenact and amend section four hundred seven, to reenact and further amend section one thousand two hundred eight and to amend section two thousand nine hundred six of the act, approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 177), entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments, boards, commissions, and officers thereof, including the boards of trustees of State Normal Schools, or Teachers Colleges; abolishing, creating, reorganizing or authorizing the reorganization of certain administrative departments, boards, and commissions; defining the powers and duties of the Governor and other executive and administrative officers, and of the several administrative departments, boards, commissions and officers; fixing the salaries of the Governor, Lieutenant Governor, and certain other executive and administrative officers; providing for the appointment of certain administrative officers, and of all deputies and other assistants and employes in certain departments, boards, and commissions; and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments, boards and commissions shall be determined," by providing for a Pennsylvania Aeronautics Commission in the Department of Commerce, by defining the constitution, powers, duties and renumeration of said commission and its employes, and repealing all acts and parts of acts inconsistent therewith.

Mr. SARGE, from the Committee on State Government, reported as committed, House Bill No. 1104, entitled:

An act to amend the title, the table of contents and certain sections of the act, approved the twenty-fifth day of May, one thousand nine hundred thirty-three (P. L. 1001), entitled "An act providing for the regulation of aeronautics within this Commonwealth; conferring powers and imposing duties upon the Department of Revenue in respect thereto; providing for the licensing and registration of airmen and aircraft; establishing the legal status of air navigation; providing for sovereignty in, and ownership of, space; providing for lawfulness of flights; regulating civil causes of action arising out of operation of aircraft; fixing the status of contracts, crimes, and torts in, by, or by means of operation of aircraft; imposing duties upon officers, burgesses, magistrates, aldermen, justices of the peace, the courts and clerks thereof; providing for denial or revocation of licenses; providing for certain penalties and their disposition; and repealing certain existing laws, by conferring certain powers and imposing certain duties heretofore exercised and performed by the Department of Revenue upon the Pennsylvania Aeronautics Commission.

Mr. WINNER, from the Committee on Ways and Means, reported as committed, House Bill No. 1111, entitled:

An Act providing for the payment by the State Treasurer of one-half of the amount of the tax on premiums paid by foreign casualty insurance companies, to the treasurers of the several cities, boroughs, towns and townships and for the payment thereof into police pension funds and in certain cases into the State Employes 'Retirement Fund for certain purposes.

Mr. CORDIER, from the Committee on Appropriations, re-reported as committed, House Bill No. 878, entitled:

An Act creating a revolving fund in the State Treasury to be used by the State Council for the Blind for making advancements to blind persons for the purchase of stock equipment and accessories necessary to operate vending or refreshment stands in locations leased or arranged for by said council providing for the repayment of such advancements authorizing the State Council for the Blind to adopt rules and regulations and making an appropriation.

Mr. MUIR, from the Committee on Appropriations, re-reported as committed, House Bill No. 153, entitled:

An Act authorizing the Department of Property and Supplies with the advice and approval of the Pennsylvania Historical Commission to acquire on behalf of the Commonwealth of Pennyslvania certain land upon which is located the site of Fort LeBoeuf in Waterford Borough Erie County or so much thereof as may be necessary as an historical memorial providing for the control management supervision improvement restoration and maintenance thereof authorizing the Pennsylvania Historical Commission in cooperation with other agencies to make and enforce rules and regulations for the preservation and visitation thereof authorizing the Pennsylvania Historical Commission to cooperate with the Daughters of the American Colonists and interests patriotic societies in providing funds for a restoration of Fort LeBoeuf and making an appropriation.

Mr. PAUL L. WAGNER, from the Committee on Education, re-reported as amended, House Bill No. 444, entitled:

An Act to further amend sections two thousand six hundred three and two thousand six hundred twenty-three of the act approved the eighteenth day of May one thousand nine hundred eleven (P. L. 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" by authorizing school districts of the third and fourth classes in certain cases to employ certified public accountants to audit the school finances in lieu of the elected auditors and providing as to the powers duties and compensation of the certified public accountants so employed.

Mr. DENNISON, from the Committee on Mines and Mining, re-reported as amended, House Bill No. 483, entitled:

An Act to reenact and further amend section one of the act approved the second day of June one thousand eight hundred and ninety-one (P. L. 176) entitled "An act to provide for the health and safety of persons employed in and about the anthracite coal mines of Pennsylvania and for the protection and preservation of property connected therewith" requiring mine inspectors to inspect mines where from two to five persons are employed or engaged in work providing for the correction and unsafe conditions in and unsafe operation of such mines and for remedies to close such mines until such conditions are corrected directing the Secretary of Mines to adopt and promulgate rules and rgeulations for the protection of the health and safety of men working in and at such mines and for the protection of property connected therewith and providing penalties.

Mr. STOCKHAM, from the Committee on Appropriations, re-reported as amended, House Bill No. 613, entitled:

An Act creating a commission to investigate and consider various phases of aeronautics in order to keep the General Assembly advised as to legislation which may be needed to keep the Commonwealth of Pennsylvania abreast of present rapid developments in this field directing such commission to make a report and recommendations to the General Assembly conferring certain powers upon such commission including the power to issue subpoenas administer oaths and affirmations retain employes and expend funds and making an appropriation.

Mr. ROYER, from the Committee on Motor Vehicles, re-reported as amended, House Bill No. 592, entitled:

An Act to further amend section six hundred twenty-one of the act approved the first day of May one thousand nine hundred and twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" by permitting certain minors under eighteen years of age to operate certain commercial motor vehicles as paid operators for the duration of the present war and six months thereafter

Mr. LAUGHNER, from the Committee on Federal Relations, reported as committed, House Resolution No. 50.

BILLS ON FIRST READING

By unanimous consent the following bills were read for the first time.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1102, entitled:

An Act to further amend section one of the act, approved the twenty-fifth day of May, one thousand nine hundred thirty-three (P. L. 1016), entitled, "An act relating to aeronautics; providing for the maintenance and operation of intermediate landing fields and air navigation facilities by the Commonwealth alone or in cooperation with the United States Government or political subdivisions of the Commonwealth; providing for the execution of leases or the issuance of licenses to the United States Government or to political subdivisions of the

Commonwealth for the maintenance of navigation facilities on intermediate landing fields of the Commonwealth; conferring powers and duties on the Department of Revenue with respect thereto; and repealing certain acts and parts of acts," by transferring certain powers and duties from the Department of Revenue to the Pennsylvania Aeronautics Commission.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1103, entitled:

An Act to further amend Section two hundred two, to reenact and amend Section four hundred seven, to reenact and further amend Section one thousand two hundred eight, and to amend Section two thousand nine hundred six, of the act, approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 177), entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments, boards, commissions, and officers thereof, including the boards of trustees of State Normal Schools, or Teachers Colleges; abolishing, creating, reorganizing or authorizing the reorganization of certain administrative departments, boards, and commissions; defining the powers and duties of the Governor and other executive and administrative officers, and of the several administrative departments, boards, commissions, and officers; fixing the salaries of the Governor, Lieutenant Governor, and certain other executive and administrative officers; providing for the appointment of certain administrative officers, and of all deputies and other assistants and employes in certain departments, boards, and commissions; and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments, boards and commissions shall be determined," by providing for a Pennsylvania Aeronautics Commission in the Department of Commerce, by defining the constitution, powers, duties and remuneration of said commission and its employes, and repealing all acts and parts of acts inconsistent therewith.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1104, entitled:

An Act to amend the title, the table of contents and certain sections of the act, approved the twenty-fifth day of May, one housand nine hundred thirty-three, (P. L. 1001), entitled "An act providing for the regulation of aeronautics within this Commonwealth; conferring powers and imposing duties upon the Department of Revenue in respect thereto; providing for the licensing and registration of airman and aircraft; establishing the legal status of air navigation; providing for sovereignty in, and ownership of, space; providing for lawfulness of flights; regulating civil causes of action arising out of operation of aircraft; fixing the status of contracts, crimes, and torts in, by, or by means of operation of aircraft; imposing duties upon officers, burgesses, magistrates, aldermen, justices of the peace the courts and clerks thereof; providing for denial or revocation of licenses; providing for certain penalties and their disposition; and repealing certain existing laws," by conferring certain powers and imposing certain duties heretofore exercised and performed by the Department of Revenue upon the Pennsylvania Aeronautics Commission.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1111, entitled:

An Act providing for the payment by the State Treasurer of one-half of the amount of the tax on premiums paid by foreign casualty insurance companies, to the treasurers of the several cities, boroughs towns and townships and for the payment thereof into police pension funds and in certain cases into the State Employes' Retirement Fund for certain purposes.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 605, entitled:

An Act authorizing the Pennsylvania Historical Commission to acquire by gift from the Erie County Historical Society a plot of ground in the city of Erie, Pennsylvania, to be used as a permanent resting place for the Flagship Niagara, and making an appropriation to said Commission for the improvement, development and preparation of such plot of ground and the removal of the said Flagship thereto.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

SUBSTITUTION OF SPONSOR OF BILL

Mr. COOPER. Mr. Speaker, I ask unanimous consent to remove the name of the sponsor of House Bill No. 444, Mr. Leydic, with his consent, and to have inserted in lieu thereof, by request, the name of George W. Cooper.

The SPEAKER. Is there objection? The Chair hears none and consent is granted.

SENATE MESSAGES

AMENDED HOUSE BILL RETURNED FOR CONCURRENCE

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 583.

An Act to further amend section fourteen of article four and section one of article five of the act approved the ninth day of June one thousand nine hundred eleven (P. L. 756) entitled "An act to provide for the health and safety of persons employed in and about the bituminous coal mines of Pennsylvania and for the protection and preservation of property connected therewith" further regulating lamps to be carried by shot-firers and fire bosses.

With the information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendments.

The Clerk read the amendments as follows:

Amend Section 1, page 3, at the end of line 11, by striking out the word "approved" and inserting in lieu thereof the word "officials"; also same page, at the beginning of line 12, by inserting after the word "electric" the words "flash light or flash"; also same line by inserting after the

word "lamp" the words "approved by the Secretary of Mines."

Amend Section 2, page 4, line 19, by striking out the word "approved" and inserting in lieu thereof the word "officials"; also same line by inserting after the word "electric" the words "flash light or flash"; also same line by inserting after the word "lamp" the words "approved by the Secretary of Mines."

On the question,

Will the House concur in the amendments made by the Senate?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—198

Alspach,	Flynn,	Laughner,	Robertson,
Auker,	Foor,	Lee,	Root,
Baker,	Fox,	Leisey,	Rose, S.,
Barrett,	Freed,	Leonard,	Rose, W. E.,
Barton,	Fullerton,	Levy,	Rowley,
Bentley,	Garber,	Leydic,	Royer,
Bentzel,	Gardner,	Lichtenwalter,	Salus,
Bonawitz,	Gates,	Livingstone,	Sarge,
Boorse,	Gillan,	Longo,	Sarraf,
Boory,	Goodling,	Lovett,	Scanlon,
Bower,	Goodwin,	Lyons,	Schuster,
Boyd,	Gorman,	Madigan,	Serrill,
Bretherick,	Grant,	Mahany,	Simons,
Brice,	Green,	Maxwell,	Skale,
Brigerman,	Greenwood,	McAtee,	Smith,
Brown,	Gross,	McClester,	Snider,
Brunner, C. H.,	Gyger,	McKinney,	Sollenberger,
Brunner, P. A.,	Haberlen,	McMillen,	Sorg,
Burns,	Hall,	McSurdy,	Stank,
Calvin,	Hamilton,	Menna,	Stockham,
Campbell,	Hannon,	Mihm,	Stonier,
Chervenak,	Hare,	Miller,	Tahl,
Chudoff,	Harris,	Mintess,	Tate,
Cohen,	Haudenshield,	Mock,	Taylor,
Coleman,	Heatherington,	Modell,	Thompson,
Cook,	Helm,	Mooney,	Thrasher,
Cooper,	Herman,	Moore,	Tiemann,
Cordier,	Hersch,	Moran,	Trent,
Corrigan,	Hewitt,	Moser,	Trout,
Costa,	Hocke,	Muir,	Turbett,
Coulson,	Hoffman,	Munley,	Van Allsburg,
Croop,	Hoggard,	Murray,	Verona,
Cullen,	Holmes,	Nowak,	Wachhaus,
Dague,	Hoopes,	O'Brien,	Wagner, K. H.,
Dalrymple,	Hunter, B. F.,	O'Connor,	Wagner, P. L.,
Denman,	Hunter, W. M.,	O'Dare,	Wallin,
Dennison,	Huntley,	O'Neill,	Walton,
Depuy,	Imbrie,	Owens,	Watkins,
Dillon,	Irvin,	Petrosky,	Weiss,
Dix,	James,	Pettit,	Welsh,
Duffy,	Jones,	Polaski,	Winner,
Elder,	Kennedy,	Powers,	Wood, L. H.,
Elliott,	Kirley,	Readinger,	Wood, N.,
Ely,	Kitchen,	Reagan,	Worley,
Erb,	Kline,	Reese, D. P.,	Wright,
Ewing,	Kolankiewicz,	Reese, R. E.,	Yeakel,
Figlock,	Kowalski,	Regan,	Yester,
Finnerty,	Krepps,	Reilly,	Fiss,
Flack,	Krise,	Reynolds,	Speaker.
Fleming,	Lane,	Riley,	

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the amendments were concurred in.

Ordered, That the Clerk inform the Senate accordingly.

AMENDED SENATE BILL RECALLED FROM THE GOVERNOR RETURNED FOR CONCURRENCE

The Clerk of the Senate being introduced, presented for concurrence bill numbered and entitled as follows:

SENATE BILL No. 112.

An Act providing for the retention on the several permanent personal registration lists of electors of the names of persons who are members of any branch of the armed forces of the United States or of any uniformed organization of women officially connected therewith providing for proof of such membership prescribing penalties for making false statements in connection therewith prohibiting cancellation of registration for failure to vote during this period and suspending inconsistent laws during the effective period of the act

Said bill having been recalled from the Governor for amendment, the vote had on final passage and third reading reconsidered in the Senate and the bill amended, in which amendments the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendments.

The Clerk read the amendments as follows:

Amend title, page 1, line 8, by striking out after the word "therewith" the words "prohibiting cancellation of registration for failure to vote during this period."

Amend Section 1, page 2, line 7 by striking out after the heavy faced bracket the word "when" and inserting "or to cancel the registration of any person when in either case"; also in line 14, by inserting after the word "name" the words "or cancelling his or her registration."

Amend Section 2, page 3, lines 7 to 12 inclusive, by striking out the entire section as follows: "Section 2 During the period of time set forth in Section 1 it shall be unlawful for any registration commission in any city or county to cancel the registration of any elector previously registered under the permanent personal registration laws of any city county borough town or township for failure to vote."

Amend Section 3, page 3, line 13, by striking out after the word "Section" the figure "3" and inserting the figure "2".

Amend Section 4, page 3, line 16, by striking out after the word "Section" the figure "4" and inserting the figure "3".

On the question,

Will the House concur in the amendments made by the Senate?

Mr. TATE. Mr. Speaker, it was my original intention to move to concur in the action of the Senate in striking out the amendments of the House on this particular matter. However, I find in conversation with a number of my colleagues it was our thought that we wanted to at least save some section of the bill which we termed good legislation. For that reason I want to say at this time that the amendments made in the House were proper amendments, were considered by the Members on the other side and passed both the House and the Senate. However, they were submitted to the Attorney General's Office and it was suggested that the matter be recalled for amendment.

The reason why these amendments are submitted to the House is because during the last year and a half or so, when boys and girls had gone into the military service their franchise had been affected in one way or another. In the great percentage of cases their names were stricken from the registration roll of every city, town, county, borough and township in the Commonwealth without giving them or their friends an opportunity to save their franchise. The particular portion of the bill that is being saved permits the registration commissions of those political subdivisions to save their franchise if someone comes to their defense.

However, it was my idea together with some of my colleagues that we should during this war period postpone

the purging of the registration lists of all people affecting their right to vote during a two year period. Our reason for so doing was that the commission, through no fault of its own sent out notices by mail to the homes where the boys and girls have gone into the service, the homes have been broken up and no one has been able to locate the boy or girl, and the only thing the commission can do under those circumstances is to strike the registration of the boy or the girl who is in service from the registration lists. So that you have the simple proposition that when they return from the war their franchise will not be intact. It seems unfortunate that we could not forget the purging of the registration lists for failure to vote during these trying times, but since wiser heads have felt that perhaps we would in some way jeopardize the registration in these political subdivisions, the Democratic party decided to go along with the action of the Senate on these amendments.

On the question recurring,

Will the House concur in the amendments made by the Senate?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—198

Alspach,	Flynn,	Laughner,	Robertson,
Auker,	Foor,	Lee,	Root,
Baker,	Fox,	Leisey,	Rose, S.,
Barrett,	Freed,	Leonard,	Rose, W. E.,
Barton,	Fullerton,	Levy,	Rowley,
Bentley,	Garber,	Leydic,	Royer,
Bentzel,	Gardner,	Lichtenwalter,	Salus,
Bonawitz,	Gates,	Livingstone,	Sarge,
Boorse,	Gillan,	Longo,	Sarraf,
Boory,	Goodling,	Lovett,	Scanlon,
Bower,	Goodwin,	Lyons,	Schuster,
Boyd,	Gorman,	Madigan,	Serrill,
Bretherick,	Grant,	Mahany,	Simons,
Brice,	Green,	Maxwell,	Skale,
Brigerman,	Greenwood,	McAtee,	Smith,
Brown,	Gross,	McClester,	Snider,
Brunner, C. H.,	Gyger,	McKinney,	Sollenberger,
Brunner, P. A.,	Haberlen,	McMillen,	Sorg,
Burns,	Hall,	McSurdy,	Stank,
Calvin,	Hamilton,	Menna,	Stockham,
Campbell,	Hannon,	Mihm,	Stonier,
Chervenak,	Hare,	Miller,	Tahl,
Chudoff,	Harris,	Mintess,	Tate,
Cohen,	Haudenshield,	Mock,	Taylor,
Coleman,	Heatherington,	Modell,	Thompson,
Cook,	Helm,	Mooney,	Thrasher,
Cooper,	Herman,	Moore,	Tiemann,
Cordier,	Hersch,	Moran,	Trent,
Corrigan,	Hewitt,	Moser,	Trout,
Costa,	Hocke,	Muir,	Turbett,
Coulson,	Hoffman,	Munley,	Van Allsburg,
Croop,	Hoggard,	Murray,	Verona,
Cullen,	Holmes,	Nowak,	Wagner, K. H.,
Dague,	Hoopes,	O'Brien,	Wagner, P. L.,
Dalrymple,	Hunter, B. F.,	O'Connor,	Wachhaus,
Denman,	Hunter, W. M.,	O'Dare,	Wallin,
Dennison,	Huntley,	O'Neill,	Walton,
Depuy,	Imbrie,	Owens,	Watkins,
Dillon,	Irvin,	Petrosky,	Weiss,
Dix,	James,	Pettit,	Welsh,
Duffy,	Jones,	Polaski,	Winner,
Elder,	Kennedy,	Powers,	Wood, L. H.,
Elliott,	Kirley,	Readinger,	Wood, N.,
Ely,	Kitchen,	Reagan,	Worley,
Erb,	Kline,	Reese, D. P.,	Wright,
Ewing,	Kolankiewicz,	Reese, R. E.,	Yeakel,
Figlock,	Kowalski,	Regan,	Yester,
Finnerty,	Krepps,	Reilly,	Fiss,
Flack,	Krise,	Reynolds,	Speaker.
Fleming,	Lane,	Riley,	

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the amendments were concurred in.

Ordered, That the Clerk inform the Senate accordingly.

AMENDED HOUSE BILL RETURNED FOR CONCURRENCE

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 403.

An Act to amend section seven of the act approved the seventeenth day of May one thousand nine hundred seventeen (P. L. 208) entitled "An act to regulate the practice of pharmacy and sale of poisons and drugs and providing penalties for the violation thereof defining the words 'drug' and 'poison' and providing for the appointment of a board which shall have in charge the enforcement of said law and the power to make rules and regulations for the enforcement of said law and providing for the purchase of samples of drugs for determining their quality strength and purity" by requiring a copy of the latest edition of the Year Book of the Pennsylvania Pharmaceutical Association to be kept in every pharmacy

With the information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendment.

The Clerk read the amendment as follows:

Amend Section 1, page 2, line 17, by inserting after the word "Association" the words "in which Year Book shall be kept a record of all exempt narcotic sales and sales of poisons."

On the question,

Will the House concur in the amendment made by the Senate?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—198

Alspach,	Flynn,	Laughner,	Robertson,
Auker,	Foor,	Lee,	Root,
Baker,	Fox	Leisey,	Rose, S.,
Barrett,	Freed,	Leonard,	Rose, W. E.,
Barton,	Fullerton,	Levy,	Rowley,
Bentley,	Garber,	Leydic,	Royer,
Bentzel,	Gardner,	Lichtenwalter,	Salus,
Bonawitz,	Gates,	Livingstone,	Sarge,
Boorse,	Gillan,	Longo,	Sarraf,
Boory,	Goodling,	Lovett,	Scanlon,
Bower,	Goodwin,	Lyons,	Schuster,
Boyd,	Gorman,	Madigan,	Serrill,
Bretherick,	Grant,	Mahany,	Simons,
Brice,	Green,	Maxwell,	Skale,
Brigerman,	Greenwood,	McAtee,	Smith,
Brown,	Gross,	McClester,	Snider,
Brunner, C. H.,	Gyger,	McKinney,	Sollenberger,
Brunner, P. A.,	Haberlen,	McMillen,	Sorg,
Burns,	Hall,	McSurdy,	Stank,
Calvin,	Hamilton,	Menna,	Stockham,
Campbell,	Hannon,	Mihm,	Stonier,
Chervenak,	Hare,	Miller,	Tahl,
Chudoff,	Harris,	Mintess,	Tate,
Cohen,	Haudenshield,	Mock,	Taylor,
Coleman,	Heatherington,	Modell,	Thompson,
Cook,	Helm,	Mooney,	Thrasher,
Cooper,	Herman,	Moore,	Tiemann,
Cordier,	Hersch,	Moran,	Trent,
Corrigan,	Hewitt,	Moser,	Trout,
Costa,	Hocke,	Muir,	Turbett,
Coulson,	Hoffman,	Munley,	Van Allsburg,
Croop,	Hoggard,	Murray,	Verona,
Cullen,	Holmes,	Nowak,	Wachhaus,
Dague,	Hoopes,	O'Brien,	Wagner, K. H.,

Dalrymple,	Hunter, B. F.,	O'Connor,	Wagner, P. L.,
Denman,	Hunter, W. M.,	O'Dare,	Wallin,
Dennison,	Huntley,	O'Neill,	Walton,
Depuy,	Imbrie,	Owens,	Watkins,
Dillon,	Irvin,	Petrosky,	Weiss,
Dix,	James,	Pettit,	Welsh,
Duffy,	Jones,	Polaski,	Winner,
Elder,	Kennedy,	Powers,	Wood, L. H.,
Elliott,	Kirley,	Readinger,	Wood, N.,
Ely,	Kitchen,	Reagan,	Worley,
Erb,	Kline,	Reese, D. P.,	Wright,
Ewing,	Kolankiewicz,	Reese, R. E.,	Yeakel,
Figlock,	Kowalski,	Regan,	Yester,
Finnerty,	Krepps,	Reilly,	Fiss,
Flack,	Krise,	Reynolds,	Speaker.
Fleming,	Lane,	Riley,	

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the amendments were concurred in.

Ordered, That the Clerk inform the Senate accordingly.

AMENDED HOUSE BILL RETURNED FOR CONCURRENCE

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 1056.

An Act abolishing the entire Merchantile License Tax System repealing the various license taxes under said system except as to taxes already due abolishing certain offices and employments providing for the collection of delinquent taxes providing for the final settlement of accounts between the Commonwealth and county treasurers and making certain repeals.

With the information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendments.

The Clerk read the amendments as follows:

Amend Section 4, page 4, at the end of line 2, by inserting after the word "License" the word "Tax".

Amend Section 5, page 5, line 4, by striking out the words "and its amendments"; also same page, line 26, by inserting after the word "treasurers" the words "and its amendments"; also page 6, line 6, by striking out the words "mercantile license tax system" and inserting in lieu thereof the words "Mercantile License Tax System"; also same page, line 7, by striking out after the word "Sections" the figure "8" and inserting in lieu thereof the word "eight"; also same line, by striking out after the word "and' the figure "9" and inserting in lieu thereof the word "nine"; also same page, at the end of line 18, by inserting after the word "State" the words "and its amendments"; also on page 7, at the end of line 7, by inserting after the word "same" the words "and its amendments"; also on page 8, line 29, by inserting after "Commonwealth" the words "and its amendments."

On the question,

Will the House concur in the amendments made by the Senate?

Mr. COHEN. Mr. Speaker, I am asking the Democratic members to non-concur in the amendments inserted by the Senate, not that these amendments mean anything, because we think they merely clarify the situation. Our position on this bill as a part of the program of the administration was very tersely and succinctly stated a couple of weeks ago when we said that this part of the tax program is no good. We think today that this part of the tax program is no good and I do not see how we can possibly give an "aye" vote on any part or any phase of a tax program which we think is so obnoxious.

On the question recurring,

Will the House concur in the amendments made by the Senate?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—126

Alspach,	Freed,	Krise,	Rowley,
Auker,	Fullerton,	Laughner,	Royer,
Barton,	Garber,	Lee,	Salus,
Bonawitz,	Gardner,	Leisey,	Sarge,
Boorse,	Gates,	Leydic,	Serrill,
Bower,	Gillan,	Lichtenwalter,	Simons,
Boyd,	Goodling,	Livingstone,	Smith,
Bretherick,	Gorman,	Lyons,	Sollenberger,
Brice,	Greenwood,	Madigan,	Sorg,
Brunner, C. H.,	Gross,	Mahany,	Stockham,
Calvin,	Gyger,	McAtee,	Stonier,
Campbell,	Hall,	McClester,	Tahl,
Cook,	Hannon,	McKinney,	Taylor,
Cooper,	Hare,	McMillen,	Thrasher,
Cordier,	Haudenshield,	McSurdy,	Tiemann,
Costa,	Helm,	Menna,	Trout,
Coulson,	Hewitt,	Miller,	Turbett,
Dague,	Hocke,	Mintess,	Van Allsburg,
Dalrymple,	Hoffman,	Mock,	Wachhaus,
Denman,	Holmes,	Moore,	Wagner, K. H.,
Dennison,	Hoopes,	Moser,	Wagner, P. L.,
Depuy,	Hunter, W. M.,	Muir,	Wallin,
Dix,	Huntley,	Murray,	Walton,
Elder,	Imbrie,	Nowak,	Watkins,
Ely,	Irvin,	O'Dare,	Winner,
Erb,	James,	Reagan,	Wood, L. H.,
Ewing,	Jones,	Reese, D. P.,	Wood, N.,
Figlock,	Kennedy,	Reilly,	Worley,
Flack,	Kitchen,	Riley,	Yeakel,
Fleming,	Kline,	Robertson,	Fiss,
Foor,	Kowalski,	Root,	Speaker.
Fox,	Krepps,	Rose, W. E.,	

NAYS—72

Baker,	Elliott,	Levy,	Reese, R. E.,
Barrett,	Finnerty,	Longo,	Regan,
Bentley,	Flynn,	Lovett,	Reynolds,
Bentzel,	Goodwin,	Maxwell,	Rose, S.,
Boory,	Grant,	Mihm,	Sarraf,
Brigerman,	Green,	Modell,	Scanlon,
Brown,	Haberlen,	Mooney,	Schuster,
Brunner, P. A.,	Hamilton,	Moran,	Skale,
Burns,	Harris,	Munley,	Snider,
Chervenak,	Heatherington,	O'Brien,	Stank,
Chudoff,	Herman,	O'Connor,	Tate,
Cohen,	Hersch,	O'Neill,	Thompson,
Coleman,	Hoggard,	Owens,	Trent,
Corrigan,	Hunter, B. F.,	Petrosky,	Verona,
Croop,	Kirley,	Pettit,	Weiss,
Cullen,	Kolankiewicz,	Polaski,	Welsh,
Dillon,	Lane,	Powers,	Wright,
Duffy,	Leonard,	Readinger,	Yester,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the amendments were concurred in.

Ordered, That the Clerk inform the Senate accordingly.

PERMISSION TO ADDRESS HOUSE

Mr. WRIGHT asked and obtained unanimous consent to address the House.

Mr. Speaker, the fight to maintain our independence and freedom constitutes an inspiring part of an unshakeable unity and purpose of a united people. A fit and free people are the force that will change the world. All right thinking men want a better world to follow this war. A better community without better men and better

women is impossible for only good Americans can make a good America. Therefore, personal prepardness of individuals, in or out of service, is vital to success.

The consciousness of the people, the justness of their cause, their resolve to make all necessary sacrifice, and their firm purpose to carry home to the enemy the war he has inflicted upon humanity makes certain final victory.

Never since the historic days when George Washington and his chilled ragged army stood at Valley Forge has this nation been in such grave danger from enemies within her own borders. It is perhaps too much to expect that tyrants will learn that man's longing for liberty cannot be destroyed. But it is not too much to expect that free men may learn and never forget that the lack of vigilence is the greatest danger to liberty.

Liberty My Friends, is more than a matter of political rights, indispensible as those rights are, in our home state we have learned from bitter experience that to be truly free, men must have economic freedom and economic security to work as freemen in the company of freemen, to obtain through work the material and spiritual means of life; to advance through the exercise of ability, initiative and enterprize; to make provision against the hazard of mere human existence.

We must be united to safeguard the rights of minorities, for minorities are essential in a democracy, quite apart from any reason of fairness or justice or any sentiment regarding the protection of the weak by the strong, we need only to protect the weak, the strong can care for themselves.

It is only common sense to safeguard jealously the rights of minorities. The temptation exists among those who are blessed with numerical strength with wealth and power to expect the minority to submit to the majority in controversial matters whether the majority is in the right or in the wrong.

Minorities are a rich asset to a democracy. Dictatorship must fear and suppress them. Intolerance always begins with the personal pronoun "I" which is the source of nearly all the ills we suffer, because of the spirit of the big "I".

But within the tolerance of democracy, minorities are the constant spring of new ideas, stimulating new thought and action, the constant course of new vigor. To suppress minority thinking would stun society and prevent progress. The free expression of the opinion of others who differ should never be denied, if we are devoted to the principles of truth and justice. The majority itself is stimulated by the existence of minority groups, the human mind requires contrary expressions against which to test itself.

Out of the distress and misery of the present worldwide conflict should come an era of peace, every altruistic person keeps forever before him the ideal of a world in which war shall have no part. And out of the little political differences here, from each member of this legislature should come a feeling of mutual unity and cooperation, "In unity, there is strength." Let's make our meaning plain. A pretense of patriotism is political hypocrisy which is poluting the living foundation of democracy. The present is no time to neglect our loyalty. This is the toughest war the United States has ever fought and we need all our combined strength to help win it, let's get together.

America expects everyone to do their full duty "always" but now as never before, that is the signal of every victory—yours and mine, and that of our country.

There is but union now, and that union is a united America. The reward is for victory, for liberty, for freedom, for God for country and our democratic way of life. The backbone of morals is confidence in leadership, we must work together.

Our America will fight with their comrades against the common agressor, we realize that the way before us is beset with formidal difficulties, but we shall not falter until peace, justice and freedom are established throughout the world .And our America will never hesitate until the enemy is beaten down to defeat into the dust and mire of his own country.

PERMISSION GRANTED COMMITTEE TO MEET DURING SESSION

Mr. SARGE asked and obtained permission for the Committee on State Government to meet during the session of the House.

PERMISSION TO ADDRESS HOUSE

Mr. PETROSKY asked and obtained unanimous consent to address the House.

Mr. Speaker, we here in the legislative halls in the past few months have legislated upon many fields of endeavor. We have added additional responsibilities upon the shoulders of the youth of our Commonwealth, and today involved in the present conflict with our enemies, we have placed in the hands of the youth of our state and nation a great responsibility in maintaining the democratic processes of government.

The youths that we have sent forth to battle, who are today shouldering the arms of industry in the war of production on our home front are the boys and girls that we should be legislating for at the present time. I have sponsored, together with my colleague from Allegheny, Mr. Heatherington, a bill for a constitutional change. Such bill is only to be acted upon by this and another session of the legislature, and then given to the electorate of the Commonwealth of Pennsylvania for a referendum to say whether they believe that the boy or girl of eighteen, between eighteen and twenty-one, has the right to vote. I say to you that we have given them those additional responsibilities. We are asking them today to give battle in order to preserve the democratic processes of government. Yet, we are still depriving them of the right to participate in the democratic processes of government. I feel we should give all consideration, we should give all thought to those who are supporting us on the production front and upon the war front in the battle for the survival of this great nation of ours.

This is definitely a home rule measure. This is a measure which gives to the electorate, to each and every citizen of the Commonwealth, the right to say whether our boys and girls between the ages of eighteen and twenty-one will be given the right to exercise the franchise or ballot.

I wish to offer the following resolution, that the Committee on Constitutional Amendments be discharged from further consideration of House Bill No. 73, after said committee has had said bill for more than ten days.

RESOLUTION TO DISCHARGE COMMITTEE

Messrs. PETROSKY and HEATHERINGTON offered the following resolution which was read by the Clerk:

In the House of Representatives, April 28, 1943.

Resolved, That the Committee on Constitutional Amendments be discharged from further consideration of House Bill No. 73 entitled: "Proposing an amendment to Article eight, Section one of the Constitution of the Commonwealth of Pennsylvania, reducing the age limit of electors," said bill having been in the hands of said committee more than ten days.

On the question,

Will the House agree to the resolution?

RESOLUTION LAID ON TABLE

Mr. LICHTENWALTER. Mr. Speaker, I move that the resolution be laid on the table.

On the question,

Will the House agree to the motion?

The yeas and nays were required by Mr. Heatherington and Mr. Petrosky and were as follows:

YEAS—107

Alspach,	Garber,	Laughner,	Salus,
Barton,	Gardner,	Leisey,	Sarge,
Bonawitz,	Gates,	Leydic,	Serrill,
Boorse,	Gillan,	Lichtenwalter,	Simons,
Bower,	Goodling,	Livingstone,	Smith,
Bretherick,	Gorman,	Madigan,	Sollenberger,
Brice,	Gross,	Mahany,	Sorg,
Brunner, C. H.,	Gyger,	McKinney,	Stockham,
Campbell,	Hall,	McMillen,	Stonier,
Cooper,	Hannon,	McSurdy,	Tahl,
Cordier,	Hare,	Menna,	Taylor,
Costa,	Haudenshield,	Miller,	Thrasher,
Dague,	Helm,	Mintess,	Trout,
Dalrymple,	Hewitt,	Moore,	Van Allsburg,
Denman,	Hoffman,	Moser,	Wachhaus,
Dennison,	Holmes,	Muir,	Wagner, K. H.,
Depuy,	Hoopes,	Murray,	Wagner, P. L.,
Dix,	Hunter, W. M.,	Nowak,	Wallin,
Elder,	Irvin,	O'Dare,	Walton,
Ely,	James,	Reese, D. P.,	Watkins,
Erb,	Jones,	Reilly,	Winner,
Flack,	Kennedy,	Riley,	Wood, L. H.,
Fleming,	Kitchen,	Robertson,	Wood, N.,
Foor,	Kline,	Root,	Worley,
Fox,	Kowalski,	Rose, W. E.,	Yeakel,
Freed,	Krepps,	Rowley,	Fiss,
Fullerton,	Krise,	Royer,	Speaker.

NAYS—60

Baker,	Duffy,	Lane,	Reese, R. E.,
Barrett,	Elliott,	Leonard,	Reynolds,
Bentley,	Finnerty,	Levy,	Rose, S.,
Bentzel,	Goodwin,	Longo,	Scanlon,
Boory,	Grant,	Lovett,	Schuster,
Brunner, P. A.,	Green,	Maxwell,	Skale,
Burns,	Haberlen,	Mihm,	Snider,
Chervenak,	Hamilton,	Modell,	Stank,
Chudoff,	Harris,	Mooney,	Tate,
Cohen,	Heatherington,	Moran,	Trent,
Coleman,	Hersch,	Munley,	Verona,
Corrigan,	Hoggard,	Owens,	Weiss,
Croop,	Hunter, B. F.,	Polaski,	Welsh,
Cullen,	Kirley,	Pettit,	Wright,
Dillon,	Kolankiewicz,	Powers,	Yester,

So the question was determined in the affirmative and the motion was agreed to.

ANNOUNCEMENT BY THE SPEAKER

The SPEAKER. The Chair would announce to the Members of the House that next week the session will begin at three o'clock on Monday. You should come prepared to stay five days next week.

PERMISSION GRANTED COMMITTEE TO MEET DURING SESSION

Mr. GATES asked and obtained permission for the Committee on Townships to meet during the session of the House.

PERMISSION TO ADDRESS THE HOUSE

Mr. MODELL asked and obtained unanimous consent to address the House.

Mr. Speaker, a few evenings ago this House had before it for consideration House Bill 57, known as the silt bill, introduced by the gentleman from Montgomery, Mr. Brunner. This was a type of legislation similar to a bill introduced by me in the 1941 session of the Legislature and also during this session of the Legislature. Unfortunately for hundreds of thousands of people of this state, and a large extent of territory in this state, that bill went down to defeat. That, Mr. Speaker, to my mind was a travesty on justice, and an insult to the intelligence, I believe, of the entire membership of this House, and to the people throughout this entire Commonwealth.

You may recall that in the first two weeks of this present session I spoke in a statement before you upon a series of bills introduced by my colleague from Philadelphia, Mr. Herman, and myself, which bills were to correct the present situation in this state with reference to the pollution of our rivers. That statement was made so that the members of this House would realize the importance of this matter. We had, I believe, at that time the foresight, and I believe the Members of this House had the foresight to have these matters brought before them in committee and brought before this House for a vote. These bills were prepared as a result of a study of the minutes of several meetings held by a committee of this House in the extra Session of 1942. Those minutes contained statements directly and upon interrogation of the United States Engineers of this Commonwealth working for the Sanitary Water Board, and statements made by the various secretaries of the Department of Health, the Department of Forests and Waters and others, and all those statements brought out the fact that the Sanitary Water Board was doing nothing to correct the situation in the state with regard to the pollution of the rivers, and in fact they could do nothing because it was hamstrung by being a very small part of the Department of Health. It was very clearly shown by those minutes and by those statements that the only way that the Sanitary Water Board would ever do what it was supposed to do under the laws of this Commonwealth, and more particularly the law of 1937, would be to have that Sanitary Water Board made into an independent agency to correct that situation.

In that series of bills more particularly I refer to the bill which would make the Sanitary Water Board an independent agency, has been lying in the Committee on State Government since the beginning of this session, and I believe has not had the consideration of that Committee. Inasmuch as it is so vital, not only to Philadelphia but to practically all of the citizens of this Commonwealth, I offer a resolution to discharge the Committee from further consideration of House Bill 216.

RESOLUTION TO DISCHARGE COMMITTEE

Messrs. MODELL and HERMAN offered a resolution which was read by the Clerk as follows:

In the House of Representatives, April 28, 1943.

Resolved, that the Committee on State Government be discharged from further consideration of House Bill No. 216 entitled: "An Act to further amend the act, approved the ninth day of April, one thousand nine hundred and twenty-nine (P. L. 177), entitled 'Administrative Code of 1929', by establishing the Sanitary Water Board as an Independent Administrative Board and conferring certain additional powers upon it with respect to the appointment of employes and the receipt and expenditure of funds" said bill having been in the hands of the Committee for more than ten days.

On the question,

Will the House agree to the resolution?

RESOLUTION LAID ON TABLE

Mr. LICHTENWALTER. Mr. Speaker, I move that the resolution be laid on the table.

On the question,

Will the House agree to the motion?

The yeas and nays were required by Mr. Levy and Mr. Lovett.

Messrs. Levy, Lovett and Cohen asked for a verification of the roll.

The roll was verified and was as follows:

YEAS—104

Alspach,	Fox,	Kowalski,	Rowley,
Auker,	Freed,	Krepps,	Royer,
Barton,	Fullerton,	Krise,	Sarge,
Bonawitz,	Garber,	Laughner,	Serrill,
Boorse,	Gardner,	Leisey,	Simons,
Bower,	Gillan,	Leydic,	Smith,
Bretherick,	Goodling,	Lichtenwalter,	Sollenberger,
Brunner, C. H.,	Greenwood,	Livingstone,	Sorg,
Cook,	Gross,	Madigan,	Stockham,
Cooper,	Gyger,	Mahany,	Stonier,
Cordier,	Hall,	McClester,	Taylor,
Costa,	Hannon,	McKinney,	Thrasher,
Coulson,	Hare,	McMillen,	Tiemann,
Dague,	Haudenshield,	McSurdy,	Trout,
Dalrymple,	Helm,	Miller,	Van Allsburg,
Denman,	Hewitt,	Mock,	Wachhaus,
Dennison,	Hocke,	Moser,	Wagner, K. H.,
Depuy,	Hoffman,	Muir,	Wagner, P. L.,
Dix,	Holmes,	Murray,	Wallin,
Elliott,	Hoopes,	Nowak,	Watkins,
Ely,	Hunter, W. M.,	Reagan,	Wood, L. H.,
Erb,	Huntley,	Reese, D. P.,	Wood, N.,
Ewing,	James,	Reilly,	Worley,
Figlock,	Jones,	Riley,	Yeakel,
Flack,	Kennedy,	Robertson,	Fiss,
Fleming,	Kitchen,	Rose, W. E.,	Speaker.
Foor,	Kline,		

NAYS—66

Baker,	Finnerty,	Longo,	Reese, R. E.,
Barrett,	Goodwin,	Lovett,	Regan,
Bentley,	Gorman,	Maxwell,	Reynolds,
Bentzel,	Grant,	Menna,	Rose, S.,
Boory,	Green,	Mihm,	Skale,
Boyd,	Haberlen,	Modell,	Snider,
Brown,	Hamilton,	Mooney,	Stank,
Brunner, P. A.,	Harris,	Moran,	Tahl,
Chervenak,	Heatherington,	O'Connor,	Tate,
Chudoff,	Herman,	O'Neill,	Thompson,
Cohen,	Hersch,	Owens,	Trent,
Coleman,	Hunter, B. F.,	Petrosky,	Verona,
Corrigan,	Kirley,	Pettit,	Weiss,
Cullen,	Kolankiewicz,	Polaski,	Welsh,
Dillon,	Lane,	Powers,	Wright,
Duffy,	Leonard,	Readinger,	Yester,
Elder,	Levy,		

So the question was determined in the affirmative and the motion was agreed to.

REASONS FOR VOTE

Mr. TAHL filed the following reason for his vote:

I vote against tabling the motion to reconsider House Bill No. 216, because it is urgent that we in Philadelphia stop the pollution of our water supply. The present pollution is a menace to the health of our citizens.

This is only one of many reasons why this bill should be approved.

Mr. TATE filed the following reasons for his vote:

Reasons for voting in "negative" on motion to lay on table Resolution to Discharge Committee on State Government from further consideration of House Bill No. 216.

This motion to lay on table is an attempt to gag proper consideration of a measure which, if enacted, will serve to go a long way in cleaning up the streams and rivers of the Commonwealth. The enactment of this measure will not only be of sanitary benefit to the health of the people of the Commonwealth, but will also prevent the flooding of vital war industries.

(During the verification of the roll)

Mr. LEVY. Mr. Speaker, in accordance with the Rules of the House is it not proper for the Members present in the Hall of the House at the time the yeas and nays are taken, to vote for or against a measure or a motion, unless excused?

Mr. TAHL. Mr. Speaker, this is not a bill, this is a resolution. I think under the Rules a man is not required to vote.

Mr. LEVY. Mr. Speaker, I ask for a ruling on my question.

The SPEAKER. The Chair will read Rule 71 for the information of the members:

> Every member shall be present within the Hall of the House during its sittings, unless excused by the House, or necessarily prevented, and shall vote for or against each question put, unless he has a direct personal or pecuniary interest in the determination of such question, or unless he be excused by the House.

The Chair would state to the gentleman from Philadelphia, Mr. Levy, that the affirmative roll has been verified and the gentleman could not be recorded on the affirmative roll.

Mr. LEVY. Mr. Speaker, I accept the explanation of the Speaker regarding the verification of the affirmative roll. However, is it possible for a Member of the House to know how another Member voted until he hears the reading of the negative roll.

The SPEAKER. The negative roll has just been read. Every member should know how he has voted.

Mr. LEVY. Mr. Speaker, may I then inquire if the gentleman from Philadelphia, Mr. Tahl, has obtained an excuse for not voting?

The SPEAKER. Will the gentleman yield to Mr. Tahl?

Mr. LEVY. I shall, Mr. Speaker.

Mr. TAHL. Mr. Speaker, I think I should explain why I did not vote. I am perfectly willing to state that the reason I said under the rules I was not required to vote was because it was a resolution, and in addition to that,

Mr. Speaker, I happened to be engaged in conversation with a Member at that time, and of course, I did not hear my name called. I want to say further that I have voted for the Pollution Bill and if the gentleman wants to know how I stand on it let him look at the record.

The SPEAKER. The Chair desires to know whether the gentleman wishes to be excused from voting.

Mr. LEVY. I desire to inquire now, Mr. Speaker, as to whether the gentleman from Philadelphia has obtained or asked for an excuse from voting on the resolution.

Mr. TAHL. Mr. Speaker—

The SPEAKER. The gentleman can be recorded on the negative roll, if he so desires, but could not be recorded on the affirmative roll.

Mr. LEVY. With the Speaker's permission I will again repeat that my question is, did the gentleman obtain or was the gentleman excused from voting on the question?

The SPEAKER. He was not excused from voting.

Mr. LEVY. I thank you, Mr. Speaker.

Mr. TAHL. Mr. Speaker, I want to say further that had I heard my name called I would have voted "No."

The SPEAKER. The gentleman will be recorded as voting "no" on the bill.

Mr. LEVY. I then desire to inquire, Mr. Speaker, how the gentleman from Philadelphia, Mr. Mintess, is recorded as voting.

The SPEAKER. The gentleman is not recorded.

Mr. LEVY. Mr. Speaker, in view of the fact that I saw the gentleman from Philadelphia during the roll call, I would ask has that gentleman obtained an excuse not to vote?

The SPEAKER. Does the gentleman from Philadelphia, Mr. Mintess, desire to be recorded or excused?

Mr. MINTESS. I voted "aye," Mr. Speaker.

Mr. LEVY. I thank you, Mr. Speaker.

The SPEAKER. The gentleman cannot be recorded as voting "aye" because the affirmative roll has been verified.

Mr. MINTESS. I would like to be excused then, Mr. Speaker, if I cannot be recorded as voting "aye".

The SPEAKER. Will the House give its unanimous consent to excuse the gentleman from Philadelphia, Mr. Mintess, from voting? Is there objection? The Chair hears no objections. The gentleman is excused from voting.

Mr. LEVY. I desire to inquire, Mr. Speaker, as to how the gentleman from Philadelphia, Mr. Boyd, is recorded as voting.

The SPEAKER. The gentleman is not recorded.

Mr. LEVY. I desire to inquire as to whether the gentleman from Philadelphia, Mr. Boyd, has obtained an excuse from the House for not voting?

The SPEAKER. The Chair recognizes the gentleman from Philadelphia, Mr. Boyd. Does the gentleman from Philadelphia, Mr. Boyd, desire to be recorded on the negative roll or does he desire to be excused?

Mr. BOYD. I desire to be recorded on the negative roll, Mr. Speaker.

The SPEAKER. Was the gentleman in the hall of the House?

Mr. BOYD. I was, Mr. Speaker.

The SPEAKER. The gentleman will be recorded on the negative roll.

Mr. LEVY. Mr. Speaker, I desire to inquire how the gentleman from Philadelphia, Mr. Salus, is recorded as voting.

Mr. SALUS. Mr. Speaker, I am not recorded.

PARLIAMENTARY INQUIRY

Mr. AUKER. Mr. Speaker, I rise to a question of parliamentary inquiry.

The SPEAKER. The gentleman from Blair will state his question of parliamentary inquiry.

Mr. AUKER. Mr. Speaker, after a roll has been verified can any Member be excused in any form or shape whatsoever? Isn't a roll call to all intents and purposes to record the members voting?

The SPEAKER. The Chair has informed the gentleman from Philadelphia that the affirmative roll has been verified. Nothing can be done about that. We are in the process of verifying the negative roll.

Mr. AUKER. Mr. Speaker, is not the gentleman from Philadelphia, Mr. Levy, then out of order in inquiring whether or not the Members who are not recorded have been excused?

The SPEAKER. The gentleman is not out of order in challenging any Member because we are in the process of verifying the negative roll. He has a right to inquire how a member voted.

Mr. SALUS. Mr. Speaker, I am not recorded. I have been a member for seven sessions of the Senate and three terms in the House and I have never voted to discharge a committee and I never intend to vote to discharge a committee.

This resolution is not offered with honest intention. I do not propose either on behalf of myself or on behalf of any of the Philadelphia delegation to have pulled on us what is nothing more or less than a political trick for political propaganda and for no other purpose whatever. The only intention is to try to besmirch the Members of the Philadelphia delegation who are supporting these bills on the subject of pollution. This proceeding is strictly Democratic political propaganda done for political campaign purposes, and neither I nor any other Member of the Philadelphia delegation will allow ourselves to be made the tools of Democratic propaganda. For that reason, which I consider a personal reason, I refuse to vote on this question.

Mr. LEVY. Mr. Speaker, since the gentleman from Philadelphia has taken the time of the House in his answer—

The SPEAKER. There is nothing before the House except the verification of the roll.

Mr. LEVY. I then insist, Mr. Speaker—

The SPEAKER. The gentleman from Philadelphia, Mr. Salus, has stated it was a matter personal to himself. The Chair accepts that as a reason for not voting. We will continue with the verification of the negative roll and nothing else.

Mr. LEVY. I then inquire, Mr. Speaker, how the gentleman from Philadelphia, Mr. Costa, is recorded as voting.

Mr. COSTA. Mr. Speaker, being in the hall of the House I voted "aye."

Mr. LEVY. Mr. Speaker, the gentleman's name is not on the affirmative roll.

The SPEAKER. The gentleman's name is not on the affirmative roll. Will the House give its unanimous con-

sent to permit the gentleman to be recorded as voting "aye"? The Chair hears no objections. The gentleman will be recorded on the affirmative roll.

Mr. LEVY. Mr. Speaker, I desire to inquire as to how the gentleman from Philadelphia, Mr. Menna, is recorded as voting.

Mr. MENNA. Mr. Speaker, I did not hear my name called at the time of the vote but I would like to be excused.

The SPEAKER. The gentleman asks to be excused from voting. For what reason?

Mr. MENNA. Mr. Speaker, I would like to be recorded as voting "no".

The SPEAKER. Was the gentleman in the hall of the House?

Mr. MENNA. I was, Mr. Speaker.

The SPEAKER. The gentleman will be so recorded.

Mr. LEVY. I desire to inquire, Mr. Speaker, how the gentleman from Philadelphia, Mr. O'Dare, is recorded as voting.

The SPEAKER. The gentleman is not recorded.

Mr. O'DARE. I voted "aye", Mr. Speaker.

The SPEAKER. The gentleman is not recorded on the affirmative roll. Does the gentleman ask unanimous consent of the House to be recorded on the affirmative roll?

Mr. O'DARE. No, Mr. Speaker.

The SPEAKER. The gentleman does not ask unanimous consent. The Chair would remind the gentleman from Philadelphia, Mr. Levy, that we have a forty-nine page calendar and requests him to cooperate with the Chair. What does the gentleman from Philadelphia, Mr. O'Dare, desire?

Mr. O'DARE. Nothing, Mr. Speaker.

Mr. LEVY. Mr. Speaker, I desire to inquire if the gentleman from Philadelphia, Mr. Tiemann, has obtained an excuse for not voting?

Mr. TIEMANN. Mr. Speaker, I was not present at the beginning when the debate was on and was not fully familiar with it, but if it is in regard to pollution and silt I have a resolution that I put in the House during the early part of the session.

The SPEAKER. Was the gentleman in the hall of the House during the calling of the roll?

Mr. TIEMANN. Yes, I was, Mr. Speaker, and I would like to be recorded as voting "aye", backing up the chairman of the committee.

The SPEAKER. Will the House give its unanimous consent to allow the gentleman to be recorded as voting "aye"? The Chair hears no objection and the gentleman will be so recorded.

Mr. LEVY. I desire to inquire if the gentleman from Philadelphia, Mr. Gorman, has obtained an excuse for not voting.

The SPEAKER. The gentleman does not seem to be present in the House.

Mr. LEVY. The gentleman is here, Mr. Speaker. I asked concerning the excuse requested by the gentleman from Philadelphia, Mr. Gorman, and I am awaiting a reply from the Speaker.

The SPEAKER. Is the gentleman in the Hall of the House?

Mr. GORMAN. Mr. Speaker, I was in the Hall but I did not vote. I want to be recorded as voting "no."

The SPEAKER. The gentleman will be so recorded.

Mr. LEVY. I desire to inquire if the gentleman from Philadelphia, Mr. Walton, has obtained an excuse for not voting.

The SPEAKER. Is the gentleman in the Hall of the House?

Mr. WALTON. Right here, Mr. Speaker, I did not vote and do not desire to vote for personal reasons and I ask to be excused.

The SPEAKER. Will the House excuse the gentleman from voting? The Chair hears no objection. The gentleman from Philadelphia, Mr. Walton, is excused from voting.

Mr. LEVY. I desire to inquire as to whether or not the gentleman from Philadelphia, Mr. Murray, obtained an excuse for not voting.

Mr. MURRAY. Mr. Speaker, I desire to vote "aye."

The SPEAKER. The gentleman is not recorded. Will the House give its unanimous consent to have the gentleman's name recorded on the affirmative roll? The Chair hears no objection and the gentleman will be recorded as voting "aye."

Mr. LEVY. Mr. Speaker, I might add that I had desired to inquire how the gentleman from Philadelphia, Mr. Lee, voted but in view of the fact that he walked in after the roll was called I won't question him.

PERMISSION TO ADDRESS HOUSE REFUSED

Mr. GRANT. Mr. Speaker, I desire to have unanimous consent to make a brief statement.

The SPEAKER. Will the House give its unanimous consent? Is there objection?

Mr. LICHTENWALTER. I object, Mr. Speaker.

The SPEAKER. The Chair hears objection and consent is not granted.

Mr. LICHTENWALTER. Mr. Speaker, we would be very glad to grant the gentleman some time, but we have a lengthy calendar and have already consumed a great deal of time today. If the gentleman is willing, I would ask him to bide his time and speak a little later, after we have finished with the calendar.

Mr. COHEN. Did I understand the gentleman from Lehigh, Mr. Lichtenwalter, correctly to state that we would take this matter up later?

Mr. LICHTENWALTER. Yes, Mr. Speaker.

Mr. COHEN. Mr. Speaker, I might say for the information of the House that by agreement on procedure for today, made with the Majority Leader, which information was conveyed to the Chair, resolutions were going to be offered by the two gentlemen whose resolutions have just been read and laid on the table, and a resolution offered by the gentleman from Berks, Mr. Grant. All I ask, Mr. Speaker, is that that agreement be kept, inasmuch as the subject under discussion in the three resolutions pertains to the same general matter of business.

Mr. LICHTENWALTER. Mr. Speaker, I will withdraw my objection to the request of the gentleman from Berks.

PERMISSION TO ADDRESS HOUSE

Mr. GRANT asked and obtained unanimous consent to address the House.

Mr. Speaker, when I went to law school I studied ethics, one thing that was impressed upon me was that the court

and the members of the bar should be courteous at all times, especially to those who were young and inexperienced in the law. This is my first term, this is my first speech, and I am certainly under a handicap. I would be the last one to get up here and try to take any of the time of these Members. I appreciate the Speaker's position that he would like to have this calendar cleaned up and get this thing over with. I feel very badly about the matter.

At the Monday night's session being vitally interested in House Bill 57, Printer's No. 584, after the roll was called on said bill, realizing that there was a misunderstanding among some of the Members of the House in regard to said bill, I changed my vote from "aye" to "no" for the purpose of being in a position to move to have the bill reconsidered, and I now make that motion.

RECONSIDERATION OF VOTE

Mr. GRANT. Mr. Speaker, I move that the vote by which House Bill No. 57, Printer's No. 584, entitled:

An Act to amend section three hundred ten of the act, approved the twenty-second day of June, one thousand nine hundred thirty-seven (P. L. 1987), entitled "An act to preserve and improve the purity of the waters of the Commonwealth for the protection of public health, animal and aquatic life, and for industrial consumption and recreation; empowering and directing the creation of indebtedness for the issuing of non-debt revenue bonds, by political subdivisions, to provide works to abate pollution; providing protection of water supply; providing for the jurisdiction of courts, magistrates, aldermen and justices of the peace, in the enforcement thereof, and providing additional remedies for abating pollution of waters; imposing certain penalties; and repealing certain acts,' by including the drainage of silt in the provisions of article three thereof; and suspending the enforcement of the act in certain cases,"

was defeated on final passage on Monday, April 26th, be reconsidered.

Mr. MAXWELL. Mr. Speaker, I second the motion.

The SPEAKER. How did the gentleman from Berks, Mr. Grant, vote on the final passage of this bill?

Mr. GRANT. Mr. Speaker, I voted in the majority.

The SPEAKER. How did the gentleman from Westmoreland, Mr. Maxwell, vote on the final passage of this bill?

Mr. MAXWELL. Mr. Speaker, I voted in the majority.

On the question,

Will the House agree to the motion?

MOTION LAID ON TABLE

Mr. LICHTENWEALTER. Mr. Speaker, I move that the motion be laid on the table.

On the question,

Will the House agree to the motion?

Mr. CHARLES H. BRUNNER, Jr. Mr. Speaker, for the first time in three terms in this Legislature—

The SPEAKER. The chair would inform the gentleman that a motion to lay on the table is not debatable.

Mr. CHARLES H. BRUNNER, Jr. Mr. Speaker, will the Majority Floor Leader withdraw his motion so that I may make a few remarks on the subject of this measure?

MOTION TO LAY ON TABLE WITHDRAWN

Mr. LICHTENWALTER. I will withdraw the motion, Mr. Speaker.

On the question recurring,

Will the House agree to the motion to reconsider the vote by which House Bill No. 57 was defeated on final passage?

Mr. CHARLES H. BRUNNER, Jr. Mr. Speaker, as I understand it now, I am now in position to speak on the motion of Mr. Grant.

I wish to impress upon the membership of this House that on Monday night when this measure came to a final vote there were but one hundred fifty-two members in this House, and the vote then was insufficient to pass the bill finally. I think this bill is the most important measure that I have ever been privileged to introduce in this legislature. I know that the sportsmen and others whom I spoke about the other evening are very much in favor of having some relief by having this bill enacted. I do not want to anticipate any subsequent motion that may be made on the floor of this House but I think in fairness to all concerned, the least this House can do is to support a motion to reconsider, so that when a full membership is present on the floor of this House a measure of the importance of this one will receive the careful consideration to which it is entitled. For that reason I urge that the motion of the gentleman from Berks, Mr. Grant, to reconsider the vote receive favorable action by the members of this House, and any measure to block it be opposed.

MOTION LAID ON TABLE

Mr. LICHTENWALTER. Mr. Speaker, I move you that the motion to reconsider the vote by which House Bill 57 was defeated on final passage be laid upon the table.

On the question,

Will the House agree to the motion?

The yeas and nays were required by Mr. Tate and Mr. Grant and were as follows:

YEAS—92

Auker,	Gardner,	Leydic,	Rose, W. E.,
Barton,	Gillan,	Lichtenwalter,	Rowley,
Bonawitz,	Goodling,	Livingstone,	Royer,
Brice,	Greenwood,	Lyons,	Sarge,
Cordier,	Gross,	Madigan,	Serrill,
Dague,	Gyger,	Mahany,	Simons,
Dalrymple,	Hannon,	McClester,	Smith,
Denman,	Hare,	McKinney,	Stank,
Dennison,	Haudenshield,	McMillen,	Stockham,
Depuy,	Helm,	McSurdy,	Stonier,
Dix,	Hewitt,	Miller,	Taylor,
Elder,	Hocke,	Mock,	Thrasher,
Ely,	Hoffman,	Moser,	Turbett,
Erb,	Holmes,	Muir,	Van Allsburg,
Ewing,	Hoopes,	Munley,	Wachhaus,
Figlock,	Huntley,	Nowak,	Wagner, K. H.,
Flack,	Jones,	O'Neill,	Wagner, P. L.,
Fleming,	Kennedy,	Reagan,	Wallin,
Flynn,	Kitchen,	Reese, D. P.,	Watkins,
Foor	Kline,	Regan,	Worley,
Fox,	Kowalski,	Reilly,	Yeakel,
Freed,	Krepps,	Riley,	Fiss,
Fullerton,	Krise,	Robertson,	Speaker.
Garber,	Leisey,		

NAYS—81

Baker,	Dillon,	Lee,	Root,
Barrett,	Duffy,	Leonard,	Rose, S.,
Bentley,	Elliott,	Levy,	Salus,
Boory,	Finnerty,	Longo,	Sarraf,
Bower,	Goodwin,	Lovett,	Schuster,
Bretherick,	Gorman,	Maxwell,	Skale,
Brigerman,	Grant,	Mihm,	Snider,

Brown,	Green,	Mintess,	Sorg,
Brunner, C. H.,	Haberlen,	Modell,	Tahl,
Brunner, P. A.,	Hall,	Mooney,	Tate,
Burns,	Hamilton,	Moran,	Thompson,
Campbell,	Heatherington,	Murray,	Tiemann,
Chervenak,	Herman,	O'Connor,	Trent,
Chudoff,	Hersch,	O'Dare,	Walton,
Cohen,	Hoggard,	Owens,	Weiss,
Coleman,	Hunter, B. F.,	Petrosky,	Welsh,
Cooper,	Irvin,	Pettit,	Wood, L. H.,
Corrigan,	James,	Polaski,	Wood, N.,
Costa,	Kirley,	Readinger,	Wright,
Croop,	Kolankiewicz,	Reese, R. E.,	Yester,
Cullen,	Lane,	Reynolds,	

So the question was determined in the affirmative and the motion was agreed to.

The SPEAKER. The Chair requests the gentleman from Cameron, Mr. Huntley, to preside.

MR. HUNTLEY IN THE CHAIR

BILLS ON FIRST READING

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 267, entitled:

An Act to add section nine hundred seventy-eight and one-tenth to the act approved the third day of June, one thousand nine hundred thirty-seven, (P. L. 1333), entitled "An act concerning elections, including general, municipal, special and primary elections, the nomination of candidates, primary and election expenses and election contests; creating and defining membership of county boards of elections; imposing duties upon the Secretary of the Commonwealth, courts, county boards of elections, county commissioners; imposing penalties for violation of the act, and codifying, revising and consolidating the laws relating thereto; and repealing certain acts and parts of acts relating to elections," requiring persons nominated for office at a primary election who have not paid the filing fee required for the filing of nomination petitions for such office to pay such fee, and declaring vacancies in party nominations for failure to pay the same.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 666, entitled:

An Act to further amend section two thousand five hundred and sixty-six of the act, approved the twenty-third day of June, one thousand nine hundred and thirty-one (P. L. 932), entitled "An act relating to cities of the third class; and amending, revising, and consolidating the law relating thereto," providing for the appointment of delinquent tax collectors and defining their powers, duties and responsibilities.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 718, entitled:

An Act to repeal sections twenty-nine and thirty-two, and to amend sections thirty-one and thirty-three of the act, approved the sixteenth day of May, one thousand nine hundred and twenty-three (P. L. 207), entitled "An act providing when, how, upon what property and to what extent, liens shall be allowed for taxes and for municipal improvements, for the removal of nuisances and for water rents or rates, sewer rates, and lighting rates, for the procedure upon claims filed therefor; the methods for preserving such liens and enforcing payment of such claims; the effect of judicial sales of the properties liened; the distribution of the proceeds of such sales, and the redemption of the property therefrom; for the lien and collection of certain taxes heretofore assessed, and of claims for municipal improvements made and nuisances removed, within six months before the passage of this act; and for the procedure on tax and municipal claims filed under other and prior acts of Assembly," further regulating the sale of real property for the non-payment of tax and municipal claims where a municipality is the claimant; providing for the discharge of all liens, mortgages, ground rents, estates and claims against such property by such sale, and eliminating the right of redemption after such sales.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1036, entitled:

An Act providing for the survey and establishment of a relief highway in the County of Dauphin as a part of the State highway system; authorizing the taking of streets and roads and the laying out of new streets and roads; providing for the taking of private property under the power of eminent domain, the determination and payment of damages, and the construction, reconstruction, improvement and maintenance of said highway, by the Commonwealth; authorizing the Commonwealth to accept voluntary contributions from certain political subdivisions, and the use of Federal moneys if available; imposing certain duties on the Secretary of Highways, and making an appropriation.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1108, entitled:

An Act to further amend the act, approved the seventh day of May, one thousand nine hundred and twenty-seven (P. L. 859), entitled "A supplement to the act, approved the twentieth day of June, one thousand nine hundred and nineteen (P. L. 521), entitled 'An act providing for the imposition and collection of certain taxes upon the transfer of property passing from a decedent who was a resident of this Commonwealth at the time of his death, and of property within this Commonwealth of a decedent who was a nonresident of the Commonwealth at the time of his death; and making it unlawful for any corporation of this Commonwealth, or national banking association located therein, to transfer the stock of such corporation or banking association, standing in the name of any such decedent, until the tax on the transfer thereof has been paid; and providing penalties; and citing certain acts for repeal,' imposing additional taxes equal to Federal credits," by further defining and imposing such additional taxes as estate taxes; prescribing and changing the method of computing such taxes; and decreasing the interest penalty on unpaid taxes.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 305, entitled:

An act to further amend the act aproved the thirtieth day of May one thousand nine hundred thirty-seven (P. L. 115) entitled "An act to provide for the permanent

personal registration of electors in cities of the first class as a condition of their right to vote at elections and primaries and their enrollment as members of political parties as a further condition of their right to vote at primaries prescribing certain procedure for the conduct of elections and primaries and the challenge and proof of qualifications of electors and prescribing the powers and duties of citizens parties bodies of electors registration commissions commissioners registrars inspectors of registration and other appointees of registration commission election officers municipal officers departments and bureaus police officers courts judges prothonotaries sheriffs county commissioners peace officers county treasurers county controllers registrars of vital statistics real estate brokers rental agents certain public service companies persons firms and corporations operating vehicles for moving furniture and household goods and boards of school directors and imposing penalties" by changing certain provisions of said act relating to removal notices and eliminating electors' rights to file removal notices in certain cases.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 810, entitled:

An Act relating to the filing and revival of liens for taxes and water rates in the office of the prothonotary of common pleas court on real estate within the territorial limits of cities of the second class; prescribing duties and fees of prothonotaries; establishing the office of solicitor for delinquent tax and water rate liens; defining the powers and duties of said office, providing for enforced collection of said taxes and water rates; imposing duties upon cities of the second class and school districts within the territorial limits of cities of the second class.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 259, entitled:

An Act to validate certain acknowledgements and to regulate the effect thereof.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

HOUSE BILLS NOT ON FILE

The SPEAKER pro tempore:
House Bill No. 689, Printer's No. 626;
House Bill No. 1037, Printer's No. 627;
Senate Bill No. 53, Printer's No. 357;
Senate Bill No. 54, Printer's No. 358;
Senate Bill No. 345; Printer's No. 359 and
House Bill No. 1066, Printer's No. 628,
are not on file and will be passed over.

THE SPEAKER (Ira T. Fiss) IN THE CHAIR

The SPEAKER. The Chair thanks the gentleman from Cameron, Mr. Huntley, for presiding.

SENATE MESSAGE

RESOLUTION CONCURRED IN BY SENATE

The Clerk of the Senate being introduced, informed that the Senate has concurred in the resolution from the House of Representatives, as follows:

In the House of Representatives, April 27, 1943.

Resolved (if the Senate concur), that House Bill No. 549, Printer's No. 474, entitled "An act to further amend sections three hundred one and three hundred three of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 343) entitled 'An act relating to the finances of the State government providing for the settlement assessment collection and lien of taxes bonus and all other accounts due the Commonwealth the collection and recovery of fees and other money or property due or belonging to the Commonwealth or any agency thereof including escheated property and the proceeds of its sale the custody and disbursement or other disposition of funds and securities belonging to or in the possession of the Commonwealth and the settlement of claims against the Commonwealth the resettlement of accounts and appeals to the courts refunds of moneys erroneously paid to the Commonwealth auditing the accounts of the Commonwealth and all agencies thereof of all public officers collecting moneys payable to the Commonwealth or any agency thereof and all receipts of appropriations from the Commonwealth and imposing penalties affecting every department board commission and officer of the State government every political subdivision of the State and certain officers of such subdivisions every person association and corporation required to pay assess or collect taxes or to make returns or reports under the laws imposing taxes for State purposes or to pay license fees or other moneys to the Commonwealth or any agency thereof every State depository and every debtor or creditor of the Commonwealth' by authorizing the Board of Finance and Revenue with the approval of the Governor, to invest State deposits in short-term obligations of the United States government and to dispose of the same", be recalled from the Governor for the purpose of amendment.

BILLS ON SECOND READING

Agreeably to order,
The House proceeded to the second reading and consideration of House Bill No. 1063, entitled:

An Act making an appropriation to the Board of Finance and Revenue for the payment of certain moral claims against the Commonwealth

And said bill having been read at length the second time and agreed to
Ordered, To be transcribed for third reading.

Agreeably to order,
The House proceeded to the second reading and consideration of House Bill No. 913, entitled:

An Act relating to vital statistics and to make uniform the law with reference thereto

The first to the seventh sections inclusive were separately read and agreed to.
The eighth section was read.
On the question,
Will the House agree to the section?
Mr. CORDIER offered the following amendment:

Amend Sec. 8, page 4, line 13, by striking out the word "appropriation" and inserting in lieu thereof: "approximation."

It was agreed to.
The section was agreed to as amended.
The ninth section was read and agreed to.

The tenth section was read.

On the question,

Will the House agree to the section?

Mr. CORDIER offered the following amendments:

Amend Sec. 10, page 5, line 17, by inserting after the word "or" the following: "if."

Amend Sec. 10, page 6, line 1, by striking out "ocroner" and inserting in lieu thereof: "coroner."

They were agreed to.

The section was agreed to as amended.

The eleventh, twelfth and thirteenth sections were separately read and agreed to.

The fourteenth section was read.

On the question,

Will the House agree to the section?

Mr. CORDIER offered the following amendments:

Amend Sec. 14, page 6, line 28, by striking out the word "copies" and inserting in lieu thereof: "Copies."

Amend Sec. 14, page 7, line 1, by striking out the word "sections" and inserting in lieu thereof: "Sections."

Amend Sec. 14, page 7, line 8, by striking out the word "sections" and inserting in lieu thereof: "Sections."

They were agreed to.

The section was agreed to as amended.

The fifteenth section was read.

On the question,

Will the House agree to the section?

Mr. CORDIER offered the following amendment:

Amend Sec. 15, page 7, line 14, by striking out the word "sections" and inserting in lieu thereof: "Sections."

It was agreed to.

The section was agreed to as amended.

The sixteenth, seventeenth, eighteenth and nineteenth sections were separately read and agreed to.

The twentieth section was read.

On the question,

Will the House agree to the section?

Mr. CORDIER offered the following amendment:

Amend Sec. 20, page 8, line 12, by striking out the word "statistics" and inserting in lieu thereof: "statistic."

It was agreed to.

The section was agreed to as amended.

The twenty-first to the twenty-seventh sections inclusive were separately read and agreed to.

The twenty-eighth section was read.

On the question,

Will the House agree to the section?

Mr. CORDIER offered the following amendment:

Amend Sec. 28, page 11, line 9, by striking out the word "deparament" and inserting in lieu thereof: "department."

It was agreed to.

The section was agreed to as amended.

The twenty-ninth to the thirty-eighth sections inclusive and title were separately read and agreed to.

And said bill having been read at length the second time and agreed to as amended.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 716, entitled:

An Act to amend section three of the act approved the second day of July one thousand nine hundred and thirty-seven (P. L. 2793) entitled "An act authorizing and empowering any city county school district or other municipality which shall have acquired a limited title to real estate for municipal purposes to secure a title in fee simple to any such real estate and providing and regulating the procedure in such cases" by making a final determination conclusive against subsequent claimants

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

BILL PASSED OVER

There being no objection Senate Bill No. 34, Printer's No. 328, was passed over at the request of Mr. LICHTENWALTER.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 165, entitled:

An Act to amend section six hundred seven, and to further amend section seven hundred one of the act, approved the ninth day of April, one thousand nine hundred and twenty-nine (P. L. 177), entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments, boards, commissions, and officers thereof, including the boards of trustees of State Normal Schools, or Teachers Colleges; abolishing, creating, reorganizing or authorizing the reorganization of certain administrative departments, boards, and commissions; defining the powers and duties of the Governor and other executive and administrative officers, and of the several administrative departments, boards, commissions, and officers; fixing the salaries of the Governor, Lieutenant-Governor, and certain other executive and administrative officers; providing for the appointment of certain administrative officers, and of all deputies and other assistants and employes in certain departments, boards, and commissions; and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments, boards and commissions shall be determined," by authorizing the appointment of certified public accountants for the purpose of auditing the accounts of the Auditor General, and requiring the Auditor General to submit all books, records and papers to such accountants.

The first and second sections were separately read and agreed to.

Mr. COHEN offered the following amendments to the bill, adding thereto sections three and four:

Amend bill, page 6, by inserting after line 12, the following:

Section 3. Section one thousand one of said act is hereby amended to read as follows:

Section 1001. Power and Duties Retained. Subject to any inconsistent provisions in this act contained, the Department of the Auditor General shall exercise its powers and perform its duties as provided in the Fiscal Code and other applicable laws. In addition to any other powers and duties thus provided by law, it shall be the duty of the Department of the Auditor General to make all audits, which may be necessary, in connection with the administration of the financial affairs of the government of this Commonwealth.

At least one audit shall be made each year of the affairs of every department, board, including the State Workmen's Insurance Board, and commission of the executive branch of the government, and all collections made by departments, boards, or commissions, and the accounts of every State institution, shall be audited quarterly.

Special audits of the affairs of all departments, boards, including the State Workmen's Insurance Board, commis-

sions, or officers, may be made whenever they may, in the judgment of the Auditor General, appear necessary, and shall be made whenever the Governor shall call upon the Auditor General to make them.

Copies of all audits made by the Department of the Auditor General shall be promptly submitted to the Governor.

Unless the Department of the Auditor General shall fail or refuse to make annual, quarterly, or special audits, as hereinabove required, it shall be unlawful for any other administrative department, any independent administrative board or commission, or any departmental administrative or advisory board or commission, to expend any money appropriated to it by the General Assembly for any audit of its affairs, or, in the case of departments, of any boards or commissions connected with them except for the reimbursement of the General Fund for audits made by the Department of the Auditor General as provided by law, or for the payment of the compensation and expenses of such auditors as are regularly employed as part of the administrative staffs of such departments, boards, or commissions, respectively.

Section 4. Any acts or parts of acts which provide for the audit of the affairs of the State Workmen's Insurance Board in any other manner than that provided under the amendments hereinbefore made to section one thousand one, are hereby repealed in so far as inconsistent with the provisions of said section one thousand one.

On the question,

Will the House agree to the amendments?

Mr. COHEN. I first would like, Mr. Speaker, to interrogate the gentleman from Lehigh, Mr. Lichtenwalter.

The SPEAKER. Will the gentleman from Lehigh permit himself to be interrogated?

Mr. LICHTENWALTER. I shall, Mr Speaker.

Mr. COHEN. Mr. Speaker, will the gentleman agree with me that the purpose of this bill is to provide that accountants be engaged to audit the affairs of the Auditor General and the department of the Auditor General?

Mr. LICHTENWALTER. That is correct, Mr. Speaker. I believe amendments were offered in the Senate, and also in committee, that would allow the Governor to appoint men from the Revenue Department, accountants there to make this audit if he desires.

Mr. COHEN. Will the gentleman further answer me whether the affairs of the Auditor General under the fiscal code may be audited by the auditors?

Mr. LICHTENWALTER. Mr. Speaker, I believe this is the only Department on the Hill that is not audited regularly, because the Auditor General does audit the financial accounts as to how the various moneys are spent, whether they are spent properly, and I imagine the only thing they could audit in this particular instance would be the accounting as to how the money was spent that was appropriated to the department of the Auditor-General.

Mr. COHEN. I rather agree with the gentleman, Mr. Speaker. But will the gentleman tell me why he used the language "affairs of the Auditor General" and why not "the Department of the Auditor General"? It seems to me that "the affairs of the Auditor General" would be rather a matter of personal property.

Mr. LICHTENWALTER. I cannot answer that, Mr. Speaker, why the word "affairs" was used.

Mr. COHEN. Does the gentleman feel that the insertion of the amendments in italics "affairs" adds anything to the bill?

Mr. LICHTENWALTER. No, it does not, Mr. Speaker.

Mr. COHEN. Does the gentleman feel then that the fact that with those words not in the bill the bill might be just as effective?

Mr. LICHTENWALTER. I didn't get the question, Mr. Speaker.

Mr. COHEN. I asked whether with the word "affairs" omitted the bill will in any way be harmed.

Mr. LICHTENWALTER. I do not think so, Mr. Speaker.

Mr. COHEN. Will the gentleman further answer this question, whether he feels that all departments and the various boards of the Commonwealth which have to do with any of the money of the Commonwealth should all be audited and be under the same sort of supervision of some central body as to the expenditure of funds?

Mr. LICHTENWALTER. I do, Mr. Speaker.

Mr. COHEN. Mr. Speaker, upon interrogation the gentleman from Lehigh, Mr. Lichtenwalter, stated, and I heartily agree with him, that all departments, boards, bureaus, and other agencies of this Commonwealth that handle Commonwealth money, ought to be under some sort of audit, because we appropriate to them what we are obligated to appropriate to them for the affairs of the Commonwealth, and we ought to know where the money goes, determine just how carefully the money is spent and whether it is spent for purposes proper under the law. I do not disagree with the gentleman that the Auditor General ought not to be audited. It seems somewhat peculiar to me to audit an auditor, but if that is the wish of the administration they may be on firm ground.

When I read the bill, it occurred to me that there was another department or agency of the Commonwealth which all these years has not been audited. That is the State Workmen's Insurance Fund, for which this assembly is obligated to furnish funds. In fact the only way to start that fund was by an appropriation by the House, passed upon by the Senate and signed by the Governor. If the fund ever runs out of money,—I understand the fund is in pretty good shape now, but if tomorrow they came to us and said "We are out of money, and we will have to have money to run this department", we will have to give it to them. If this is true in every other department of the Commonwealth then why in the world does it not apply to Workmen's Compensation? Therefore, if it is a matter of administration policy to make sure that we have audits, I urge for the sake of uniformity and consistency in watching over the Commonwealth's funds that these amendments be adopted so that the State Workmen's Insurance Fund shall hereafter be audited as provided by these amendments.

Mr. LICHTENWALTER. Mr. Speaker, in reply to the remarks of the gentleman from Philadelphia, first in the matter of the language used in the act, which originally I believe was "the expenditures made by the Auditor General" was then changed to "the affairs of the Auditor General", I understand that is common language used for all the other departments, and I don't see that it should be changed in this particular instance.

As far as the Workmen's Compensation Insurance Fund not being audited is concerned, that is at present being audited by the Insurance Department of the Commonwealth. I think that would also apply to the various

bureaus and boards under the various departments, which are audited by those particular departments, and of course at the present time the Auditor General is auditing the affairs of every department on the Hill. I don't see particularly that these amendments are necessary in order to give us a better accounting of the manner in which the moneys are being expended in the departments. Therefore, I would ask, Mr. Speaker, that the amendments be voted down.

Mr. COHEN. Mr. Speaker, since the majority feels that the audit of the State Workmen's Compensation Fund is something to run away from, then I am prepared to make the following bold statement: I heard a rumor around the halls of the House and Senate that a certain gentleman who is not an elected official of the Commonwealth was running the affairs of the Commonwealth. If he is, I think it is a shame, but I have heard stories around that Joe Grundy was running the works. I did not want to believe such a thing, because I thought we all felt that we were elected and sent here, in our own minds, to represent our people.

Let us go into a slight bit of history as to how the Workmen's Compensation in Pennsylvania was passed back in 1915 or 1913, if my memory serves me correctly. It was a reform required and needed in Pennsylvania that certain people did not like, and they had to take it against their own wishes, and by public compulsion. Then within a very short period of time amendments to the original act were made, so that control over the Workmen's Compensation of Pennsylvania could rest with the Pennsylvania Manufacturers Association, and ever since that time,—and the evidence is piled up high, Joe Grundy and his outfit have commanded workmen's compensation in Pennsylvania. The only manner in which they could command workmen's compensation is by having the State Workmen's Compensation Insurance Fund as the backstop for all the junk that the Pennsylvania Manufacturers Association won't write. The profitable business they have and the unprofitable business is tossed back on the Commonwealth for the Commonwealth to take.

In principle, Mr. Speaker, the idea is correct. Insurance companies should not be compelled to take risks that they do not want, but when you manipulate the Department so that you throw out of the Department, as was done in 1939 the good risks,—and there were 10,000 of them stolen from the State Workmen's Fund and leaving the junk, then it comes time to protest.

POINT OF ORDER

Mr. BRETHERICK. Mr. Speaker, I rise to a point of order.

The SPEAKER. The gentleman will state his point of order.

Mr. BRETHERICK. The point of order, Mr. Speaker, is that the gentleman is not speaking on the amendment.

The SPEAKER. The point of order is very well taken.

Mr. COHEN. Mr. Speaker, I will stick to the amendments that would require the Auditor General to audit the Stat eWorkmen's Compensation Fund, and I think the reason for having that audit is that Joe Grundy ruled the thing and Joe Grundy will manipulate the thing and Joe Grundy will ruin it.

The SPEAKER. The gentleman realizes that he is not speaking on the amendment. The Chair insists that the gentleman confine himself to the question before the House, the amendments to section three.

Mr. BRETHERICK. Mr. Speaker, I move that those last remarks be expunged from the record.

The SPEAKER. There is nothing before the House except the amendments offered by the gentleman from Philadelphia. The Chair insists that the gentleman confine his remarks to the amendments.

Mr. COHEN. Mr. Speaker, I just want to say that I just bought a new pair of shoes, and they hurt my feet. What I wanted to say was, and what I want to call to the attention of the House is, I don't just like to offer amendments and ask "Do you like the way they are written? Do you like the way the words are phrased? Do you like the paper they are written on?" I want to tell you what I am after, I want to tell you what they mean. If you know what they mean and therefore object, then the issue is clear. If you know that they mean what I said before, then object, but if the shoe is getting tight, then I suggest that you get another pair, and you can get them by changing shoemakers.

I think the amendments will provide a proper administrative change and a proper amendment to the fiscal code, and I think by their adoption, at least a little bit more than honesty is indicated, and we can make pretty sure that we will have a solution of our state problems that will not come back to haunt us in the years to come.

Mr. LICHTENWALTER. Mr. Speaker, I think it comes with very poor grace at this particular time when we are considering a bill that would allow the Governor of the Commonwealth to employ auditors to audit the accounts of the Auditor General of Pennsylvania. Of course, if we want to drag anyone or any name through the mud as far as auditing of any accounts are concerned, then we on this side can stand here at great length and quote, not from members of the majority party, but from members of the minority party and their leaders in Pennsylvania who made the accusation as to how the money was being misused and misspent by the Auditor General of Pennsylvania. It is, as I say, with poor grace that we try to inject into a bill that is designed to give the people of Pennsylvania good, sound, honest accounting of the affairs of the department of the Auditor General. As far as the insurance Fund is concerned, as I stated before, there is an audit made of this fund, made by the Insurance Department of the Commonwealth, and the Auditor General in turn makes an accounting of the Insurance Department. There are no secrets, there is nothing hidden that the Auditor General, if he wants to do the job cannot do under existing law. Therefore, I again ask that the amendments be voted down.

On the question recurring,

Will the House agree to the amendments?

They were agreed to.

Will the House agree to the section?

On the question recurring,

It was agreed to.

Mr. COHEN. Mr. Speaker, I will withdraw my amendments to the title.

The title was read and agreed to.

And said bill having been read at length the second time and agreed to as amended.

Ordered, To be transcribed for a third reading.

BILL PASSED OVER

There being no objection Senate Bill No. 311, Printer's No. 331, was passed over at the request of Mr. LICHTENWALTER.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 388, entitled:

An Act to amend sections three and four of and to add section 6.1 to the act, approved the thirty-first day of July, one thousand nine hundred forty-one (P. L. 644), entitled "An act to authorize housing authorities to undertake the development or administration of projects to provide safe and sanitary dwellings for persons engaged in national defense activities who would not otherwise be able to secure such dwellings within the vicinity thereof; to limit the initiation of the development of such projects until December 31, 1943; to authorize housing authorities to cooperate with or act as agent of the Federal Government in the development and administration of such projects of the Federal Government, to acquire or lease such projects and to sell or lease certain projects to the Federal Government; to authorize public bodies to assist such projects of housing authorities and of the Federal Government to provide safe and sanitary dwellings for persons engaged in national defense activities," by changing the definition of "Persons engaged in national defense activities" extending the time in which the development of projects may be initiated thereunder and authorizing housing authorities to cooperate with and assist counties, cities, boroughs and incorporated towns.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 389, entitled:

An Act to amend clause (g) of section three of, and to add section fourteen and one-tenth to, the act approved the twenty-eighth day of May, one thousand nine hundred thirty-seven, (P. L. 955), entitled "An act to promote public health, safety, morals, and welfare by declaring the necessity of creating public bodies, corporate and politic, to be known as housing authorities to engage in slum clearance, and to undertake projects, to provide dwelling accommodations for persons of low income; providing for the organization of such housing authorities; defining their powers and duties; providing for the exercise of such powers, including the acquisition of property by purchase, gift or eminent domain, the renting and selling of property, and including borrowing money, issuing bonds, and other obligations, and giving security therefor; prescribing the remedies of obligees of housing authorities; authorizing housing authorities to enter into agreements, including agreements with the United States, the Commonwealth, and political subdivisions and municipalities thereof; defining the application of zoning, sanitary, and building laws and regulations to projects built or maintained by such housing authorities; exempting the property and securities of such housing authorities from taxation; and imposing duties and conferring powers upon the State Board of Housing, and certain other State officers and departments," authorizing housing authorities to cooperate with and assist counties cities boroughs and incorporated towns.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 11, entitled:

An Act to amend section eighteen of the act approved the thirteenth day of June one thousand eight hundred thirty-six (P. L. 551) entitled "An act relating to roads highways and bridges" authorizing vacation of parts of public roads where termini of remaining parts of road are not in public highway or place of public resort

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 63, entitled:

An Act to amend the act approved the twenty-second day of April one thousand nine hundred and thirty-seven (P. L. 394) entitled "An act to authorize the Secretary of Highways to disregard terminal points in relocating State highway routes under certain conditions" by adding certain other conditions under which the Secretary of Highways may disregard terminal points

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 64, entitled:

An Act authorizing the Secretary of Highways to establish construct and maintain parallel or approximately parallel State highways in townships boroughs incorporated towns and cities in certain cases providing for the payment of property damages resulting therefrom and authorizing the Secretary of Highways to control the direction of the flow of traffic thereover

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 65, entitled:

An Act to further amend section one of the act approved the twenty-seventh day of April one thousand nine hundred and twenty-seven (P. L. 392) entitled "An act providing that highways or sections thereof abandoned as State highway routes shall revert for maintenance to the party or parties responsible for the maintenance of said highways prior to their coming under the jurisdiction of the Department of Highways" by providing that sections of highways abandoned by relocation shall be maintained by and at the expense of the township borough incorporated town or city within which they are located after being improved and repaired by the Department of Highways and by adding a new section to provide that portions or sections of the old highways which are not included within the changed altered or established widths shall be considered vacated if such portions or sections are not of the full width of the highway as previously established

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 86, entitled:

An Act to amend paragraph (f) of section two thousand three and paragraph (e) of section two thousand five of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined by extending the authority of the Department of Highways to rent and sell certain equipment and material

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 105, entitled:

An Act to amend section two thousand three of the act approved the ninth day of April one thousand nine hundred and twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" authorizing the Department of Highways to condemn rights-of-way as agent for the Federal Government

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 220, entitled:

An Act to further amend section six of the act approved the eighteenth day of June one thousand nine hundred and twenty-three (P. L. 840) entitled "An act concerning declaratory judgments and decrees and to make uniform the law relating thereto" further defining the circumstances under which the remedy provided is available

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 359, entitled:

An Act to amend section sixteen of the act approved the twelfth day of July one thousand nine hundred thirteen (P. L. 711) entitled "An act establishing a court for the county of Philadelphia prescribing its jurisdiction and powers providing for the service of its writs process or warrants by the proper officers of the county or city of Philadelphia regulating the procedure therein and appeals therefrom and providing for the expenses thereof" by extending its powers to include the issuance of writs of habeas corpus

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 275, entitled:

An Act authorizing and directing the Legislative Reference Bureau to compile edit and publish a compilation of laws relating to townships of the first class and making an appropriation

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1075, entitled:

An Act making an appropriation to the Department of Property and Supplies for the construction and improvement of buildings and equipment at certain State institutions operating under the Department of Welfare

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1110, entitled:

An Act making an appropriation to the George Jr Republic Association Grove City Pennsylvania

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

BILLS ON FINAL PASSAGE

BILL PASSED OVER

There being no objection Senate Bill No. 296, Printer's No. 330, was passed over at the request of Mr. LICHTENWALTER.

APPROPRIATION BILLS ON THIRD READING MADE SPECIAL ORDER

Mr. LICHTENWALTER. Mr. Speaker, I move that all Appropriations Bills on third reading be made a special order of business immediately in their order.

The motion was agreed to.

BILLS PASSED OVER

There being no objection House Bill No. 839, Printer's No. 253, was passed over at the request of Mr. WALTER E. ROSE.

There being no objection
House Bill No. 933, Printer's No. 487, and
Senate Bill No. 142, Printer's No. 154,
were passed ov at the request of The SPEAKER.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 277, as follows:

An Act making an appropriation for the purpose of maintaining the public roads and improving and replacing bridges thereon through the Cornplanter Indian Reservation in Elk Township Warren County Pennsylvania

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The sum of one thousand five hundred dollars ($1,500) or as much thereof as may be necessary is hereby specifically appropriated for the two fiscal years beginning June first one thousand nine hundred forty-three to be paid to the treasurer of Elk Township Warren County Pennsylvania for the purpose of improving and maintaining in good repair the public roads and highways passing through the Cornplanter Indian Reservation in said township and for the purpose of improving and replacing bridges and their abutments on such roads and highways Said money shall be paid on warrant drawn on the State Treasurer by the Auditor General and shall be disbursed under the direction of the supervisors of Elk Township

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—196

Alspach,	Flynn,	Lane,	Riley,
Auker,	Foor,	Laughner,	Robertson,
Baker,	Fox,	Lee,	Root,
Barrett,	Freed,	Leisey,	Rose, S.,
Bartley,	Fullerton,	Leonard,	Rose, W. E.,
Bentley,	Garber,	Levy,	Rowley,
Bentzel,	Gardner,	Leydic,	Royer,
Bonawitz,	Gates,	Lichtenwalter,	Salus,
Boorse,	Gillan,	Livingstone,	Sarge,
Boory,	Goodling,	Longo,	Sarraf,
Bower,	Goodwin,	Lovett,	Scanlon,
Boyd,	Gorman,	Lyons,	Schuster,
Bretherick,	Grant,	Madigan,	Serrill,
Brice,	Green,	Mahany,	Simons,
Brigerman,	Greenwood,	Maxwell,	Skale,
Brown,	Gross,	McAtee,	Smith,
Brunner, C. H.,	Gyger,	McClester,	Snider,
Brunner, P. A.,	Haberlen,	McKinney,	Sollenberger,
Burns,	Hall,	McMillen,	Sorg,
Calvin,	Hamilton,	McSurdy,	Stank,
Campbell,	Hannon,	Menna,	Stockham,
Chervenak,	Hare,	Mihm,	Stonier,
Chudoff,	Harris,	Miller,	Tahl,
Cohen,	Haudenshield,	Mintess,	Tate,
Coleman,	Heatherington,	Mock,	Taylor,
Cook,	Helm,	Mooney,	Thompson,
Cooper,	Herman,	Moore,	Thrasher,
Cordier,	Hersch,	Moran,	Tiemann,
Corrigan,	Hewitt,	Moser,	Trent,
Costa,	Hocke,	Muir,	Trout,
Coulson,	Hoffman,	Munley,	Turbett,
Croop,	Hoggard,	Murray,	Van Allsburg,
Dague,	Holmes,	Nowak,	Verona,
Dalrymple,	Hoopes,	O'Brien,	Wachhaus,
Denman,	Hunter, B. F.,	O'Connor,	Wagner, K. H.,
Dennison,	Hunter, W. M.,	O'Dare,	Wagner, P. L.,
Depuy,	Huntley,	O'Neill,	Wallin,
Dillon,	Imbrie,	Owens,	Walton,
Dix,	Irvin,	Petrosky,	Watkins,
Duffy,	James,	Pettit,	Weiss,
Elder,	Jones,	Polaski,	Welsh,
Elliott,	Kennedy,	Powers,	Winner,
Ewing,	Kirley,	Readinger,	Wood, L. H.,
Ely,	Kitchen,	Reagan,	Wood, N.,
Erb,	Kline,	Reese, D. P.,	Worley,
Figlock,	Kolankiewicz,	Reese, R. E.,	Wright,
Finnerty,	Kowalski,	Regan,	Yeakel,
Flack,	Krepps,	Reilly,	Yester,
Fleming,	Krise,	Reynolds,	Fiss, Speaker.

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 955, as follows:

An Act making an appropriation from the Motor License Fund to the Department of Property and Supplies for the payment of the costs incurred by that Department in acting as purchasing agent for the Department of Highways

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The sum of sixty-seven thousand five hundred dollars ($67,500) or as much thereof as may be necessary is hereby specifically appropriated from the Motor License Fund to the Department of Property and Supplies for the two fiscal years commencing the first day of June one thousand nine hundred forty-three for the payment of the salaries wages or other compensation of such bureau or division chiefs experts engineers accountants secretaries auditors inspectors examiners statisticians clerks stenographers bookkeepers messengers and other assistants and employes for the payment of postage traveling expenses telephone toll charges telegrams newspaper advertising and notices for the payment of the costs of advertising schedules of supplies proposals for executing any contract work readvertising any schedules or proposals when necessary for the purchase of office supplies and equipment stationery printing printing supplies and printing processes for the purchase of all other materials supplies and equipment and for the payment of such other expenses as may be necessary for the proper conduct of the work of the Department in acting as purchasing agent for the Department of Highways

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—196

Alspach,	Flynn,	Lane,	Riley,
Auker,	Foor,	Laughner,	Robertson,
Baker,	Fox,	Lee,	Root,
Barrett,	Freed,	Leisey,	Rose, S.,

Barton,	Fullerton,	Leonard,	Rose, W. E.,
Bentley,	Garber,	Levy,	Rowley,
Bentzel,	Gardner,	Leydic,	Royer,
Bonawitz,	Gates,	Lichtenwalter,	Salus,
Boorse,	Gillan,	Livingstone,	Sarge,
Boory,	Goodling,	Longo,	Sarraf,
Bower,	Goodwin,	Lovett,	Scanlon,
Boyd,	Gorman,	Lyons,	Schuster,
Bretherick,	Grant,	Madigan,	Serrill,
Brice,	Green,	Mahany,	Simons,
Brigerman,	Greenwood,	McAtee,	Skale,
Brown,	Gross,	Maxwell,	Smith,
Brunner, C. H.,	Gyger,	McClester,	Snider,
Brunner, P. A.,	Haberlen,	McKinney,	Sollenberger,
Burns,	Hall,	McMillen,	Sorg,
Calvin,	Hamilton,	McSurdy,	Stank,
Campbell,	Hannon,	Menna,	Stockham,
Chervenak,	Hare,	Mihm,	Stonier,
Chudoff,	Harris,	Miller,	Tahl,
Cohen,	Haudenshield,	Mintess,	Tate,
Coleman,	Heatherington,	Mock,	Taylor,
Cook,	Helm,	Mooney,	Thompson,
Cooper,	Herman,	Moore,	Thrasher,
Cordier,	Hersch,	Moran,	Tiemann,
Corrigan,	Hewitt,	Moser,	Trent,
Costa,	Hocke,	Muir,	Trout,
Coulson,	Hoffman,	Munley,	Turbett,
Croop,	Hoggard,	Murray,	Van Allsburg,
Dague,	Holmes,	Nowak,	Verona,
Dalrymple,	Hoopes,	O'Brien,	Wachhaus,
Denman,	Hunter, B. F.,	O'Connor,	Wagner, K. H.,
Dennison,	Hunter, W. M.,	O'Dare,	Wagner, P. L.,
Depuy,	Huntley,	O'Neill,	Wallin,
Dillon,	Imbrie,	Owens,	Walton,
Dix,	Irvin,	Petrosky,	Watkins,
Duffy,	James,	Pettit,	Weiss,
Elder,	Jones,	Polaski,	Welsh,
Elliott,	Kennedy,	Powers,	Winner,
Ely,	Kirley,	Readinger,	Wood, L. H.,
Erb,	Kitchen,	Reagan,	Wood, N.,
Ewing,	Kline,	Reese, D. P.,	Worley,
Figlock,	Kolankiewicz,	Reese, R. E.,	Wright,
Finnerty,	Kowalski,	Regan,	Yeakel,
Flack,	Krepps,	Reilly,	Yester,
Fleming,	Krise,	Reynolds,	Fiss,
			Speaker.

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 5, as follows:

An Act making an appropriation to The Glen Mills Schools situate in Delaware County Pennsylvania

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same that the sum of Three hundred and nine thousand seven hundred and twenty-six dollars ($309,726.00) or so much thereof as may be necessary be and the same is hereby specifically appropriated to The Glen Mills Schools situate in Delaware County Pennsylvania for the two fiscal years beginning the first day of June A D 1943 for the purpose of maintenance

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—196

Alspach,	Flynn,	Lane,	Riley,
Auker,	Foor,	Laughner,	Robertson,
Baker,	Fox,	Lee,	Root,
Barrett,	Freed,	Leisey,	Rose, S.,

Barton,	Fullerton,	Leonard,	Rose, W. E.,
Bentley,	Garber,	Levy,	Rowley,
Bentzel,	Gardner,	Leydic,	Royer,
Bonawitz,	Gates,	Lichtenwalter,	Salus,
Boorse,	Gillan,	Livingstone,	Sarge,
Boory,	Goodling,	Longo,	Sarraf,
Bower,	Goodwin,	Lovett,	Scanlon,
Boyd,	Gorman,	Lyons,	Schuster,
Bretherick,	Grant,	Madigan,	Serrill,
Brice,	Green,	Mahany,	Simons,
Brigerman,	Greenwood,	McAtee,	Skale,
Brown,	Gross,	Maxwell,	Smith,
Brunner, C. H.,	Gyger,	McClester,	Snider,
Brunner, P. A.,	Haberlen,	McKinney,	Sollenberger,
Burns,	Hall,	McMillen,	Sorg,
Calvin,	Hamilton,	McSurdy,	Stank,
Campbell,	Hannon,	Menna,	Stockham,
Chervenak,	Hare,	Mihm,	Stonier,
Chudoff,	Harris,	Miller,	Tahl,
Cohen,	Haudenshield,	Mintess,	Tate,
Coleman,	Heatherington,	Mock,	Taylor,
Cook,	Helm,	Mooney,	Thompson,
Cooper,	Herman,	Moore,	Thrasher,
Cordier,	Hersch,	Moran,	Tiemann,
Corrigan,	Hewitt,	Moser,	Trent,
Costa,	Hocke,	Muir,	Trout,
Coulson,	Hoffman,	Munley,	Turbett,
Croop,	Hoggard,	Murray,	Van Allsburg,
Dague,	Holmes,	Nowak,	Verona,
Dalrymple,	Hoopes,	O'Brien,	Wachhaus,
Denman,	Hunter, B. F.,	O'Connor,	Wagner, K. H.,
Dennison,	Hunter, W. M.,	O'Dare,	Wagner, P. L.,
Depuy,	Huntley,	O'Neill,	Wallin,
Dillon,	Imbrie,	Owens,	Walton,
Dix,	Irvin,	Petrosky,	Watkins,
Duffy,	James,	Pettit,	Weiss,
Elder,	Jones,	Polaski,	Welsh,
Elliott,	Kennedy,	Powers,	Winner,
Ely,	Kirley,	Readinger,	Wood, L. H.,
Erb,	Kitchen,	Reagan,	Wood, N.,
Ewing,	Kline,	Reese, D. P.,	Worley,
Figlock,	Kolankiewicz,	Reese, R. E.,	Wright,
Finnerty,	Kowalski,	Regan,	Yeakel,
Flack,	Krepps,	Reilly,	Yester,
Fleming,	Krise,	Reynolds,	Fiss,
			Speaker.

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 445, as follows:

An Act making an appropriation to the Pennsylvania Historical Commission for the preservation restoration and rebuilding of certain structures at the Ephrata Cloisters

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 In order to check deterioration correct critical structural conditions which threaten the safety of buildings and to guard against further loss of important historical original features at the Ephrata Cloisters at Ephrata Lancaster County Pennsylvania the sum of thirty-five thousand dollars ($35,000) or so much thereof as may be necessary is hereby specifically appropriated to the Pennsylvania Historical Commission to be used for the preservation external restoration and rebuilding of the historic structures and other features of the said Ephrata Cloisters including the payment of wages of skilled craftsmen and other workmen the purchase of materials and equipment and the payment of professional fees for architectural supervision

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—196

Alspach,	Flynn,	Lane,	Riley,
Auker,	Foor,	Laughner,	Robertson,
Baker,	Fox,	Lee,	Root,
Barrett,	Freed,	Leisey,	Rose, S.,
Barton,	Fullerton,	Leonard,	Rose, W. E.,
Bentley,	Garber,	Levy,	Rowley,
Bentzel,	Gardner,	Leydic,	Royer,
Bonawitz,	Gates,	Lichtenwalter,	Salus,
Boorse,	Gillan,	Livingstone,	Sarge,
Boory,	Goodling,	Longo,	Sarraf,
Bower,	Goodwin,	Lovett,	Scanlon,
Boyd,	Gorman,	Lyons,	Schuster,
Bretherick,	Grant,	Madigan,	Serrill,
Brice,	Green,	Mahany,	Simons,
Brigerman,	Greenwood,	McAtee,	Skale,
Brown,	Gross,	Maxwell,	Smith,
Brunner, C. H.,	Gyger,	McClester,	Snider,
Brunner, P. A.,	Haberlen,	McKinney,	Sollenberger,
Burns,	Hall,	McMillen,	Sorg,
Calvin,	Hamilton,	McSurdy,	Stank,
Campbell,	Hannon,	Menna,	Stockham,
Chervenak,	Hare,	Mihm,	Stonier,
Chudoff,	Harris,	Miller,	Tahl,
Cohen,	Haudenshield,	Mintess,	Tate,
Coleman,	Heatherington,	Mock,	Taylor,
Cook,	Helm,	Mooney,	Thompson,
Cooper,	Herman,	Moore,	Thrasher,
Cordier,	Hersch,	Moran,	Tiemann,
Corrigan,	Hewitt,	Moser,	Trent,
Costa,	Hocke,	Muir,	Trout,
Coulson,	Hoffman,	Munley,	Turbett,
Croop,	Hoggard,	Murray,	Van Allsburg,
Dague,	Holmes,	Nowak,	Verona,
Dalrymple,	Hoopes,	O'Brien,	Wachhaus,
Denman,	Hunter, B. F.,	O'Connor,	Wagner, K. H.,
Dennison,	Hunter, W. M.,	O'Dare,	Wagner, P. L.,
Depuy,	Huntley,	O'Neill,	Wallin,
Dillon,	Imbrie,	Owens,	Walton,
Dix,	Irvin,	Petrosky,	Watkins,
Duffy,	James,	Pettit,	Weiss,
Elder,	Jones,	Polaski,	Welsh,
Elliott,	Kennedy,	Powers,	Winner,
Ely,	Kirley,	Readinger,	Wood, L. H.,
Erb,	Kitchen,	Reagan,	Wood, N.,
Ewing,	Kline,	Reese, D. P.,	Worley,
Figlock,	Kolankiewicz,	Reese, R. E.,	Wright,
Finnerty,	Kowalski,	Regan,	Yeakel,
Flack,	Krepps,	Reilly,	Yester,
Fleming,	Krise,	Reynolds,	Fiss,
			Speaker.

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 446, as follows:

An Act making an appropriation to the Department of Property and Supplies to be used with the advice and cooperation of the Pennsylvania Historical Commission for securing plans and specifications for the complete restoration rebuilding construction improvement and development of the Ephrata Cloisters and for the expenses of necessary archeological investigations relative thereto

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The sum of fifteen thousand dollars ($15,000) or so much thereof as may be necessary is hereby specifically appropriated to the Department of Property and Supplies to be used for the cost of having prepared plans and specifications for the complete architectural and landscape restoration of the historic Ephrata Cloisters at Ephrata Lancaster County Pennsylvania and for the purchase of materials and equipment wages salaries and other expenses occasioned by and incidental to the conduct of necessary archeological investigations in the buildings and on the grounds thereof

The plans and specifications the cost of which is to be paid under the provisions of this act shall include and cover the complete restoration and rebuilding of existing buildings the restoration and development of the surrounding grounds including fences walls roads paths and other features construction of entrance driveway parking area public toilet rooms and service buildings

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—196

Alspach,	Flynn,	Lane,	Riley,
Auker,	Foor,	Laughner,	Robertson,
Baker,	Fox,	Lee,	Root,
Barrett,	Freed,	Leisey,	Rose, S.,
Barton,	Fullerton,	Leonard,	Rose, W. E.,
Bentley,	Garber,	Levy,	Rowley,
Bentzel,	Gardner,	Leydic,	Royer,
Bonawitz,	Gates,	Lichtenwalter,	Salus,
Boorse,	Gillan,	Livingstone,	Sarge,
Boory,	Goodling,	Longo,	Sarraf,
Bower,	Goodwin,	Lovett,	Scanlon,
Boyd,	Gorman,	Lyons,	Schuster,
Bretherick,	Grant,	Madigan,	Serrill,
Brice,	Green,	Mahany,	Simons,
Brigerman,	Greenwood,	McAtee,	Skale,
Brown,	Gross,	Maxwell,	Smith,
Brunner, C. H.,	Gyger,	McClester,	Snider,
Brunner, P. A.,	Haberlen,	McKinney,	Sollenberger,
Burns,	Hall,	McMillen,	Sorg,
Calvin,	Hamilton,	McSurdy,	Stank,
Campbell,	Hannon,	Menna,	Stockham,
Chervenak,	Hare,	Mihm,	Stonier,
Chudoff,	Harris,	Miller,	Tahl,
Cohen,	Haudenshield,	Mintess,	Tate,
Coleman,	Heatherington,	Mock,	Taylor,
Cook,	Helm,	Mooney,	Thompson,
Cooper,	Herman,	Moore,	Thrasher,
Cordier,	Hersch,	Moran,	Tiemann,
Corrigan,	Hewitt,	Moser,	Trent,
Costa,	Hocke,	Muir,	Trout,
Coulson,	Hoffman,	Munley,	Turbett,
Croop,	Hoggard,	Murray,	Van Allsburg,
Dague,	Holmes,	Nowak,	Verona,
Dalrymple,	Hoopes,	O'Brien,	Wachhaus,
Denman,	Hunter, B. F.,	O'Connor,	Wagner, K. H.,
Dennison,	Hunter, W. M.,	O'Dare,	Wagner, P. L.,
Depuy,	Huntley,	O'Neill,	Wallin,
Dillon,	Imbrie,	Owens,	Walton,
Dix,	Irvin,	Petrosky,	Watkins,
Duffy,	James,	Pettit,	Weiss,
Elder,	Jones,	Polaski,	Welsh,
Elliott,	Kennedy,	Powers,	Winner,
Ely,	Kirley,	Readinger,	Wood, L. H.,
Erb,	Kitchen,	Reagan,	Wood, N.,
Ewing,	Kline,	Reese, D. P.,	Worley,
Figlock,	Kolankiewicz,	Reese, R. E.,	Wright,
Finnerty,	Kowalski,	Regan,	Yeakel,
Flack,	Krepps,	Reilly,	Yester,
Fleming,	Krise,	Reynolds,	Fiss,
			Speaker.

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 526, as follows:

An Act making an appropriation to the Pennsylvania Department of Highways

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The sum of ten thousand dollars ($10,000) is hereby appropriated to the Department of Highways of the Commonwealth of Pennsylvania for the two fiscal years beginning the first day of June one thousand nine hundred and forty-three for the payment of salaries wages materials and other incidentals for the construction improvement grading and planting of roads paths and parking areas within the Daniel Boone Homestead property belonging to and adjoining property of the Pennsylvania Historical Commission and for other incidental and contingent expenses

Section 2 This act shall become effective immediately upon final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—196

Alspach,	Flynn,	Lane,	Riley,
Auker,	Foor,	Laughner,	Robertson,
Baker,	Fox,	Lee,	Root,
Barrett,	Freed,	Leisey,	Rose, S.,
Barton,	Fullerton,	Leonard,	Rose, W. E.,
Bentley,	Garber,	Levy,	Rowley,
Bentzel,	Gardner,	Leydic,	Royer,
Bonawitz,	Gates,	Lichtenwalter,	Salus,
Boorse,	Gillan	Livingstone,	Sarge,
Boory,	Goodling,	Longo,	Sarraf,
Bower,	Goodwin,	Lovett,	Scanlon,
Boyd,	Gorman,	Lyons,	Schuster,
Bretherick,	Grant,	Madigan,	Serrill,
Brice,	Green,	Mahany,	Simons,
Brigerman,	Greenwood,	McAtee,	Skale,
Brown,	Gross,	Maxwell,	Smith,
Brunner, C. H.,	Gyger,	McClester,	Snider,
Brunner, P. A.,	Haberlen,	McKinney,	Sollenberger,
Burns,	Hall,	McMillen,	Sorg,
Calvin,	Hamilton,	McSurdy,	Stank,
Campbell,	Hannon,	Menna,	Stockham,
Chervenak,	Hare,	Mihm,	Stonier,
Chudoff,	Harris,	Miller,	Tahl,
Cohen,	Haudenshield,	Mintess,	Tate,
Coleman,	Heatherington,	Mock,	Taylor,
Cook	Helm,	Mooney,	Thompson,
Cooper,	Herman,	Moore,	Thrasher,
Cordier,	Hersch,	Moran,	Tiemann,
Corrigan,	Hewitt,	Moser,	Trent,
Costa,	Hocke,	Muir,	Trout,
Coulson,	Hoffman,	Munley,	Turbett,
Croop,	Hoggard,	Murray,	Van Allsburg,
Dague,	Holmes,	Nowak,	Verona,
Dalrymple,	Hoopes,	O'Brien,	Wachhaus,
Denman,	Hunter, B. F.,	O'Connor,	Wagner, K. H.,
Dennison,	Hunter, W. M.,	O'Dare,	Wagner, P. L.,
Depuy,	Huntley,	O'Neill,	Wallin,
Dillon,	Imbrie,	Owens,	Walton,
Dix,	Irvin,	Petrosky,	Watkins,
Duffy,	James,	Pettit,	Weiss,
Elder,	Jones,	Polaski,	Welsh,
Elliott,	Kennedy,	Powers,	Winner,
Ely,	Kirley,	Readinger,	Wood, L. H.,
Erb,	Kitchen,	Reagan,	Wood, N.,
Ewing,	Kline,	Reese, D. P.,	Worley,
Figlock,	Kolankiewicz,	Reese, R. E.,	Wright,
Finnerty,	Kowalski,	Regan,	Yeakel,
Flack,	Krepps,	Reilly,	Yester,
Fleming,	Krise,	Reynolds,	Fiss,

Speaker.

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 923, as follows:

An Act making an appropriation to the Cresson Volunteer Fire Company for the protection of State Property

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The sum of one thousand dollars ($1,000) is hereby specifically appropriated to the Cresson Volunteer Fire Company for the two fiscal years beginning June first one thousand nine hundred and forty-three for the protection of State property at the Cresson Sanitorium

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—196

Alspach,	Flynn,	Lane,	Riley,
Auker,	Foor,	Laughner,	Robertson,
Baker,	Fox,	Lee,	Root,
Barrett,	Freed,	Leisey,	Rose, S.,
Barton,	Fullerton,	Leonard,	Rose, W. E.,
Bentley,	Garber,	Levy,	Rowley,
Bentzel,	Gardner,	Leydic,	Royer,
Bonawitz,	Gates,	Lichtenwalter,	Salus,
Boorse,	Gillan	Livingstone,	Sarge,
Boory,	Goodling,	Longo,	Sarraf,
Bower,	Goodwin,	Lovett,	Scanlon,
Boyd,	Gorman,	Lyons,	Schuster,
Bretherick,	Grant,	Madigan,	Serrill,
Brice,	Green,	Mahany,	Simons,
Brigerman,	Greenwood,	McAtee,	Skale,
Brown,	Gross,	Maxwell,	Smith,
Brunner, C. H.,	Gyger,	McClester,	Snider,
Brunner, P. A.,	Haberlen,	McKinney,	Sollenberger,
Burns,	Hall,	McMillen,	Sorg,
Calvin,	Hamilton,	McSurdy,	Stank,
Campbell,	Hannon,	Menna,	Stockham,
Chervenak,	Hare,	Mihm,	Stonier,
Chudoff,	Harris,	Miller,	Tahl,
Cohen,	Haudenshield,	Mintess,	Tate,
Coleman,	Heatherington,	Mock,	Taylor,
Cook	Helm,	Mooney,	Thompson,
Cooper,	Herman,	Moore,	Thrasher,
Cordier,	Hersch,	Moran,	Tiemann,
Corrigan,	Hewitt,	Moser,	Trent,
Costa,	Hocke,	Muir,	Trout,
Coulson,	Hoffman,	Munley,	Turbett,
Croop,	Hoggard,	Murray,	Van Allsburg,
Dague,	Holmes,	Nowak,	Verona,
Dalrymple,	Hoopes,	O'Brien,	Wachhaus,
Denman,	Hunter, B. F.,	O'Connor,	Wagner, K. H.,
Dennison,	Hunter, W. M.,	O'Dare,	Wagner, P. L.,
Depuy,	Huntley,	O'Neill,	Wallin,
Dillon,	Imbrie,	Owens,	Walton,
Dix,	Irvin,	Petrosky,	Watkins,
Duffy,	James,	Pettit,	Weiss,
Elder,	Jones,	Polaski,	Welsh,
Elliott,	Kennedy,	Powers,	Winner,
Ely,	Kirley,	Readinger,	Wood, L. H.,
Erb,	Kitchen,	Reagan,	Wood, N.,
Ewing,	Kline,	Reese, D. P.,	Worley,
Figlock,	Kolankiewicz,	Reese, R. E.,	Wright,
Finnerty,	Kowalski,	Regan,	Yeakel,
Flack,	Krepps,	Reilly,	Yester,
Fleming,	Krise,	Reynolds,	Fiss,

Speaker.

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 936, as follows:

An Act to further amend the first paragraph of section five hundred three of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 343) entitled "An act relating to the finances of the State government providing for the settlement assessment collection and lien of taxes bonus and all other accounts due the Commonwealth the collection and recovery of fees and other money or property due or belonging to the Commonwealth or any agency thereof including escheated property and the proceeds of its sale the custody and disbursement or other disposition of funds and securities belonging to or in the possession of the Commonwealth and the settlement of claims against the Commonwealth the resettlement of accounts and appeals to the courts refunds of moneys erroneously paid to the Commonwealth auditing the accounts of the Commonwealth and all agencies thereof of all public officers collecting moneys payable to the Commonwealth or any agency thereof and all receipts of appropriations from the Commonwealth and imposing penalties affecting every department board commission and officer of the State government every political subdivision of the State and certain officers of such subdivisions every person association and corporation required to pay assess or collect taxes or to make returns or reports under the laws imposing taxes for State purposes or to pay license fees or other moneys to the Commonwealth or any agency thereof every State depository and every debtor or creditor of the Commonwealth" by requiring cash payment of certain refunds due from the Commonwealth and making an appropriation to the Board of Finance and Revenue for such purposes

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The first paragraph of section five hundred three of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 343) entitled "An act relating to the finances of the State government providing for the settlement assessment collection and lien of taxes bonus and all other accounts due the Commonwealth the collection and recovery of fees and other money or property due or belonging to the Commonwealth or any agency thereof including escheated property and the proceeds of its sale the custody and disbursement or other disposition of funds and securities belonging to or in the possession of the Commonwealth and the settlement of claims against the Commonwealth the resettlement of accounts and appeals to the courts refunds of moneys erroneously paid to the Commonwealth auditing the accounts of the Commonwealth and all agencies thereof of all public officers collecting moneys payable to the Commonwealth or any agency thereof and all receipts of appropriations from the Commonwealth and imposing penalties affecting every department board commission and officer of the State government every political subdivision of the State and certain officers of such subdivisions every person association and corporation required to pay assess or collect taxes or to make returns or reports under the laws imposing taxes for State purposes or to pay license fees or other moneys to the Commonwealth or any agency thereof every State depository and every debtor or creditor of the Commonwealth" as amended by the act approved the fifth day of August one thousand nine hundred forty-one (P. L. 797) is hereby further amended to read as follows

Section 503 Refunds of State Taxes License Fees Et Cetera The board of Finance and Revenue shall have the power and its duty shall be

(a) To hear and determine any petition for the refund of taxes license fees penalties fines bonus or other moneys paid to the Commonwealth and to which the Commonwealth is not rightfully or equitably entitled and upon the allowance of any such petition to refund such taxes license fees penalties fines bonus or other moneys [out of any appropriation or appropriations made for the purpose or to credit the account of the person association corporation body politic or public officer entitled to the refund]

Such refund shall be in the form of a cash payment of the amount found to be due the petitioner unless the petitioner has an open account with the Commonwealth and requests a credit refund in which event the petitioners account shall be credited with the amount of the refund Provided however That the provisions of this section shall not be deemed to deprive the Commonwealth of its right of set-off in any case All such petitions must be filed with the board within two years of the payment of which refund is requested except

Section 2 So much of the moneys in the General Fund as may be necessary for the payment of refunds and remissions under the aforesaid section five hundred three are hereby specifically appropriated to the Board of Finance and Revenue to be used for such purposes

Section 3 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—196

Alspach,	Flynn,	Lane,	Riley,
Auker,	Foor,	Laughner,	Robertson,
Baker,	Fox,	Lee,	Root,
Barrett,	Freed,	Leisey,	Rose, S.,
Barton,	Fullerton,	Leonard,	Rose, W. E.,
Bentley,	Garber,	Levy,	Rowley,
Bentzel,	Gardner,	Leydic,	Royer,
Bonawitz,	Gates,	Lichtenwalter,	Salus,
Boorse,	Gillan,	Livingstone,	Sarge,
Boory,	Goodling,	Longo,	Sarraf,
Bower,	Goodwin,	Lovett,	Scanlon,
Boyd,	Gorman,	Lyons,	Schuster,
Bretherick,	Grant,	Madigan,	Serrill,
Brice,	Green,	Mahany,	Simons,
Brigerman,	Greenwood,	McAtee,	Skale,
Brown,	Gross,	Maxwell,	Smith,
Brunner, C. H.,	Gyger,	McClester,	Snider,
Brunner, P. A.,	Haberlen,	McKinney,	Sollenberger,
Burns,	Hall,	McMillen,	Sorg,
Calvin,	Hamilton,	McSurdy,	Stank,
Campbell,	Hannon,	Menna,	Stockham,
Chervenak,	Hare,	Mihm,	Stonier,
Chudoff,	Harris,	Miller,	Tahl,
Cohen,	Haudenshield,	Mintess,	Tate,
Coleman,	Heatherington,	Mock,	Taylor,
Cook	Helm,	Mooney,	Thompson,
Cooper,	Herman,	Moore,	Thrasher,
Cordier,	Hersch,	Moran,	Tiemann,
Corrigan,	Hewitt,	Moser,	Trent,
Costa,	Hocke,	Muir,	Trout,
Coulson,	Hoffman,	Munley,	Turbett,
Croop,	Hoggard,	Murray,	Van Allsburg,
Dague,	Holmes,	Nowak,	Verona,
Dalrymple,	Hoopes,	O'Brien,	Wachhaus,
Denman,	Hunter, B. F.,	O'Connor,	Wagner, K. R.,
Dennison,	Hunter, W. M.,	O'Dare,	Wagner, P. L.,
Depuy,	Huntley,	O'Neill,	Wallin,
Dillon,	Imbrie,	Owens,	Walton,
Dix,	Irvin,	Petrosky,	Watkins,
Duffy,	James,	Pettit,	Weiss,
Elder,	Jones,	Polaski,	Welsh,
Elliott,	Kennedy,	Powers,	Winner,
Ely,	Kirley,	Readinger,	Wood, L. H.,
Erb,	Kitchen,	Reagan,	Wood, N.,
Ewing,	Kline,	Reese, D. P.,	Worley,
Figlock,	Kolankiewicz,	Reese, R. E.,	Wright,
Finnerty,	Kowalski,	Regan,	Yeakel,
Flack,	Krepps,	Reilly,	Yester,
Fleming	Krise,	Reynolds,	Fiss,

Speaker.

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 946, as follows:

An Act making an appropriation to the Women's Medical College of Pennsylvania located at East Falls Philadelphia Pennsylvania

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The sum of one hundred thirty-two thousand dollars ($132,000) or so much thereof as may be necessary is hereby specifically appropriated to the Women's Medical College of Pennsylvania located at East Falls Philadelphia Pennsylvania for the support and promotion of medical education for the two fiscal years beginning June first one thousand nine hundred forty-three payment to be made according to law

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—196

Alspach,	Flynn,	Lane,	Riley,
Auker,	Foor,	Laughner,	Robertson,
Baker,	Fox,	Lee,	Root,
Barrett,	Freed,	Leisey,	Rose, S.,
Barton,	Fullerton,	Leonard,	Rose, W. E.,
Bentley,	Garber,	Levy,	Rowley,
Bentzel,	Gardner,	Leydic,	Royer,
Bonawitz,	Gates,	Lichtenwalter,	Salus,
Boorse,	Gillan,	Livingstone,	Sarge,
Boory,	Goodling,	Longo,	Sarraf,
Bower,	Goodwin,	Lovett,	Scanlon,
Boyd,	Gorman,	Lyons,	Schuster,
Bretherick,	Grant,	Madigan,	Serrill,
Brice,	Green,	Mahany,	Simons,
Brigerman,	Greenwood,	McAtee,	Skale,
Brown,	Gross,	Maxwell,	Smith,
Brunner, C. H.,	Gyger,	McClester,	Snider,
Brunner, P. A.,	Haberlen,	McKinney,	Sollenberger,
Burns,	Hall,	McMillen,	Sorg,
Calvin,	Hamilton,	McSurdy,	Stank,
Campbell,	Hannon,	Menna,	Stockham,
Chervenak,	Hare,	Mihm,	Stonier,
Chudoff,	Harris,	Miller,	Tahl,
Cohen,	Haudenshield,	Mintess,	Tate,
Coleman,	Heatherington,	Mock,	Taylor,
Cook	Helm,	Mooney,	Thompson,
Cooper,	Herman,	Moore,	Thrasher,
Cordier,	Hersch,	Moran,	Tiemann,
Corrigan,	Hewitt,	Moser,	Trent,
Costa,	Hocke,	Muir,	Trout,
Coulson,	Hoffman,	Munley,	Turbett,
Croop,	Hoggard,	Murray,	Van Allsburg,
Dague,	Holmes,	Nowak,	Verona,
Dalrymple,	Hoopes,	O'Brien,	Wachhaus,
Denman,	Hunter, B. F.,	O'Connor,	Wagner, K. H.,
Dennison,	Hunter, W. M.,	O'Dare,	Wagner, P. L.,
Depuy,	Huntley,	O'Neill,	Wallin,
Dillon,	Imbrie,	Owens,	Walton,
Dix,	Irvin,	Petrosky,	Watkins,
Duffy,	James,	Pettit,	Weiss,
Elder,	Jones,	Polaski,	Welsh,
Elliott,	Kennedy,	Powers,	Winner,
Ely,	Kirley,	Readinger,	Wood, L. H.,
Erb,	Kitchen,	Reagan,	Wood, N.,
Ewing,	Kline,	Reese, D. P.,	Worley,
Figlock,	Kolankiewicz,	Reese, R. E.,	Wright,
Finnerty,	Kowalski,	Regan,	Yeakel,
Flack,	Krepps,	Reilly,	Yester,
Fleming,	Krise,	Reynolds,	Fiss,

Speaker.

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 947, as follows:

An Act making an appropriation to the Pennsylvania Museum and School of Industrial Art Philadelphia

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The sum of one hundred fifty thousand dollars ($150,000) is hereby specifically appropriated to the Pennsylvania Museum and School of Industrial Art Philadelphia for the two fiscal years beginning June first one thousand nine hundred and forty-three for maintenance and the purchase of apparatus supplies and equipment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—196

Alspach,	Flynn,	Lane,	Riley,
Auker,	Foor,	Laughner,	Robertson,
Baker,	Fox,	Lee,	Root,
Barrett,	Freed,	Leisey,	Rose, S.,
Barton,	Fullerton,	Leonard,	Rose, W. E.,
Bentley,	Garber,	Levy,	Rowley,
Bentzel,	Gardner,	Leydic,	Royer,
Bonawitz,	Gates,	Lichtenwalter,	Salus,
Boorse,	Gillan,	Livingstone,	Sarge,
Boory,	Goodling,	Longo,	Sarraf,
Bower,	Goodwin,	Lovett,	Scanlon,
Boyd,	Gorman,	Lyons,	Schuster,
Bretherick,	Grant,	Madigan,	Serrill,
Brice,	Green,	Mahany,	Simons,
Brigerman,	Greenwood,	McAtee,	Skale,
Brown,	Gross,	Maxwell,	Smith,
Brunner, C. H.,	Gyger,	McClester,	Snider,
Brunner, P. A.,	Haberlen,	McKinney,	Sollenberger,
Burns,	Hall,	McMillen,	Sorg,
Calvin,	Hamilton,	McSurdy,	Stank,
Campbell,	Hannon,	Menna,	Stockham,
Chervenak,	Hare,	Mihm,	Stonier,
Chudoff,	Harris,	Miller,	Tahl,
Cohen,	Haudenshield,	Mintess,	Tate,
Coleman,	Heatherington,	Mock,	Taylor,
Cook	Helm,	Mooney,	Thompson,
Cooper,	Herman,	Moore,	Thrasher,
Cordier,	Hersch,	Moran,	Tiemann,
Corrigan,	Hewitt,	Moser,	Trent,
Costa,	Hocke,	Muir,	Trout,
Coulson,	Hoffman,	Munley,	Turbett,
Croop,	Hoggard,	Murray,	Van Allsburg,
Dague,	Holmes,	Nowak,	Verona,
Dalrymple,	Hoopes,	O'Brien,	Wachhaus,
Denman,	Hunter, B. F.,	O'Connor,	Wagner, K. H.,
Dennison,	Hunter, W. M.,	O'Dare,	Wagner, P. L.,
Depuy,	Huntley,	O'Neill,	Wallin,
Dillon,	Imbrie,	Owens,	Walton,
Dix,	Irvin,	Petrosky,	Watkins,
Duffy,	James,	Pettit,	Weiss,
Elder,	Jones,	Polaski,	Welsh,
Elliott,	Kennedy,	Powers,	Winner,
Ely,	Kirley,	Readinger,	Wood, L. H.,
Erb,	Kitchen,	Reagan,	Wood, N.,
Ewing,	Kline,	Reese, D. P.,	Worley,
Figlock,	Kolankiewicz,	Reese, R. E.,	Wright,
Finnerty,	Kowalski,	Regan,	Yeakel,
Flack,	Krepps,	Reilly,	Yester,
Fleming,	Krise,	Reynolds,	Fiss,

Speaker.

NAYS—0

The majority required by the Constitution having voted

in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 949, as follows:

An Act making an appropriation to the Department of Public Assistance and providing for certain allocations therefrom for the purpose of carrying out the Public Assistance Law for the two fiscal years beginning June first one thousand nine hundred forty-three and for the payment of assistance and expenses accrued or incurred prior to and remaining unpaid on May thirty-first one thousand nine hundred forty-three

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The sum of eighty-eight million five hundred thousand dollars ($88,500,000) or as much thereof as may be necessary is hereby specifically appropriated from the General Fund to the Department of Public Assistance for the payment of assistance administrative expenses and expenses of liquidating the State Emergency Relief Board as provided by the Public Assistance Law and for the payment of attorneys' fees and court costs necessary for the proper conduct of the work of the Department of Public Assistance for the two fiscal years beginning June first one thousand nine hundred forty-three and for the payment of assistance administrative expenses expenses of liquidating the State Emergency Relief Board attorneys' fees and court costs accrued prior to and remaining unpaid on May thirty-first one thousand nine hundred forty-three

Section 2 Out of the moneys appropriated by section one of this act the Department of Public Assistance shall allocate funds from time to time for the several assistance programs (old age assistance aid to dependent children pensions for the blind general assistance and other programs provided by the Public Assistance Law) for administrative expenses of the several county boards of assistance for such administrative expenses incurred by the department which are chargeable to such boards and for the payment of attorneys' fees and court costs necessary for the proper conduct of the work of the Department

Section 3 Out of the moneys appropriated by section one of this act quarterly allocations shall be made to the Department of the Auditor General and the Treasury Department respectively in such amounts as may be deemed necessary to pay the administrative expenses of such departments in auditing and disbursing appropriations for or relating to public assistance including any Federal sums supplementing such appropriations In the case of the Department of the Auditor General said allocations shall be made by the Governor President pro tempore of the Senate Speaker of the House of Representatives and the Auditor General or a majority thereof and in the case of allocations made to the Treasury Department such allocations shall be made by the Governor President pro tempore of the Senate Speaker of the House of Representatives and the State Treasurer or a majority thereof

And said bill having been read at length the third time, considered and agreed to.

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—196

Alspach,	Flynn,	Lane,	Riley,
Auker,	Foor,	Laughner,	Robertson,
Baker,	Fox	Lee,	Root,
Barrett,	Freed,	Leisey,	Rose, S.,
Barton,	Fullerton,	Leonard,	Rose, W. E.,
Bentley,	Gardner,	Leydic,	Royer,
Bonawitz,	Gates,	Lichtenwalter,	Salus,
Boorse,	Gillan	Livingstone,	Sarge,
Boory,	Goodling,	Longo,	Sarraf,
Bower,	Goodwin,	Lovett,	Scanlon,
Boyd,	Gorman,	Lyons,	Schuster,
Bretherick,	Grant,	Madigan,	Serrill,
Brice,	Green,	Mahany,	Simons,
Brigerman,	Greenwood,	McAtee,	Skale,
Brown,	Gross,	Maxwell,	Smith,
Brunner, C. H.,	Gyger,	McClester,	Snider,
Brunner, P. A.,	Haberlen,	McKinney,	Sollenberger,
Burns,	Hall,	McMillen,	Sorg,
Calvin,	Hamilton,	McSurdy,	Stank,
Campbell,	Hannon,	Menna,	Stockham,
Chervenak,	Hare,	Mihm,	Stonier,
Chudoff,	Harris,	Miller,	Tahl,
Cohen,	Haudenshield,	Mintess,	Tate,
Coleman,	Heatherington,	Mock,	Taylor,
Cook	Helm,	Mooney,	Thompson,
Cooper,	Herman,	Moore,	Thrasher,
Cordier,	Hersch,	Moran,	Tiemann,
Corrigan,	Hewitt,	Moser,	Trent,
Costa,	Hocke,	Muir,	Trout,
Coulson,	Hoffman,	Munley,	Turbett,
Croop,	Hoggard,	Murray,	Van Allsburg,
Dague,	Holmes,	Nowak,	Verona,
Dalrymple,	Hoopes,	O'Brien,	Wachhaus,
Denman,	Hunter, B F.,	O'Connor,	Wagner, K. H
Dennison,	Hunter, W M.,	O'Dare,	Wagner, P. L.,
Depuy,	Huntley,	O'Neill,	Wallin,
Dillon,	Imbrie,	Owens,	Walton,
Dix,	Irvin,	Petrosky,	Watkins,
Duffy,	James,	Pettit,	Weiss,
Elder,	Jones,	Polaski,	Welsh,
Elliott,	Kennedy,	Powers,	Winner,
Ely,	Kirley,	Readinger,	Wood, L. H.,
Erb,	Kitchen,	Reagan,	Wood, N.,
Ewing,	Kline,	Reese, D. P.,	Worley,
Figlock,	Kolankiewicz,	Reese, R. E.,	Wright,
Finnerty,	Kowalski,	Regan,	Yeakel,
Flack,	Krepps,	Reilly,	Yester,
Fleming,	Krise,	Reynolds,	Fiss,

Speaker.

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 951, as follows:

An Act making an appropriation to the Board of Trustees of the Philadelphia Museum Philadelphia

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The sum of thirty thousand dollars ($30,000) is hereby specifically appropriated to the Board of Trustees of the Philadelphia Museum Philadelphia for the two fiscal years beginning June first one thousand nine hundred and forty-three for the purpose of maintenance to be paid according to law

Section 2 This act shall become effective immediately upon final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—196

Alspach,	Flynn,	Lane,	Riley,
Auker,	Foor,	Laughner,	Robertson,
Baker	Fox	Lee,	Root,
Barrett,	Freed,	Leisey,	Rose, S.,
Barton,	Fullerton,	Leonard,	Rose, W. E.,

Bentley,	Garber,	Levy,	Rowley,
Bentzel,	Gardner,	Leydic,	Royer,
Bonawitz,	Gates,	Lichtenwalter,	Salus,
Boorse,	Gillan,	Livingstone,	Sarge,
Boory,	Goodling,	Longo,	Sarraf,
Bower,	Goodwin,	Lovett,	Scanlon,
Boyd,	Gorman,	Lyons,	Schuster,
Bretherick,	Grant,	Madigan,	Serrill,
Brice,	Green,	Mahany,	Simons,
Brigerman,	Greenwood,	McAtee,	Skale,
Brown,	Gross,	Maxwell,	Smith,
Brunner, C. H.,	Gyger,	McClester,	Snider,
Brunner, P. A.,	Haberlen,	McKinney,	Sollenberger,
Burns,	Hall,	McMillen,	Sorg,
Calvin,	Hamilton,	McSurdy,	Stank,
Campbell,	Hannon,	Menna,	Stockham,
Chervenak,	Hare,	Mihm,	Stonier,
Chudoff,	Harris,	Miller,	Tahl,
Cohen,	Haudenshield,	Mintess,	Tate,
Coleman,	Heatherington,	Mock,	Taylor,
Cook,	Helm,	Mooney,	Thompson,
Cooper,	Herman,	Moore,	Thrasher,
Cordier,	Hersch,	Moran,	Tiemann,
Corrigan,	Hewitt,	Moser,	Trent,
Costa,	Hocke,	Muir,	Trout,
Coulson,	Hoffman,	Munley,	Turbett,
Croop,	Hoggard,	Murray,	Van Allsburg,
Dague,	Holmes,	Nowak,	Verona,
Dalrymple,	Hoopes,	O'Brien,	Wachhaus,
Denman,	Hunter, B. F.,	O'Connor,	Wagner, K. H.,
Dennison,	Hunter, W. M.,	O'Dare,	Wagner, P. L.,
Depuy,	Huntley,	O'Neill,	Wallin,
Dillon,	Imbrie,	Owens,	Walton,
Dix,	Irvin,	Petrosky,	Watkins,
Duffy,	James,	Pettit,	Weiss,
Elder,	Jones,	Polaski,	Welsh,
Elliott,	Kennedy,	Powers,	Winner,
Ely,	Kirley,	Readinger,	Wood, L. H.,
Erb,	Kitchen,	Reagan,	Wood, N.,
Ewing,	Kline,	Reese, D. P.,	Worley,
Figlock,	Kolankiewicz,	Reese, R. E.,	Wright,
Finnerty,	Kowalski,	Regan,	Yeakel,
Flack,	Krepps,	Reilly,	Yester,
Fleming,	Krise,	Reynolds,	Fiss,
			Speaker.

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

The SPEAKER. The Chair requests the gentleman from Montgomery, Mr. Lloyd H. Wood, to preside.

MR. LLOYD H. WOOD IN THE CHAIR

APPROPRIATION BILLS ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 954, as follows:

An Act making an appropriation to the Downingtown Industrial and Agricultural School Downingtown Pennsylvania

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The sum of sixty-six thousand dollars ($66,000) or as much thereof as may be necessary is hereby specifically appropriated to the Downingtown Industrial and Agricultural School of Downingtown Pennsylvania for the two fiscal years beginning June first one thousand nine hundred and forty-three for the purpose of maintenance to be paid according to law

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—196

Alspach,	Flynn,	Lane,	Riley,
Auker,	Foor,	Laughner,	Robertson,
Baker,	Fox,	Lee,	Root,
Barrett,	Freed,	Leisey,	Rose, S.,
Barton,	Fullerton,	Leonard,	Rose, W. E.,
Bentley,	Garber,	Levy,	Rowley,
Bentzel,	Gardner,	Leydic,	Royer,
Bonawitz,	Gates,	Lichtenwalter,	Salus,
Boorse,	Gillan,	Livingstone,	Sarge,
Boory,	Goodling,	Longo,	Sarraf,
Bower,	Goodwin,	Lovett,	Scanlon,
Boyd,	Gorman,	Lyons,	Schuster,
Bretherick,	Grant,	Madigan,	Serrill,
Brice,	Green,	Mahany,	Simons,
Brigerman,	Greenwood,	McAtee,	Skale,
Brown,	Gross,	Maxwell,	Smith,
Brunner, C. H.,	Gyger,	McClester,	Snider,
Brunner, P. A.,	Haberlen,	McKinney,	Sollenberger,
Burns,	Hall,	McMillen,	Sorg,
Calvin,	Hamilton,	McSurdy,	Stank,
Campbell,	Hannon,	Menna,	Stockham,
Chervenak,	Hare,	Mihm,	Stonier,
Chudoff,	Harris,	Miller,	Tahl,
Cohen,	Haudenshield,	Mintess,	Tate,
Coleman,	Heatherington,	Mock,	Taylor,
Cook,	Helm,	Mooney,	Thompson,
Cooper,	Herman,	Moore,	Thrasher,
Cordier,	Hersch,	Moran,	Tiemann,
Corrigan,	Hewitt,	Moser,	Trent,
Costa,	Hocke,	Muir,	Trout,
Coulson,	Hoffman,	Munley,	Turbett,
Croop,	Hoggard,	Murray,	Van Allsburg,
Dague,	Holmes,	Nowak,	Verona,
Dalrymple,	Hoopes,	O'Brien,	Wachhaus,
Denman,	Hunter, B. F.,	O'Connor,	Wagner, K. H.,
Dennison,	Hunter, W. M.,	O'Dare,	Wagner, P. L.,
Depuy,	Huntley,	O'Neill,	Wallin,
Dillon,	Imbrie,	Owens,	Walton,
Dix,	Irvin,	Petrosky,	Watkins,
Duffy,	James,	Pettit,	Weiss,
Elder,	Jones,	Polaski,	Welsh,
Elliott,	Kennedy,	Powers,	Winner,
Ely,	Kirley,	Readinger,	Wood, L. H.,
Erb,	Kitchen,	Reagan,	Wood, N.,
Ewing,	Kline,	Reese, D. P.,	Worley,
Figlock,	Kolankiewicz,	Reese, R. E.,	Wright,
Finnerty,	Kowalski,	Regan,	Yeakel,
Flack,	Krepps,	Reilly,	Yester,
Fleming,	Krise,	Reynolds,	Fiss,
			Speaker.

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

BILL PASSED OVER

There being no objection House Bill No. 956, Printer's No. 551, was passed over at the request of Mr. COHEN.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 957, as follows:

An Act making an appropriation to the Trustees of Temple University at Philadelphia Pennsylvania

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The sum of one million two hundred fifty thousand dollars ($1,250,000) or so much thereof as may be necessary is hereby specifically appropriated to the Trustees of Temple University at Philadelphia for the two fiscal years beginning June first one thousand nine hundred and forty-three for the general maintenance of the university and the purchase of such apparatus and

equipment as the Trustees may deem necessary for the best interests of the university

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—196

Alspach,	Flynn,	Lane,	Riley,
Auker,	Foor,	Laughner,	Robertson,
Baker,	Fox,	Lee,	Root,
Barrett,	Freed,	Leisey,	Rose, S.,
Barton,	Fullerton,	Leonard,	Rose, W. E.,
Bentley,	Garber,	Levy,	Rowley,
Bentzel,	Gardner,	Leydic,	Royer,
Bonawitz,	Gates,	Lichtenwalter,	Salus,
Boorse,	Gillan	Livingstone,	Sarge,
Boory,	Goodling,	Longo,	Sarraf,
Bower,	Goodwin,	Lovett,	Scanlon,
Boyd,	Gorman,	Lyons,	Schuster,
Bretherick,	Grant,	Madigan,	Serrill,
Brice,	Green,	Mahany,	Simons,
Brigerman,	Greenwood,	McAtee,	Skale,
Brown,	Gross,	Maxwell,	Smith,
Brunner, C. H.,	Gyger,	McClester,	Snider,
Brunner, P. A.,	Haberlen,	McKinney,	Sollenberger,
Burns,	Hall,	McMillen,	Sorg,
Calvin,	Hamilton,	McSurdy,	Stank,
Campbell,	Hannon,	Menna,	Stockham,
Chervenak,	Hare,	Mihm,	Stonier,
Chudoff,	Harris,	Miller,	Tahl,
Cohen,	Haudenshield,	Mintess,	Tate,
Coleman,	Heatherington,	Mock,	Taylor,
Cook,	Helm,	Mooney,	Thompson,
Cooper,	Herman,	Moore,	Thrasher,
Cordier,	Hersch,	Moran,	Tiemann,
Corrigan,	Hewitt,	Moser,	Trent,
Costa,	Hocke,	Muir,	Trout,
Coulson,	Hoffman,	Munley,	Turbett,
Croop,	Hoggard,	Murray,	Van Allsburg,
Dague,	Holmes,	Nowak,	Verona,
Dalrymple,	Hoopes,	O'Brien,	Wachhaus,
Denman,	Hunter, B. F.,	O'Connor,	Wagner, K. H.,
Dennison,	Hunter, W. M.,	O'Dare,	Wagner, P. L.,
Depuy,	Huntley,	O'Neill,	Wallin,
Dillon,	Imbrie,	Owens,	Walton,
Dix,	Irvin,	Petrosky,	Watkins,
Duffy,	James,	Pettit,	Weiss,
Elder,	Jones,	Polaski,	Welsh,
Elliott,	Kennedy,	Powers,	Winner,
Ely,	Kirley,	Readinger,	Wood, L. H.,
Erb,	Kitchen,	Reagan,	Wood, N.,
Ewing,	Kline,	Reese, D. P.,	Worley,
Figlock,	Kolankiewicz,	Reese, R. E.,	Wright,
Finnerty,	Kowalski,	Regan,	Yeakel,
Flack,	Krepps,	Reilly,	Yester,
Fleming,	Krise,	Reynolds,	Fiss,

Speaker.

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 960, as follows:

An Act making an appropriation to the Trustees of the University of Pennsylvania

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The sum of one million six hundred fifty thousand dollars ($1,650,000) or as much thereof as may be necessary is hereby specifically appropriated to the Trustees of the University of Pennsylvania for the two fiscal years beginning June first one thousand nine hundred and forty-three for the general maintenance of the university and the purchase of such apparatus and equipment as the trustees may deem necessary for the best interests of the University of Pennsylvania

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—196

Alspach,	Flynn,	Lane,	Riley,
Auker,	Foor,	Laughner,	Robertson,
Baker,	Fox,	Lee,	Root,
Barrett,	Freed,	Leisey,	Rose, S.,
Barton,	Fullerton,	Leonard,	Rose, W. E.,
Bentley,	Garber,	Levy,	Rowley,
Bentzel,	Gardner,	Leydic,	Royer,
Bonawitz,	Gates,	Lichtenwalter,	Salus,
Boorse,	Gillan	Livingstone,	Sarge,
Boory,	Goodling,	Longo,	Sarraf,
Bower,	Goodwin,	Lovett,	Scanlon,
Boyd,	Gorman,	Lyons,	Schuster,
Bretherick,	Grant,	Madigan,	Serrill,
Brice,	Green,	Mahany,	Simons,
Brigerman,	Greenwood,	McAtee,	Skale,
Brown,	Gross,	Maxwell,	Smith,
Brunner, C. H.,	Gyger,	McClester,	Snider,
Brunner, P. A.,	Haberlen,	McKinney,	Sollenberger,
Burns,	Hall,	McMillen,	Sorg,
Calvin,	Hamilton,	McSurdy,	Stank,
Campbell,	Hannon,	Menna,	Stockham,
Chervenak,	Hare,	Mihm,	Stonier,
Chudoff,	Harris,	Miller,	Tahl,
Cohen,	Haudenshield,	Mintess,	Tate,
Coleman,	Heatherington,	Mock,	Taylor,
Cook,	Helm,	Mooney,	Thompson,
Cooper,	Herman,	Moore,	Thrasher,
Cordier,	Hersch,	Moran,	Tiemann,
Corrigan,	Hewitt,	Moser,	Trent,
Costa,	Hocke,	Muir,	Trout,
Coulson,	Hoffman,	Munley,	Turbett,
Croop,	Hoggard,	Murray,	Van Allsburg,
Dague,	Holmes,	Nowak,	Verona,
Dalrymple,	Hoopes,	O'Brien,	Wachhaus,
Denman,	Hunter, B. F.,	O'Connor,	Wagner, K. H.,
Dennison,	Hunter, W. M.,	O'Dare,	Wagner, P. L.,
Depuy,	Huntley,	O'Neill,	Wallin,
Dillon,	Imbrie,	Owens,	Walton,
Dix,	Irvin,	Petrosky,	Watkins,
Duffy,	James,	Pettit,	Weiss,
Elder,	Jones,	Polaski,	Welsh,
Elliott,	Kennedy,	Powers,	Winner,
Ely,	Kirley,	Readinger,	Wood, L. H.,
Erb,	Kitchen,	Reagan,	Wood, N.,
Ewing,	Kline,	Reese, D. P.,	Worley,
Figlock,	Kolankiewicz,	Reese, R. E.,	Wright,
Finnerty,	Kowalski,	Regan,	Yeakel,
Flack,	Krepps,	Reilly,	Yester,
Fleming,	Krise,	Reynolds,	Fiss,

Speaker.

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 964, as follows:

An Act making an appropriation to Sleighton Farm School for Girls situate in Delaware County Pennsylvania

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The sum of two hundred and seventy-five thousand dollars ($275,000) or so much thereof as may be necessary be and the same is hereby specifically appro-

priated to Sleighton Farm School for Girls situate in Delaware County Pennsylvania for the two fiscal years beginning the first day of June one thousand nine hundred forty-three for the purpose of maintenance

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—196

Alspach,	Flynn,	Lane,	Riley,
Auker,	Foor,	Laughner,	Robertson,
Baker,	Fox,	Lee,	Root,
Barrett,	Freed,	Leisey,	Rose, S.,
Barton,	Fullerton,	Leonard,	Rose, W. E.,
Bentley,	Garber,	Levy,	Rowley,
Bentzel,	Gardner,	Leydic,	Royer,
Bonawitz,	Gates,	Lichtenwalter,	Salus,
Boorse,	Gillan	Livingstone,	Sarge,
Boory,	Goodling,	Longo,	Sarraf,
Bower,	Goodwin,	Lovett,	Scanlon,
Boyd,	Gorman,	Lyons,	Schuster,
Bretherick,	Grant,	Madigan,	Serrill,
Brice,	Green,	Mahany,	Simons,
Brigerman,	Greenwood,	McAtee,	Skale,
Brown,	Gross,	Maxwell,	Smith,
Brunner, C. H.,	Gyger,	McClester,	Snider,
Brunner, P. A.,	Haberlen,	McKinney,	Sollenberger,
Burns,	Hall,	McMillen,	Sorg,
Calvin,	Hamilton,	McSurdy,	Stank,
Campbell,	Hannon,	Menna,	Stockham,
Chervenak,	Hare,	Mihm,	Stonier,
Chudoff,	Harris,	Miller,	Tahl,
Cohen,	Haudenshield,	Mintess,	Tate,
Coleman,	Heatherington,	Mock,	Taylor,
Cook,	Helm,	Mooney,	Thompson,
Cooper,	Herman,	Moore,	Thrasher,
Cordier,	Hersch,	Moran,	Tiemann,
Corrigan,	Hewitt,	Moser,	Trent,
Costa,	Hocke,	Muir,	Trout,
Coulson,	Hoffman,	Munley,	Turbett,
Croop,	Hoggard,	Murray,	Van Allsburg,
Dague,	Holmes,	Nowak,	Verona,
Dalrymple,	Hoopes,	O'Brien,	Wachhaus,
Denman,	Hunter, B. F.,	O'Connor,	Wagner, K. H.,
Dennison,	Hunter, W. M.,	O'Dare,	Wagner, P. L.,
Depuy,	Huntley,	O'Neill,	Wallin,
Dillon,	Imbrie,	Owens,	Walton,
Dix,	Irvin,	Petrosky,	Watkins,
Duffy,	James,	Pettit,	Weiss,
Elder,	Jones,	Polaski,	Welsh,
Elliott,	Kennedy,	Powers,	Winner,
Ely,	Kirley,	Readinger,	Wood, L. H.,
Erb,	Kitchen,	Reagan,	Wood, N.,
Ewing,	Kline,	Reese, D. P.,	Worley,
Figlock,	Kolankiewicz,	Reese, R. E.,	Wright,
Finnerty,	Kowalski,	Regan,	Yeakel,
Flack,	Krepps,	Reilly,	Yester,
Fleming,	Krise,	Reynolds,	Fiss,

Speaker.

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 973, as follows:

An Act making an appropriation to the Trustees of the University of Pittsburgh for the general maintenance of and the purchase of apparatus and equipment for the University of Pittsburgh and for the maintenance of teaching facilities in hospitals for students in the School of Medicine

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The sum of one million three hundred sixty-one thousand dollars ($1,361,000) or as much thereof as may be necessary is hereby specifically appropriated to the Trustees of the University of Pittsburgh for the two fiscal years beginning June first one thousand nine hundred and forty-three for the general maintenance of the University of Pittsburgh and the purchase of such apparatus and equipment as the trustees may deem necessary for the best interests of the University of Pittsburgh including maintenance of teaching facilities in hospitals for students in the School of Medicine of the University of Pittsburgh including the Maternity Dispensary and other dispensaries

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—196

Alspach,	Flynn,	Lane,	Riley,
Auker,	Foor,	Laughner,	Robertson,
Baker,	Fox,	Lee,	Root,
Barrett,	Freed,	Leisey,	Rose, S.,
Barton,	Fullerton,	Leonard,	Rose, W. E.,
Bentley,	Garber,	Levy,	Rowley,
Bentzel,	Gardner,	Leydic,	Royer,
Bonawitz,	Gates,	Lichtenwalter,	Salus,
Boorse,	Gillan,	Livingstone,	Sarge,
Boory,	Goodling,	Longo,	Sarraf,
Bower,	Goodwin,	Lovett,	Scanlon,
Boyd,	Gorman,	Lyons,	Schuster,
Bretherick,	Grant,	Madigan,	Serrill,
Brice,	Green,	Mahany,	Simons,
Brigerman,	Greenwood,	McAtee,	Skale,
Brown,	Gross,	Maxwell,	Smith,
Brunner, C. H.,	Gyger,	McClester,	Snider,
Brunner, P. A.,	Haberlen,	McKinney,	Sollenberger,
Burns,	Hall,	McMillen,	Sorg,
Calvin,	Hamilton,	McSurdy,	Stank,
Campbell,	Hannon,	Menna,	Stockham,
Chervenak,	Hare,	Mihm,	Stonier,
Chudoff,	Harris,	Miller,	Tahl,
Cohen,	Haudenshield,	Mintess,	Tate,
Coleman,	Heatherington,	Mock,	Taylor,
Cook,	Helm,	Mooney,	Thompson,
Cooper,	Herman,	Moore,	Thrasher,
Cordier,	Hersch,	Moran,	Tiemann,
Corrigan,	Hewitt,	Moser,	Trent,
Costa,	Hocke,	Muir,	Trout,
Coulson,	Hoffman,	Munley,	Turbett,
Croop,	Hoggard,	Murray,	Van Allsburg,
Dague,	Holmes,	Nowak,	Verona,
Dalrymple,	Hoopes,	O'Brien,	Wachhaus,
Denman,	Hunter, B. F.,	O'Connor,	Wagner, K. H.,
Dennison,	Hunter, W. M.,	O'Dare,	Wagner, P. L.,
Depuy,	Huntley,	O'Neill,	Wallin,
Dillon,	Imbrie,	Owens,	Walton,
Dix,	Irvin,	Petrosky,	Watkins,
Duffy,	James,	Pettit,	Weiss,
Elder,	Jones,	Polaski,	Welsh,
Elliott,	Kennedy,	Powers,	Winner,
Ely,	Kirley,	Readinger,	Wood, L. H.,
Erb,	Kitchen,	Reagan,	Wood, N.,
Ewing,	Kline,	Reese, D. P.,	Worley,
Figlock,	Kolankiewicz,	Reese, R. E.,	Wright,
Finnerty,	Kowalski,	Regan,	Yeakel,
Flack,	Krepps,	Reilly,	Yester,
Fleming,	Krise,	Reynolds,	Fiss,

Speaker.

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 976, as follows:

An Act making an appropriation to the Moore Institute of Art Science and Industry formerly Philadelphia School of Design for Women at Philadelphia Pennsylvania

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1. The sum of thirty-three thousand dollars ($33,000) is hereby specifically appropriated to the Moore Institute of Art Science and Industry formerly Philadelphia School of Design for Women at Philadelphia Pennsylvania for the two fiscal years beginning June first one thousand nine hundred and forty-three Provided That in such school there shall be maintained a free scholarship for one pupil of each county in the State to be filled by appointment of the Senator of each such county except that for counties having more than one senator as many scholarships shall be provided as there are senatorial districts in such counties and in case of the failure of any county to be properly represented by an appointee or appointees at the opening of any school year October first then any senator of any senatorial district shall have the power to fill such vacancy or vacancies by the appointment of additional applicants from his own district or any other senatorial district of the State

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—196

Alspach,	Flynn,	Lane,	Riley,
Auker,	Foor,	Laughner,	Robertson,
Baker,	Fox,	Lee,	Root,
Barrett,	Freed,	Leisey,	Rose, S.,
Barton,	Fullerton,	Leonard,	Rose, W. E.,
Bentley,	Garber,	Levy,	Rowley,
Bentzel,	Gardner,	Leydic,	Royer,
Bonawitz,	Gates,	Lichtenwalter,	Salus,
Boorse,	Gillan,	Livingstone,	Sarge,
Boory,	Goodling,	Longo,	Sarraf,
Bower,	Goodwin,	Lovett,	Scanlon,
Boyd,	Gorman,	Lyons,	Schuster,
Bretherick,	Grant,	Madigan,	Serrill,
Brice,	Green,	Mahany,	Simons,
Brigerman,	Greenwood,	McAtee,	Skale,
Brown,	Gross,	Maxwell,	Smith,
Brunner, C. H.,	Gyger,	McClester,	Snider,
Brunner, P. A.,	Haberlen,	McKinney,	Sollenberger,
Burns,	Hall,	McMillen,	Sorg,
Calvin,	Hamilton,	McSurdy,	Stank,
Campbell,	Hannon,	Menna,	Stockham,
Chervenak,	Hare,	Mihm,	Stonier,
Chudoff,	Harris,	Miller,	Tahl,
Cohen,	Haudenshield,	Mintess,	Tate,
Coleman,	Heatherington,	Mock,	Taylor,
Cook,	Helm,	Mooney,	Thompson,
Cooper,	Herman,	Moore,	Thrasher,
Cordier,	Hersch,	Moran,	Tiemann,
Corrigan,	Hewitt,	Moser,	Trent,
Costa,	Hocke,	Muir,	Trout,
Coulson,	Hoffman,	Munley,	Turbett,
Croop,	Hoggard,	Murray,	Van Allsburg,
Dague,	Holmes,	Nowak,	Verona,
Dalrymple,	Hoopes,	O'Brien,	Wachhaus,
Denman,	Hunter, B. F.,	O'Connor,	Wagner, K. H.,
Dennison,	Hunter, W. M.,	O'Dare,	Wagner, P. L.,
Depuy,	Huntley,	O'Neill,	Wallin,
Dillon,	Imbrie,	Owens,	Walton,
Dix,	Irvin,	Petrosky,	Watkins,
Duffy,	James,	Pettit,	Weiss,
Elder,	Jones,	Polaski,	Welsh,
Elliott,	Kennedy,	Powers,	Winner,
Ely,	Kirley,	Readinger,	Wood, L. H.,
Erb,	Kitchen,	Reagan,	Wood, N.,
Ewing,	Kline,	Reese, D. P.,	Worley,
Figlock,	Kolankiewicz,	Reese, R. E.,	Wright,
Finnerty,	Kowalski,	Regan,	Yeakel,
Flack,	Krepps,	Reilly,	Yester,
Fleming	Krise,	Reynolds,	Fiss,

Speaker.

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1029, as follows:

An Act making an appropriation to the Trustees of the Pennsylvania State College for the use of the School of Agriculture for the purpose of conducting research and investigation of problems affecting livestock and agricultural products

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The sum of one hundred thirty thousand dollars ($130,000) or so much thereof as may be necessary is hereby specifically appropriated to the Trustees of the Pennsylvania State College for the two fiscal years beginning June first one thousand nine hundred forty-three for the use of the School of Agriculture for expenditure by the Agriculture Experiment Station for the following purposes

For the support of research and investigation directed toward the development and production of superior strains of crops and livestock and to develop more efficient methods of producing and marketing such products

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—196

Alspach,	Flynn,	Lane,	Riley,
Auker,	Foor,	Laughner,	Robertson,
Baker,	Fox,	Lee,	Root,
Barrett,	Freed,	Leisey,	Rose, S.,
Barton,	Fullerton,	Leonard,	Rose, W. E.,
Bentley,	Garber,	Levy,	Rowley,
Bentzel,	Gardner,	Leydic,	Royer,
Bonawitz,	Gates,	Lichtenwalter,	Salus,
Boorse,	Gillan,	Livingstone,	Sarge,
Boory,	Goodling,	Longo,	Sarraf,
Bower,	Goodwin,	Lovett,	Scanlon,
Boyd,	Gorman,	Lyons,	Schuster,
Bretherick,	Grant,	Madigan,	Serrill,
Brice,	Green,	Mahany,	Simons,
Brigerman,	Greenwood,	McAtee,	Skale,
Brown,	Gross,	Maxwell,	Smith,
Brunner, C. H.,	Gyger,	McClester,	Snider,
Brunner, P. A.,	Haberlen,	McKinney,	Sollenberger,
Burns,	Hall,	McMillen,	Sorg,
Calvin,	Hamilton,	McSurdy,	Stank,
Campbell,	Hannon,	Menna,	Stockham,
Chervenak,	Hare,	Mihm,	Stonier,
Chudoff,	Harris,	Miller,	Tahl,
Cohen,	Haudenshield,	Mintess,	Tate,
Coleman,	Heatherington,	Mock,	Taylor,
Cook,	Helm,	Mooney,	Thompson,
Cooper,	Herman,	Moore,	Thrasher,
Cordier,	Hersch,	Moran,	Tiemann,
Corrigan,	Hewitt,	Moser,	Trent,
Costa,	Hocke,	Muir,	Trout,
Coulson,	Hoffman,	Munley,	Turbett,
Croop,	Hoggard,	Murray,	Van Allsburg,
Dague,	Holmes,	Nowak,	Verona,
Dalrymple,	Hoopes,	O'Brien,	Wachhaus,
Denman,	Hunter, B. F.,	O'Connor,	Wagner, K. H.,
Dennison,	Hunter, W. M.,	O'Dare,	Wagner, P. L.,
Depuy,	Huntley,	O'Neill,	Wallin,
Dillon,	Imbrie,	Owens,	Walton,
Dix,	Irvin,	Petrosky,	Watkins,
Duffy,	James,	Pettit,	Weiss,
Elder,	Jones,	Polaski,	Welsh,
Elliott,	Kennedy,	Powers,	Winner,

Ely,	Kirley,	Readinger,	Wood, L. H.,
Erb,	Kitchen,	Reagan,	Wood, N.,
Ewing,	Kline,	Reese, D. P.,	Worley,
Figlock,	Kolankiewicz,	Reese, R. E.,	Wright,
Finnerty,	Kowalski,	Regan,	Yeakel,
Flack,	Krepps,	Reilly,	Yester,
Fleming,	Krise,	Reynolds,	Fiss,
			Speaker.

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1064, as follows:

An Act to amend the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 343) entitled "An act relating to the finances of the State government providing for the settlement assessment collection and lien of taxes bonus and all other accounts due the Commonwealth the collection and recovery of fees and other money or property due or belonging to the Commonwealth or any agency thereof including escheated property and the proceeds of its sale the custody and disbursement or other disposition of funds and securities belonging to or in the possession of the Commonwealth and the settlement of claims against the Commonwealth the resettlement of accounts and appeals to the courts refunds of moneys erroneously paid to the Commonwealth auditing the accounts of the Commonwealth and all agencies thereof of all public officers collecting moneys payable to the Commonwealth or any agency thereof and all receipts of appropriations from the Commonwealth and imposing penalties affecting every department board commission and officer of the State government every political subdivision of the State and certain officers of such subdivisions every person association and corporation required to pay assess or collect taxes or to make returns or reports under the laws imposing taxes for State purposes or to pay license fees or other moneys to the Commonwealth or any agency thereof every State depository and every debtor or creditor of the Commonwealth" by providing for the manner of payment of escheators' fees informants' commissions and other lawful charges due from moneys escheated to the Commonwealth and escheatable moneys paid to the Commonwealth without escheat designating the funds to which such moneys shall be credited and making an appropriation

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1. The act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 343) entitled "An act relating to the finances of the State government providing for the settlement assessment collection and lien of taxes bonus and all other accounts due the Commonwealth the collection and recovery of fees and other money or property due or belonging to the Commonwealth or any agency thereof including escheated property and the proceeds of its sale the custody and disbursement or other disposition of funds and securities belonging to or in the possession of the Commonwealth and the settlement of claims against the Commonwealth the resettlement of accounts and appeals to the courts refunds of moneys erroneously paid to the Commonwealth auditing the accounts of the Commonwealth and all agencies thereof of all public officers collecting moneys payable to the Commonwealth or any agency thereof and all receipts of appropriations from the Commonwealth and imposing penalties affecting every department board commission and officer of the State government every political subdivision of the State and certain officers of such subdivisions every person association and corporation required to pay assess or collect taxes or to make returns or reports under the laws imposing taxes for State purposes or to pay license fees or other moneys to the Commonwealth or any agency thereof every State depository and every debtor or creditor of the Commonwealth" is hereby amended by adding thereto after section one thousand three hundred fourteen a new section to read as follows

Section 1315. Manner of Payment of Escheators' Fees Informants' Commissions and Other Charges Due from Escheated Moneys All moneys which shall be escheated to the Commonwealth and all moneys subject to escheat but paid to the Commonwealth without escheat and transmitted to the Treasury Department shall be credited to separate accounts which shall be designated "escheat accounts"

All escheators' fees informants' commissions and other lawful costs in any case chargeable against any particular escheat account shall be paid therefrom upon requisition of the Department of Revenue and warrant of the Auditor General and so much of said moneys in such escheat account as may from time to time be necessary to pay such fees commissions and charges against such escheat account is hereby appropriated for such purposes

When all escheators' fees informants' commissions and other lawful charges against any escheated moneys or any funds subject to escheat but paid to the Commonwealth without escheat have been paid in any escheat case or when there are no such fees commissions or charges due the Department of Revenue shall so certify to the Treasury Department Upon receipt of the certification of the Department of Revenue that all such fees commissions and charges have been paid in a particular escheat case or that none are due the Treasury Department shall transfer the net proceeds from that case if it be from an escheated decedent's estate to the State School Fund and if it be from any other escheat or escheatable property to the General Fund

Section 2. All acts and parts of acts inconsistent herewith are hereby repealed

Section 3. The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—196

Alspach,	Flynn,	Lane,	Riley,
Auker,	Foor,	Laughner,	Robertson,
Baker,	Fox,	Lee,	Root,
Barrett,	Freed,	Leisey,	Rose, S.,
Barton,	Fullerton,	Leonard,	Rose, W. E.,
Bentley,	Garber,	Levy,	Rowley,
Bentzel,	Gardner,	Leydic,	Royer,
Bonawitz,	Gates,	Lichtenwalter,	Salus,
Boorse,	Gillan,	Livingstone,	Sarge,
Boory,	Goodling,	Longo,	Sarraf,
Bower,	Goodwin,	Lovett,	Scanlon,
Boyd,	Gorman,	Lyons,	Schuster,
Bretherick,	Grant,	Madigan,	Serrill,
Brice,	Green,	Mahany,	Simons,
Brigerman,	Greenwood,	McAtee,	Skale,
Brown,	Gross,	Maxwell,	Smith,
Brunner, C. H.,	Gyger,	McClester,	Snider,
Brunner, P. A.,	Haberlen,	McKinney,	Sollenberger,
Burns,	Hall,	McMillen,	Sorg,
Calvin,	Hamilton,	McSurdy,	Stank,
Campbell,	Hannon,	Menna,	Stockham,
Chervenak,	Hare,	Mihm,	Stonier,
Chudoff,	Harris,	Miller,	Tahl,
Cohen,	Haudenshield,	Mintess,	Tate,
Coleman,	Heatherington,	Mock,	Taylor,
Cook,	Helm,	Mooney,	Thompson,
Cooper,	Herman,	Moore,	Thrasher,
Cordier,	Hersch,	Moran,	Tiemann,

Corrigan,	Hewitt,	Moser,	Trent,
Costa,	Hocke,	Muir,	Trout,
Coulson,	Hoffman,	Munley,	Turbett,
Croop,	Hoggard,	Murray,	Van Allsburg,
Dague,	Holmes,	Nowak,	Verona,
Dalrymple,	Hoopes,	O'Brien,	Wachhaus,
Denman,	Hunter, B. F.,	O'Connor,	Wagner, K. H.,
Dennison,	Hunter, W. M.,	O'Dare,	Wagner, P. L.,
Depuy,	Huntley,	O'Neill,	Wallin,
Dillon,	Imbrie,	Owens,	Walton,
Dix,	Irvin,	Petrosky,	Watkins,
Duffy,	James,	Pettit,	Weiss,
Elder,	Jones,	Polaski,	Welsh,
Elliott,	Kennedy,	Powers,	Winner,
Ely,	Kirley,	Readinger,	Wood, L. H.,
Erb,	Kitchen,	Reagan,	Wood, N.,
Ewing,	Kline,	Reese, D. P.,	Worley,
Figlock,	Kolankiewicz,	Reese, R. E.,	Wright,
Finnerty,	Kowalski,	Regan,	Yeakel,
Flack,	Krepps,	Reilly,	Yester,
Fleming,	Krise,	Reynolds,	Fiss,
			Speaker.

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1074, as follows:

An Act authorizing the Department of Property and Supplies with the approval of the Governor and the Board of Trustees of Allentown State Hospital to acquire a certain tract of land for the use of said hospital and making an appropriation therefor

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The Department of Property and Supplies with the approval of the Governor and the Board of Trustees of Allentown State Hospital is hereby authorized to purchase in the name of the Commonwealth of Pennsylvania the following tracts of land

(1) A certain tract of land of approximately one hundred sixty-four acres known as the Riegel property in East Allen Township Northampton County surrounded on three sides by present property of said hospital and constituting valuable acreage both for farm production and proposed future building sites for essential development of the institution

(2) A certain tract of land of approximately twenty-eight acres known as the Bilheimer property situated in East Allen Township Northampton County surrounded on three sides by land already owned by the Commonwealth to eliminate private ownership and use of farm buildings located within a few hundred feet of a colony building and to enable additional administrative efficiency of patients and farm activity

Section 2 Said tracts of land when purchased shall be added to the lands of the Homeopathic State Hospital for the Insane at Allentown The deeds of conveyance shall be deposited with the Secretary of Internal Affairs

Section 3 The said lands shall not be acquired until the titles thereto have been approved by the Department of Justice

Section 4 The sum of twenty-three thousand five hundred dollars ($23,500) or so much thereof as may be necessary is hereby appropriated to the Department of Property and Supplies for the payment of the purchase price of said tracts of land and the expenses incidental thereto including title searches

Section 5 This act shall become effective immediately upon final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—196

Alspach,	Flynn,	Lane,	Riley,
Auker,	Foor,	Laughner,	Robertson,
Baker,	Fox,	Lee,	Root,
Barrett,	Freed,	Leisey,	Rose, S.,
Barton,	Fullerton,	Leonard,	Rose, W. E.,
Bentley,	Garber,	Levy,	Rowley,
Bentzel,	Gardner,	Leydic,	Royer,
Bonawitz,	Gates,	Lichtenwalter,	Salus,
Boorse,	Gillan,	Livingstone,	Sarge,
Boory,	Goodling,	Longo,	Sarraf,
Bower,	Goodwin,	Lovett,	Scanlon,
Boyd,	Gorman,	Lyons,	Schuster,
Bretherick,	Grant,	Madigan,	Serrill,
Brice,	Green,	Mahany,	Simons,
Brigerman,	Greenwood,	McAtee,	Skale,
Brown,	Gross,	Maxwell,	Smith,
Brunner, C. H.,	Gyger,	McClester,	Snider,
Brunner, P. A.,	Haberlen,	McKinney,	Sollenberger,
Burns,	Hall,	McMillen,	Sorg,
Calvin,	Hamilton,	McSurdy,	Stank,
Campbell,	Hannon,	Menna,	Stockham,
Chervenak,	Hare,	Mihm,	Stonier,
Chudoff,	Harris,	Miller,	Tahl,
Cohen,	Haudenshield,	Mintess,	Tate,
Coleman,	Heatherington,	Mock,	Taylor,
Cook,	Helm,	Mooney,	Thompson,
Cooper,	Herman,	Moore,	Thrasher,
Cordier,	Hersch,	Moran,	Tiemann,
Corrigan,	Hewitt,	Moser,	Trent,
Costa,	Hocke,	Muir,	Trout,
Coulson,	Hoffman,	Munley,	Turbett,
Croop,	Hoggard,	Murray,	Van Allsburg,
Dague,	Holmes,	Nowak,	Verona,
Dalrymple,	Hoopes,	O'Brien,	Wachhaus,
Denman,	Hunter, B. F.,	O'Connor,	Wagner, K. H.,
Dennison,	Hunter, W. M.,	O'Dare,	Wagner, P. L.,
Depuy,	Huntley,	O'Neill,	Wallin,
Dillon,	Imbrie,	Owens,	Walton,
Dix,	Irvin,	Petrosky,	Watkins,
Duffy,	James,	Pettit,	Weiss,
Elder,	Jones,	Polaski,	Welsh,
Elliott,	Kennedy,	Powers,	Winner,
Ely,	Kirley,	Readinger,	Wood, L. H.,
Erb,	Kitchen,	Reagan,	Wood, N.,
Ewing,	Kline,	Reese, D. P.,	Worley,
Figlock,	Kolankiewicz,	Reese, R. E.,	Wright,
Finnerty,	Kowalski,	Regan,	Yeakel,
Flack,	Krepps,	Reilly,	Yester,
Fleming,	Krise,	Reynolds,	Fiss,
			Speaker.

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1088, as follows:

An Act to amend sections one and two of the act approved the seventh day of August one thousand nine hundred forty-one (P. L. 887) entitled "An act authorizing the Department of Property and Supplies with the approval of the Governor and the Department of Welfare to acquire certain land adjacent to and for the use of the Scranton State Hospital providing for the improvement and use thereof authorizing the City of Scranton to pay the costs of such improvements in whole or in part and making an appropriation" further providing as to the improvement and use of the land acquired under authority of said act

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Sections one and two of the act approved the seventh day of August one thousand nine hundred forty-one (P. L. 887) entitled "An act authorizing the Department of Property and Supplies with the approval of the Governor and the Department of Welfare to acquire certain land adjacent to and for the use of the Scranton State Hospital providing for the improvement and use thereof authorizing the City of Scranton to pay the costs of such improvements in whole or in part and making an appropriation" are hereby amended to read as follows

Section 1 The Department of Property and Supplies with the approval of the Governor and the Department of Welfare is hereby authorized to acquire by gift purchase or condemnation in the name of the Commonwealth two strips of land adjoining the Scranton State Hospital in the City of Scranton the one abutting on Raymond Court between Mulberry Street and Vine Street a distance of three hundred feet more or less and the other contiguous to the present property of said hospital between Franklin Avenue and Raymond Court a distance of one hundred fifty feet more or less both strips of a depth of fifty feet or so much thereof as may be necessary No parts of such land shall be acquired until the titles thereto have been approved by the Department of Justice Such land when acquired shall be added to the lands of the Scranton State Hospital The deeds of conveyance shall be deposited with the Secretary of Internal Affairs

Section 2 Said land when acquired may be used by the Commonwealth or any agency thereof for the erection of any building for the Scranton State Hospital and/or shall be beautified and improved for use in connection with said hospital as an automobile parking area and as a park for convalescent patients Such beautification and improvement may be undertaken by the city of Scranton upon request of the Department of Property and Supplies of the Commonwealth of Pennsylvania and the municipal authorities of said city are hereby authorized to appropriate and expend such sums as they deem necessary for the improvement of such land in cooperation with or in conjunction with any Federal or State agency The cost thereof may be paid in whole or in part out of funds supplied by the Works Progress Administration or other Federal or State agency

Section 2 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—196

Aispach,	Flynn,	Lane,	Riley,
Auker,	Foor,	Laughner,	Robertson,
Baker,	Fox,	Lee,	Root,
Barrett,	Freed,	Leisey,	Rose, S.,
Barton,	Fullerton,	Leonard,	Rose, W. E.,
Bentley,	Garber,	Levy,	Rowley,
Bentzel,	Gardner,	Leydic,	Royer,
Bonawitz,	Gates,	Lichtenwalter,	Salus,
Boorse,	Gillan	Livingstone,	Sarge,
Boory,	Goodling,	Longo,	Sarraf,
Bower,	Goodwin,	Lovett,	Scanlon,
Boyd,	Gorman,	Lyons,	Schuster,
Bretherick,	Grant,	Madigan,	Serrill,
Brice,	Green,	Mahany,	Simons,
Brigerman,	Greenwood,	McAtee,	Skale,
Brown,	Gross,	Maxwell,	Smith,
Brunner, C. H.,	Gyger,	McClester,	Snider,
Brunner, P. A.,	Haberlen,	McKinney,	Sollenberger,
Burns,	Hall,	McMillen,	Sorg,
Calvin,	Hamilton,	McSurdy,	Stank,
Campbell,	Hannon,	Menna,	Stockham,
Chervenak,	Hare,	Mihm,	Stonier,
Chudoff,	Harris,	Miller,	Tahl,
Cohen,	Haudenshield,	Mintess,	Tate,
Coleman,	Heatherington,	Mock,	Taylor,
Cook,	Helm,	Mooney,	Thompson,
Cooper,	Herman,	Moore,	Thrasher,
Cordier,	Hersch,	Moran,	Tiemann,
Corrigan,	Hewitt,	Moser,	Trent,
Costa,	Hocke,	Muir,	Trout,
Coulson,	Hoffman,	Munley,	Turbett,
Croop,	Hoggard,	Murray,	Van Allsburg,
Dague,	Holmes,	Nowak,	Verona,
Dalrymple,	Hoopes,	O'Brien,	Wachhaus,
Denman,	Hunter, B. F.,	O'Connor,	Wagner, K. H.,
Dennison,	Hunter, W. M.,	O'Dare,	Wagner, P. L.,
Depuy,	Huntley,	O'Neill,	Wallin,
Dillon,	Imbrie,	Owens,	Walton,
Dix,	Irvin,	Petrosky,	Watkins,
Duffy,	James,	Pettit,	Weiss,
Elder,	Jones,	Polaski,	Welsh,
Elliott,	Kennedy,	Powers,	Winner,
Ely,	Kirley,	Readinger,	Wood, L. H.,
Erb,	Kitchen,	Reagan,	Wood, N.,
Ewing,	Kline,	Reese, D. P.,	Worley,
Figlock,	Kolankiewicz,	Reese, R. E.,	Wright,
Finnerty,	Kowalski,	Regan,	Yeakel,
Flack,	Krepps,	Reilly,	Yester,
Fleming,	Krise,	Reynolds,	Fiss, Speaker.

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1098, as follows:

An Act making an appropriation to the Pennsylvania Historical Commission to cover the expenses of restoring and refurnishing the Daniel Boone Homestead

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The sum of twenty-two thousand five hundred dollars ($22,500) or so much thereof as may be necessary is hereby specifically appropriated to the Pennsylvania Historical Commission for the two fiscal years beginning June first one thousand nine hundred and forty-three for the payment of salaries wages or other compensation of such superintendent guards wardens and workmen as may be necessary for the restoration improvement refurnishing and preservation of the Daniel Boone Homestead for the necessary cost of freight stationery postage fertilizers seeds and other supplies for plowing and mowing for the purchase of trees and shrubs and for the planting of the same for the restoration of the Daniel Boone Homestead barn and out buildings for the installation of a water system sewage system and electric lighting for the construction of a picnic ground including a shelter and toilet facilities for the building of a dam for the construction of a weekend camp for the construction of a caretaker's house garage and storage barn for the construction and improvement of roads and parking areas within the property for the furnishing of the buildings on the property for the purchase of articles of historic interest to the public and for other incidental and contingent expenses

Section 2 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—196

Alspach,	Flynn,	Lane,	Riley,
Auker,	Foor,	Laughner,	Robertson,
Baker,	Fox,	Lee,	Root,
Barrett,	Freed,	Leisey,	Rose, S.,
Barton,	Fullerton,	Leonard,	Rose, W. E.,
Bentley,	Garber,	Levy,	Rowley,
Bentzel,	Gardner,	Leydic,	Royer,
Bonawitz,	Gates,	Lichtenwalter,	Salus,
Boorse,	Gillan,	Livingstone,	Sarge,
Boory,	Goodling,	Longo,	Sarraf,
Bower,	Goodwin,	Lovett,	Scanlon,
Boyd,	Gorman,	Lyons,	Schuster,
Bretherick,	Grant,	Madigan,	Serrill,
Brice,	Green,	Mahany,	Simons,
Brigerman,	Greenwood,	McAtee,	Skale,
Brown,	Gross,	Maxwell,	Smith,
Brunner, C. H.,	Gyger,	McClester,	Snider,
Brunner, P. A.,	Haberlen,	McKinney,	Sollenberger,
Burns,	Hall,	McMillen,	Sorg,
Calvin,	Hamilton,	McSurdy,	Stank,
Campbell,	Hannon,	Menna,	Stockham,
Chervenak,	Hare,	Mihm,	Stonier,
Chudoff,	Harris,	Miller,	Tahl,
Cohen,	Haudenshield,	Mintess,	Tate,
Coleman,	Heatherington,	Mock,	Taylor,
Cook,	Helm,	Mooney,	Thompson,
Cooper,	Herman,	Moore,	Thrasher,
Cordier,	Hersch,	Moran,	Tiemann,
Corrigan,	Hewitt,	Moser,	Trent,
Costa,	Hocke,	Muir,	Trout,
Coulson,	Hoffman,	Munley,	Turbett,
Croop,	Hoggard,	Murray,	Van Allsburg,
Dague,	Holmes,	Nowak,	Verona,
Dalrymple,	Hoopes,	O'Brien,	Wachhaus,
Denman,	Hunter, B. F.,	O'Connor,	Wagner, K. H.,
Dennison,	Hunter, W. M.,	O'Dare,	Wagner, P. L.,
Depuy,	Huntley,	O'Neill,	Wallin,
Dillon,	Imbrie,	Owens,	Walton,
Dix,	Irvin,	Petrosky,	Watkins,
Duffy,	James,	Pettit,	Weiss,
Elder,	Jones,	Polaski,	Welsh,
Elliott,	Kennedy,	Powers,	Winner,
Ely,	Kirley,	Readinger,	Wood, L. H.,
Erb,	Kitchen,	Reagan,	Wood, N.,
Ewing,	Kline,	Reese, D. P.,	Worley,
Figlock,	Kolankiewicz,	Reese, R. E.,	Wright,
Finnerty,	Kowalski,	Regan,	Yeakel,
Flack,	Krepps,	Reilly,	Yester,
Fleming,	Krise,	Reynolds,	Fiss,

Speaker.

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1105, as follows:

An Act making an appropriation to the Department of Property and Supplies for the restoration improvement and equipment of the Pottsgrove Mansion in the borough of Pottstown on the advice and subject to the approval of the Pennsylvania Historical Commission

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The sum of twenty-thousand dollars ($20,000) or as much thereof as may be necessary is hereby specifically appropriated out of the General Fund to the Department of Property and Supplies for the purpose of completing the work of the restoration of the building known as the Pottsgrove Mansion in the borough of Pottstown Montgomery County acquired by the Commonwealth pursuant to the provisions of the act approved the fifth day of August one thousand nine hundred forty-one(P. L. 830) and for the construction of walls fences paths roads parking area minor service building grading and landscaping purchase of necessary materials purchase of furniture furnishings and antiquites and professional fees necessary in the completion of Pottsgrove Mansion as outlined

All of said work shall be done on the advice of the Pennsylvania Historical Commission and subject to its approval

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—196.

Alspach,	Flynn,	Lane,	Riley,
Auker,	Foor,	Laughner,	Robertson,
Baker,	Fox,	Lee,	Root,
Barrett,	Freed,	Leisey,	Rose, S.,
Barton,	Fullerton,	Leonard,	Rose, W. E.,
Bentley,	Garber,	Levy,	Rowley,
Bentzel,	Gardner,	Leydic,	Royer,
Bonawitz,	Gates,	Lichtenwalter,	Salus,
Boorse,	Gillan,	Livingstone,	Sarge,
Boory,	Goodling,	Longo,	Sarraf,
Bower,	Goodwin,	Lovett,	Scanlon,
Boyd,	Gorman,	Lyons,	Schuster,
Bretherick,	Grant,	Madigan,	Serrill,
Brice,	Green,	Mahany,	Simons,
Brigerman,	Greenwood,	McAtee,	Skale,
Brown,	Gross,	Maxwell,	Smith,
Brunner, C. H.,	Gyger,	McClester,	Snider,
Brunner, P. A.,	Haberlen,	McKinney,	Sollenberger,
Burns,	Hall,	McMillen,	Sorg,
Calvin,	Hamilton,	McSurdy,	Stank,
Campbell,	Hannon,	Menna,	Stockham,
Chervenak,	Hare,	Mihm,	Stonier,
Chudoff,	Harris,	Miller,	Tahl,
Cohen,	Haudenshield,	Mintess,	Tate,
Coleman,	Heatherington,	Mock,	Taylor,
Cook,	Helm,	Mooney,	Thompson,
Cooper,	Herman,	Moore,	Thrasher,
Cordier,	Hersch,	Moran,	Tiemann,
Corrigan,	Hewitt,	Moser,	Trent,
Costa,	Hocke,	Muir,	Trout,
Coulson,	Hoffman,	Munley,	Turbett,
Croop,	Hoggard,	Murray,	Van Allsburg,
Dague,	Holmes,	Nowak,	Verona,
Dalrymple,	Hoopes,	O'Brien,	Wachhaus,
Denman,	Hunter, B. F.,	O'Connor,	Wagner, K. H.,
Dennison,	Hunter, W. M.,	O'Dare,	Wagner, P. L.,
Depuy,	Huntley,	O'Neill,	Wallin,
Dillon,	Imbrie,	Owens,	Walton,
Dix,	Irvin,	Petrosky,	Watkins,
Duffy,	James,	Pettit,	Weiss,
Elder,	Jones,	Polaski,	Welsh,
Elliott,	Kennedy,	Powers,	Winner,
Ely,	Kirley,	Readinger,	Wood, L. H.,
Erb,	Kitchen,	Reagan,	Wood, N.,
Ewing,	Kline,	Reese, D. P.,	Worley,
Figlock,	Kolankiewicz,	Reese, R. E.,	Wright,
Finnerty,	Kowalski,	Regan,	Yeakel,
Flack,	Krepps,	Reilly,	Yester,
Fleming,	Krise,	Reynolds,	Fiss,

Speaker.

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1107, as follows:

An Act making an appropriation to the Department of Welfare for the maintenance of certain hospitals

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The sum of eight millon seven hundred [fifty] eighteen thousand two hundred dollars [($8,750,000)] ($8,718,200) or as much thereof as may be necessary is

hereby appropriated to the Department of Welfare for the two fiscal years beginning June first one thousand nine hundred and forty-three to be by it paid to the hospitals hereinafter designated in the amounts hereinafter specified for the purpose of the maintenance of such hospitals in the manner prescribed by law at the rate of Three and fifty one hundredth dollars ($3.50) per diem for the medical and surgical services rendered to and maintenance of persons treated in such hospitals who are entitled to free service and for each day of part pay service such proportion of three and fifty one hundreth dollars per diem rate as the part of the regular charge which the person treated is not able to pay bears to the regular ward charge for free service except that no hospital shall receive compensation at a rate exceeding the actual cost of service per capita in its public ward

Abington Memorial Hospital	70,000
Adrian Hospital Association Punxsutawney	40,100
Allegheny General Hospital Pittsburgh	181,200
Allegheny Valley Hospital Tarentum	30,200
Allentown Hospital Allentown	145,000
Altoona Hospital	59,000
American Hospital for Diseases of Stomach Philadelphia	7,200
American Oncologic Hospital Philadelphia	20,000
Armstrong County Hospital Kittanning	18,000
Barnes Simon H Memorial Hospital	5,500
Beaver Valley General Hospital New Brighton	16,000
Belvedere Hospital Pittsburgh	4,500
Berwick Hospital	18,000
Black F W Community Hospital Lewistown	6,000
Blair J C Memorial Hospital Huntingdon	36,000
Bloomsburg Hospital	32,000
Braddock General Hospital	47,600
Bradford Hospital	31,600
Broad Street Hospital Philadelphia	24,000
Brookville Hospital	15,500
Brownsville General Hospital	31,000
Bryn Mawr Hospital Bryn Mawr	40,000
Butler County Memorial Hospital	28,000
Canonsburg General Hospital	19,000
Carbondale General Hospital	27,000
Carlisle Hospital	28,000
Centre County Hospital Bellefonte	25,000
Chambersburg Hospital	20,100
Charleroi-Monessen Hospital	26,500
Chester County Hospital West Chester	58,000
Chester Hospital City of Chester	92,000
Chestnut Hill Hospital Philadelphia	29,000
Children's Heart Hospital Philadelphia	22,000
Children's Hospital of Philadelphia	92,000
Children's Hospital of Pittsburgh	96,000
Christian H Buhl Hospital Sharon	36,000
Citizens General Hospital New Kensington	38,000
Clearfield Hospital	44,000
Coatesville Hospital	42,000
Columbia Hospital Columbia	11,800
Columbia Hospital Wilkinsburg	12,000
Community Hospital Kane	6,500
Community Hospital of Jersey Shore	4,000
Conemaugh Valley Memorial Hospital	112,000
Convalescent Hospital for Colored Women	3,500
Corry Hospital Association	10,500
Coudersport General Hospital	3,900
Crozier J Lewis Hospital Chester	4,000
Delaware County Hospital	21,500
Eagleville Sanatorium for Consumptives	121,000
Easton Hospital	68,000
Elizabeth Steel Magee Pittsburgh	106,000
Elk County General Hospital Ridgway	18,000
Ellwood City Hospital Ellwood City	8,500
Elm Terrace Hospital Lansdale	4,000
Eye and Ear Hospital Pittsburgh	22,000
Frankford Hospital Philadelphia	66,000
Franklin City Hospital	18,000
Frederick Douglass Memorial Hospital and Training School Philadelphia	23,000
Frick Henry Clay Memorial Hospital Mt Pleasant	22,000
Geisinger George F Memorial Hospital Danville	57,000
General Hospital of Monroe County East Stroudsburg	20,000
Germantown Dispensary and Hospital	180,000
Good Samaritan Hospital Lebanon	53,000
Grandview Hospital Sellersville	15,000
Grandview Institution for Consumptives Oil City	15,000
Greene County Memorial Hospital Waynesburg	15,000
Greenville Hospital Greenville	9,000
Grove City Hospital	3,000
Hahnemann Hospital Philadelphia	206,000
Hahnemann Hospital Scranton	59,000
Hamot Hospital Association Erie	107,000
Hanover General Hospital Hanover	16,000
Harrisburg Hospital Harrisburg	106,000
Harrisburg Polyclinic Hospital Harrisburg	62,000
Homeopathic Hospital of Chester County West Chester	30,000
Homeopathic Medical and Surgical Hospital Reading	64,000
Homestead Hospital	42,000
Indiana Hospital	47,000
Jameson Memorial Hospital Association (Shenango Valley) New Castle	20,000
Jeanes Hospital Fox Chase Philadelphia	3,000
Jefferson Medical College Hospital	265,000
Kane Summit Hospital Association	7,000
Kensington Hospital for Women Philadelphia	40,000
Lancaster County Tuberculosis Society (Rossmore)	58,400
Lancaster General Hospital	74,000
Lankenau Hospital Priladelphia	38,000
Latrobe Hospital	25,000
Lee Homeopathic Hospital Johnstown	23,000
Lewistown Hospital	56,000
Lock Haven Hospital	38,000
Lying-in-Charity Hospital Philadelphia	64,000
Maple Avenue Hospital Association DuBois	16,000
Maternity Hospital Philadelphia	33,750
McKeesport Hospital	82,000
Meadville City Hospital	24,000
Memorial Hospital Association Monongahela City	12,000
Memorial Hospital Roxborough Philadelphia	40,000
Mercy Hospital Altoona	46,000
Mercy Hospital and School for Nurses Philadelphia	77,000
Mercy Hospital Wilkes-Barre	87,500
Mid-Valley Hospital Blakely	32,000
Milliken A C Hospital Pottsville	25,000
Miners' Hospital of Northern Cambria	42,000
Montefiore Hospital Pittsburgh	74,000
Montgomery Hospital Norristown	43,150
Mount Sinai Hospital Philadelphia	126,000
Mason Hospital Association Roaring Spring	28,000
National Stomach Hospital Philadelphia	3,100
Northern Liberties Hospital	20,000
Northeastern Hospital of Philadelphia	31,000
Northwestern General Hospital Philadelphia	16,600
Ohio Valley General Hospital McKees Rocks	23,000
Oil City Hospital	27,000
Packer Mary M Hospital Sunbury	37,000
Packer Robert Hospital Sayre	135,000
Passavant Hospital Pittsburgh	48,000
Pennsylvania Epileptic Hospital and Colony Farm Oakburne	42,300
Pennsylvania Hospital of Philadelphia (Contributors)	175,000
Philadelphia College of Osteopathy and Osteopathic Hospital of Philadelphia	6,900
Phoenixville Hospital	16,000
Pittsburgh Hospital Association	66,000
Pittston Hospital Association	57,000
Pottstown Homeopathic Hospital	13,000
Pottstown Hospital	21,600
Pottsville Hospital	84,000
Presbyterian Hospital Pittsburgh	53,000
Providence Hospital of Beaver County	12,000
Quakertown Hospital Association	9,600
Reading Hospital	110,000
Renovo Hospital	9,000
Rochester General Hospital	28,000
Rush Hospital for Consumptives Philadelphia	79,800

Saint Christopher's Hospital for Children Philadelphia	63,000
Saint Francis' Hospital Pittsburgh	158,000
Saint John's General Hospital Pittsburgh	48,000
Saint Joseph's Hospital Carbondale	22,000
Saint Luke's Hospital South Bethlehem	100,000
Saint Luke's and Children's Medical Centre Philadelpria	85,000
Saint Vincent's Hospital Association Erie	92,000
Sewickley Valley Hospital	28,000
Shady Side Hospital	84,000
Somerset Community Hospital	18,300
South Side Hospital Pittsburgh	67,000
Spencer Hospital Meadville	35,100
Stetson Hospital Philadelphia	12,000
Suburban General Hospital Bellevue	14,000
Taylor Hospital Association Taylor	34,000
Taylor Hospital Ridley Park	21,000
Temple University Hospital Philadelphia	145,000
Titusville Hospital	6,400
Tuberculosis League of Pittsburgh	95,000
Uniontown Hospital	70,000
University of Pennsylvania Hospital Philadelphia	258,000
University of Pennsylvania Graduate Hospital	165,000
Warner Annie M Hospital Gettysburg	12,500
Warren General Hospital	28,000
Washington Hospital	48,000
Wayne County Memorial Hospital Honesdale	7,500
Waynesboro Hospital	16,000
Western Pennsylvania Hospital Pittsburgh	145,000
Westmoreland Hospital Association Greensburg	57,000
West Side Hospital Association Scranton	61,000
Wilkes-Barre General Hospital	162,000
Williamsport Hospital	94,000
Wills Hospital Philadelphia	93,000
Women's Homeopathic Hospital Philadelphia	65,000
Women's Hospital of Philadelphia	71,000
Woman's Hospital Pittsburgh	5,000
Women's Medical College Philadelphia	75,000
Wyoming Valley Homeopathic Hospital Wilkes-Barre	47,000
York Hospital	99,000
Zem Zem Hospital for Crippled Children Erie	14,500

Section 2 Notwithstanding the provisions of section one of this act no part of the appropriation made to the Department of Welfare hereunder shall be made to any hospital therein named if such hospital is a denominational or sectarian institution corporation or association

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—196

Alspach,	Flynn,	Lane,	Riley,
Anker,	Foor,	Laughner,	Robertson,
Baker,	Fox,	Lee,	Root,
Barrett,	Freed,	Leisey,	Rose, S.,
Barton,	Fullerton,	Leonard,	Rose, W. E.,
Bentley,	Garber,	Levy,	Rowley,
Bentzel,	Gardner,	Leydic,	Royer,
Bonawitz,	Gates,	Lichtenwalter,	Salus,
Boorse,	Gillan,	Livingstone,	Sarge,
Boory,	Goodling,	Longo,	Sarraf,
Bower,	Goodwin,	Lovett,	Scanlon,
Boyd,	Gorman,	Lyons,	Schuster,
Bretherick,	Grant,	Madigan,	Serrill,
Brice,	Green,	Mahany,	Simons,
Brigerman,	Greenwood,	McAtee,	Skale,
Brown,	Gross,	Maxwell,	Smith,
Brunner, C. H.,	Gyger,	McClester,	Snider,
Brunner, P. A.,	Haberlen,	McKinney,	Sollenberger,
Burns,	Hall,	McMillen,	Sorg,
Calvin,	Hamilton,	McSurdy,	Stank,
Campbell,	Hannon,	Menna,	Stockham,
Chervenak,	Hare,	Mihm,	Stonier,
Chudoff,	Harris,	Miller,	Tahl,
Cohen,	Haudenshield,	Mintess,	Tate,
Coleman,	Heatherington,	Mock,	Taylor,
Cook,	Helm,	Mooney,	Thompson,
Cooper,	Herman,	Moore,	Thrasher,
Cordier,	Hersch,	Moran,	Tiemann,
Corrigan,	Hewitt,	Moser,	Trent,
Costa,	Hocke,	Muir,	Trout,
Coulson,	Hoffman,	Munley,	Turbett,
Croop,	Hoggard,	Murray,	Van Allsburg,
Dague,	Holmes,	Nowak,	Verona,
Dalrymple,	Hoopes,	O'Brien,	Wachhaus,
Denman,	Hunter, B. F.,	O'Connor,	Wagner, K. H.,
Dennison,	Hunter, W. M.,	O'Dare,	Wagner, P. L.,
Depuy,	Huntley,	O'Neill,	Wallin,
Dillon,	Imbrie,	Owens,	Walton,
Dix,	Irvin,	Petrosky,	Watkins,
Duffy,	James,	Pettit,	Weiss,
Elder,	Jones,	Polaski,	Welsh,
Elliott,	Kennedy,	Powers,	Winner,
Ely,	Kirley,	Readinger,	Wood, L. H.,
Erb,	Kitchen,	Reagan,	Wood, N.,
Ewing,	Kline,	Reese, D. P.,	Worley,
Figlock,	Kolankiewicz,	Reese, R. E.,	Wright,
Finnerty,	Kowalski,	Regan,	Yeakel,
Flack,	Krepps,	Reilly,	Yester,
Fleming,	Krise,	Reynolds,	Fiss, Speaker.

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 81, as follows:

An Act making an appropriation to the Elwyn Training School at Elwyn in the County of Delaware Commonwealth of Pennsylvania and prescribing certain conditions upon which the appropriation will be available to the school

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1. An appropriation is hereby made to the Elwyn Training School of Elwyn in the County of Delaware Commonwealth of Pennsylvania for the maintenance of six hundred (600) wards of the State at four hundred and fifteen dollars ($415) per capita per annum and the sum of four hundred and ninety-eight thousand dollars ($498,000) or so much thereof as may be necessary is hereby specifically appropriated to the said institution for the purpose stated to cover the two fiscal years beginning June first one thousand nine hundred and forty-three

Section 2. The appropriation made by section one of this act is made on the condition that each and every mental defective admitted to the Elwyn Training School after the effective date of this act as a ward of the Commonwealth

1 Shall be selected by the Department of Welfare from a list submitted from time to time to the department by the board of directors of the school

2 Shall have been previously investigated by the Department of Revenue for the purpose of determining the extent if any such mental defective or those legally liable for his or her support may be financially able to pay the cost of the maintenance of such person in the school

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—196

Alspach,	Flynn,	Lane,	Riley,
Auker,	Foor,	Laughner,	Robertson,
Baker,	Fox,	Lee,	Root,
Barrett,	Freed,	Leisey,	Rose, S.,
Barton,	Fullerton,	Leonard,	Rose, W. E.,
Bentley,	Garber,	Levy,	Rowley,
Bentzel,	Gardner,	Leydic,	Royer,
Bonawitz,	Gates,	Lichtenwalter,	Salus,
Boorse,	Gillan	Livingstone,	Sarge,
Boory,	Goodling,	Longo,	Sarraf,
Bower,	Goodwin,	Lovett,	Scanlon,
Boyd,	Gorman,	Lyons,	Schuster,
Bretherick	Grant,	Madigan,	Serrill,
Brice,	Green,	Mahany,	Simons,
Brigerman,	Greenwood,	McAtee,	Skale,
Brown,	Gross,	Maxwell,	Smith,
Brunner, C. H.,	Gyger,	McClester,	Snider,
Brunner, P. A.,	Haberlen,	McKinney,	Sollenberger,
Burns,	Hall,	McMillen,	Sorg,
Calvin,	Hamilton,	McSurdy,	Stank,
Campbell,	Hannon,	Menna,	Stockham,
Chervenak,	Hare,	Mihm,	Stonier,
Chudoff,	Harris,	Miller,	Tahl,
Cohen,	Haudenshield,	Mintess,	Tate,
Coleman,	Heatherington,	Mock,	Taylor,
Cook,	Helm,	Mooney,	Thompson,
Cooper,	Herman,	Moore,	Thrasher,
Cordier,	Hersch,	Moran,	Tiemann,
Corrigan,	Hewitt,	Moser,	Trent,
Costa,	Hocke,	Muir,	Trout,
Coulson,	Hoffman,	Munley,	Turbett,
Croop,	Hoggard,	Murray,	Van Allsburg,
Dague,	Holmes,	Nowak,	Verona,
Dalrymple	Hoopes,	O'Brien,	Wachhaus,
Denman,	Hunter, B. F.,	O'Connor,	Wagner, K. H.,
Dennison,	Hunter, W. M.,	O'Dare,	Wagner, P. L.,
Depuy,	Huntley,	O'Neill,	Wallin,
Dillon,	Imbrie,	Owens,	Walton,
Dix,	Irvin,	Petrosky,	Watkins,
Duffy,	James,	Pettit,	Weiss,
Elder,	Jones,	Polaski,	Welsh,
Elliott,	Kennedy,	Powers,	Winner,
Ely,	Kirley,	Readinger,	Wood, L. H.,
Erb,	Kitchen,	Reagan,	Wood, N.,
Ewing,	Kline,	Reese, D. P.,	Worley,
Figlock,	Kolankiewicz,	Reese, R. E.,	Wright,
Finnerty,	Kowalski,	Regan,	Yeakel,
Flack,	Krepps,	Reilly,	Yester,
Fleming,	Krise,	Reynolds,	Fiss,
			Speaker.

NAYS—0

The majority required by the Constitution having voted in the affirmiative, the question was determined in the affirmative.

And said bill having been read at length the third time, for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 106, as follows:

An Act making an appropriation to the Trustees of the Hahnemann Medical College and Hospital of Philadelphia Pennsylvania

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1. The sum of one hundred fifty thousand dollars ($150,000) or as much thereof as may be necessary is hereby specifically appropriated to the Trustees of the Hahnemann Medical College and Hospital of Philadelphia Pennsylvania for the two fiscal years beginning June first one thousand nine hundred forty-three for the purpose of maintenance of a school of medicine

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—196

Alspach,	Flynn,	Lane,	Riley,
Auker,	Foor,	Laughner,	Robertson,
Baker,	Fox,	Lee,	Root,
Barrett,	Freed,	Leisey,	Rose, S.,
Barton,	Fullerton,	Leonard,	Rose, W. E.,
Bentley,	Garber,	Levy,	Rowley,
Bentzel,	Gardner,	Leydic,	Royer,
Bonawitz,	Gates,	Lichtenwalter,	Salus,
Boorse,	Gillan	Livingstone,	Sarge,
Boory,	Goodling,	Longo,	Sarraf,
Bower,	Goodwin,	Lovett,	Scanlon,
Boyd,	Gorman,	Lyons,	Schuster,
Bretherick,	Grant,	Madigan,	Serrill,
Brice,	Green,	Mahany,	Simons,
Brigerman,	Greenwood,	McAtee,	Skale,
Brown,	Gross,	Maxwell,	Smith,
Brunner, C. H.,	Gyger,	McClester,	Snider,
Brunner, P. A.,	Haberlen,	McKinney,	Sollenberger,
Burns,	Hall,	McMillen,	Sorg,
Calvin,	Hamilton,	McSurdy,	Stank,
Campbell,	Hannon,	Menna,	Stockham,
Chervenak,	Hare,	Mihm,	Stonier,
Chudoff,	Harris,	Miller,	Tahl,
Cohen,	Haudenshield,	Mintess,	Tate,
Coleman,	Heatherington,	Mock,	Taylor,
Cook	Helm,	Mooney,	Thompson,
Cooper,	Herman,	Moore,	Thrasher,
Cordier,	Hersch,	Moran,	Tiemann,
Corrigan,	Hewitt,	Moser,	Trent,
Costa,	Hocke,	Muir,	Trout,
Coulson,	Hoffman,	Munley,	Turbett,
Croop,	Hoggard,	Murray,	Van Allsburg,
Dague,	Holmes,	Nowak,	Verona,
Dalrymple,	Hoopes,	O'Brien,	Wachhaus,
Denman,	Hunter, B. F.,	O'Connor,	Wagner, K. H.,
Dennison,	Hunter, W. M.,	O'Dare,	Wagner, P. L.,
Depuy,	Huntley,	O'Neill,	Wallin,
Dillon,	Imbrie,	Owens,	Walton,
Dix,	Irvin,	Petrosky,	Watkins,
Duffy,	James,	Pettit,	Weiss,
Elder,	Jones,	Polaski,	Welsh,
Elliott,	Kennedy,	Powers,	Winner,
Ely,	Kirley,	Readinger,	Wood, L. H.,
Erb,	Kitchen,	Reagan,	Wood, N.,
Ewing,	Kline,	Reese, D. P.,	Worley,
Figlock,	Kolankiewicz,	Reese, R. E.,	Wright,
Finnerty,	Kowalski,	Regan,	Yeakel,
Flack,	Krepps,	Reilly,	Yester,
Fleming,	Krise,	Reynolds,	Fiss,
			Speaker.

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 177, as follows:

An Act making an appropriation to the State Veterans' Commission for certain expenses of the commission and for the assistance of needy Pennsylvania veterans of any war or their dependents

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1. The sum of eight hundred ninety thousand dollars ($890,000) or as much thereof as may be necessary is hereby appropriated out of the General Fund to the State Veterans' Commission for the two fiscal years beginning June first one thousand nine hundred forty-three for the payment of traveling expenses and other authorized disbursements of the commission salaries wages and expenses of its employes and to furnish funds to provide the necessities of life for and to assist otherwise such Pennsylvania veterans of any war or the widows and infant children or dependent of such veterans as are sick disabled or indigent and who are without means

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—196

Alspach,	Flynn,	Lane,	Riley,
Auker,	Foor,	Laughner,	Robertson,
Baker,	Fox,	Lee,	Root,
Barrett,	Freed,	Leisey,	Rose, S.,
Barton,	Fullerton,	Leonard,	Rose, W. E.,
Bentley,	Garber,	Levy,	Rowley,
Bentzel,	Gardner,	Leydic,	Royer,
Bonawitz,	Gates,	Lichtenwalter,	Salus,
Boorse,	Gillan,	Livingstone,	Sarge,
Boory,	Goodling,	Longo,	Sarraf,
Bower,	Goodwin,	Lovett,	Scanlon,
Boyd,	Gorman,	Lyons,	Schuster,
Bretherick,	Grant,	Madigan,	Serrill,
Brice,	Green,	Mahany,	Simons,
Brigerman,	Greenwood,	McAtee,	Skale,
Brown,	Gross,	Maxwell,	Smith,
Brunner, C. H.,	Gyger,	McClester,	Snider,
Brunner, P. A.,	Haberlen,	McKinney,	Sollenberger,
Burns,	Hall,	McMillen,	Sorg,
Calvin,	Hamilton,	McSurdy,	Stank,
Campbell,	Hannon,	Menna,	Stockham,
Chervenak,	Hare,	Mihm,	Stonier,
Chudoff,	Harris,	Miller,	Tahl,
Cohen,	Haudenshield,	Mintess,	Tate,
Coleman,	Heatherington,	Mock,	Taylor,
Cook,	Helm,	Mooney,	Thompson,
Cooper,	Herman,	Moore,	Thrasher,
Cordier,	Hersch,	Moran,	Tiemann,
Corrigan,	Hewitt,	Moser,	Trent,
Costa,	Hocke,	Muir,	Trout,
Coulson,	Hoffman,	Munley,	Turbett,
Croop,	Hoggard,	Murray,	Van Allsburg,
Dague,	Holmes,	Nowak,	Verona,
Dalrymple,	Hoopes,	O'Brien,	Wachhaus,
Denman,	Hunter, B. F.,	O'Connor,	Wagner, K. H.,
Dennison,	Hunter, W. M.,	O'Dare,	Wagner, P. L.,
Depuy,	Huntley,	O'Neill,	Wallin,
Dillon,	Imbrie,	Owens,	Walton,
Dix,	Irvin,	Petrosky,	Watkins,
Duffy,	James,	Pettit,	Weiss,
Elder,	Jones,	Polaski,	Welsh,
Elliott,	Kennedy,	Powers,	Winner,
Ely,	Kirley,	Readinger,	Wood, L. H.,
Erb,	Kitchen,	Reagan,	Wood, N.,
Ewing,	Kline,	Reese, D. P.,	Worley,
Figlock,	Kolankiewicz,	Reese, R. E.,	Wright,
Finnerty,	Kowalski,	Regan,	Yeakel,
Flack,	Krepps,	Reilly,	Yester,
Fleming,	Krise,	Reynolds,	Fiss,
			Speaker.

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 191, as follows:

An Act making an appropriation to the Pennsylvania State College for expenditure by the School of Mineral Industries thereof under the Supervision of the Department of Mines for the purpose of developing new uses and markets for antracite and bituminous coal

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1. The sum of fifty thousand dollars ($50,000) or so much thereof as may be necessary is hereby appropriated to the Pennsylvania State College for the two fiscal years beginning June first one thousand nine hundred and forty-three for expenditure by the School of Mineral Industries under the supervision of the Department of Mines for the purpose of carrying on research and investigation to discover by-products of anthracite and bituminous coal and uses therefor of developing new scientific chemical industrial domestic and other uses and new and extended markets for anthracite coal and its products and for employing engineers chemists technical experts assistants clerks stenographers and other employes and purchasing such machinery supplies equipment apparatus and other things necessary in the furtherance of the aforesaid research and investigation

Section 2. The moneys herein appropriated shall be available and expened only to the extent that a sum equal to fifty per centum of the amount to be expended by the Commonwealth has been procured and made available by the members of the anthracite and bituminous coal industry

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—196

Alspach,	Flynn,	Lane,	Riley,
Auker,	Foor,	Laughner,	Robertson,
Baker,	Fox,	Lee,	Root,
Barrett,	Freed,	Leisey,	Rose, S.,
Barton,	Fullerton,	Leonard,	Rose, W. E.,
Bentley,	Garber,	Levy,	Rowley,
Bentzel,	Gardner,	Leydic,	Royer,
Bonawitz,	Gates,	Lichtenwalter,	Salus,
Boorse,	Gillan,	Livingstone,	Sarge,
Boory,	Goodling,	Longo,	Sarraf,
Bower,	Goodwin,	Lovett,	Scanlon,
Boyd,	Gorman,	Lyons,	Schuster,
Bretherick,	Grant,	Madigan,	Serrill,
Brice,	Green,	Mahany,	Simons,
Brigerman,	Greenwood,	McAtee,	Skale,
Brown,	Gross,	Maxwell,	Smith,
Brunner, C. H.,	Gyger,	McClester,	Snider,
Brunner, P. A.,	Haberlen,	McKinney,	Sollenberger,
Burns,	Hall,	McMillen,	Sorg,
Calvin,	Hamilton,	McSurdy,	Stank,
Campbell,	Hannon,	Menna,	Stockham,
Chervenak,	Hare,	Mihm,	Stonier,
Chudoff,	Harris,	Miller,	Tahl,
Cohen,	Haudenshield,	Mintess,	Tate,
Coleman,	Heatherington,	Mock,	Taylor,
Cook,	Helm,	Mooney,	Thompson,
Cooper,	Herman,	Moore,	Thrasher,
Cordier,	Hersch,	Moran,	Tiemann,
Corrigan,	Hewitt,	Moser,	Trent,
Costa,	Hocke,	Muir,	Trout,
Coulson,	Hoffman,	Munley,	Turbett,
Croop,	Hoggard,	Murray,	Van Allsburg,
Dague,	Holmes,	Nowak,	Verona,
Dalrymple,	Hoopes,	O'Brien,	Wachhaus,
Denman,	Hunter, B. F.,	O'Connor,	Wagner, K. H.,
Dennison,	Hunter, W. M.,	O'Dare,	Wagner, P. L.,
Depuy,	Huntley,	O'Neill,	Wallin,
Dillon,	Imbrie,	Owens,	Walton,
Dix,	Irvin,	Petrosky,	Watkins,
Duffy,	James,	Pettit,	Weiss,
Elder,	Jones,	Polaski,	Welsh,
Elliott,	Kennedy,	Powers,	Winner,
Ely,	Kirley,	Readinger,	Wood, L. H
Erb,	Kitchen,	Reagan,	Wood, N.,
Ewing,	Kline,	Reese, D. P.,	Worley,
Figlock,	Kolankiewicz,	Reese, R. E.,	Wright,
Finnerty,	Kowalski,	Regan,	Yeakel,
Flack,	Krepps,	Reilly,	Yester,
Fleming,	Krise,	Reynolds,	Fiss,
			Speaker.

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 278, as follows:

An Act making an appropriation for the maintenance repair and improvement of the Port of Philadelphia

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1. The sum of two hundred thousand dollars ($200,000) or so much thereof as may be necessary is hereby specifically appropriated to the Department of Wharves Docks and Ferries of the City of Philadelphia for the maintenance repair and improvement of the Port of Philadelphia including the purchase of new units for the dredging plant and for the purchase of condemnation of sites upon which to erect piers bulkheads or other harbor structures

The moneys so appropriated shall only be expended as authorized and directed by the Council of the City of Philadelphia and shall be drawn from the State Treasury upon warrants drawn by the Auditor General upon requisition by the Director of the Department of Wharves Docks and Ferries of said city

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—196

Alspach,	Flynn,	Lane,	Riley,
Auker,	Foor,	Laughner,	Robertson,
Baker,	Fox,	Lee,	Root,
Barrett,	Freed,	Leisey,	Rose, S.,
Barton,	Fullerton,	Leonard,	Rose, W. E.,
Bentley,	Garber,	Levy,	Rowley,
Bentzel,	Gardner,	Leydic,	Royer,
Bonawitz,	Gates,	Lichtenwalter,	Salus,
Boorse,	Gillan,	Livingstone,	Sarge,
Boory,	Goodling,	Longo,	Sarraf,
Bower,	Goodwin,	Lovett,	Scanlon,
Boyd,	Gorman,	Lyons,	Schuster,
Bretherick,	Grant,	Madigan,	Serrill,
Brice,	Green,	Mahany,	Simons,
Brigerman,	Greenwood,	Maxwell,	Skale,
Brown,	Gross,	McAtee,	Smith,
Brunner, C. H.,	Gyger,	McClester,	Snider,
Brunner, P. A.,	Haberlen,	McKinney,	Sollenberger,
Burns,	Hall,	McMillen,	Sorg,
Calvin,	Hamilton,	McSurdy,	Stank,
Campbell,	Hannon,	Menna,	Stockham,
Chervenak,	Hare,	Mihm,	Stonier,
Chudoff,	Harris,	Miller,	Tahl,
Cohen,	Haudenshield,	Mintess,	Tate,
Coleman,	Heatherington,	Mock,	Taylor,
Cook	Helm,	Mooney,	Thompson,
Cooper,	Herman,	Moore,	Thrasher,
Cordier,	Hersch,	Moran,	Tiemann,
Corrigan,	Hewitt,	Moser,	Trent,
Costa,	Hocke,	Muir,	Trout,
Coulson,	Hoffman,	Munley,	Turbett,
Croop,	Hoggard,	Murray,	Van Allsburg,
Dague,	Holmes,	Nowak,	Verona,
Dalrymple,	Hoopes,	O'Brien,	Wachhaus,
Denman,	Hunter, B. F.,	O'Connor,	Wagner, K. H.,
Dennison,	Hunter, W. M.,	O'Dare,	Wagner, P. L.,
Depuy,	Huntley,	O'Neill,	Wallin,
Dillon,	Imbrie,	Owens,	Walton,
Dix,	Irvin,	Petrosky,	Watkins,
Duffy,	James,	Pettit,	Weiss,
Elder,	Jones,	Polaski,	Welsh,
Elliott,	Kennedy,	Powers,	Winner,
Ewing,	Kirley,	Readinger,	Wood, L. H.,
Ely,	Kitchen,	Reagan,	Wood, N.,
Erb,	Kline,	Reese, D. P.,	Worley,
Figlock,	Kolankiewicz,	Reese, R. E.,	Wright,
Finnerty,	Kowalski,	Regan,	Yeakel,
Flack,	Krepps,	Reilly,	Yester,
Fleming,	Krise,	Reynolds,	Fiss,
			Speaker.

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 307, as follows:

An Act making an appropriation to the Department of Forests and Waters to be used for the acquisition of land within the limits of the "Bucktail State Park" and prescribing the uses to be made of such land

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1. The amount of ten thousand dollars ($10,000) or so much thereof as may be necessary is hereby specifically appropriated to the Department of Forests and Waters to be used for the acquisition of land within the limits of the "Bucktail State Park" as defined by the provisions of the act approved the second day of June one thousand nine hundred thirty-three (P. L. 1415) entitled "An act dedicating and setting aside certain lands in Cameron and Clinton Counties as a public park and pleasure-ground to be known as "Bucktail State Park and imposing certain powers and duties in connection therewith upon the Department of Forests and Waters and the Department of Justice of the Commonwealth" no funds may be expended for the purchase of land under the authority of this act until the title to such land shall be approved by the Attorney General of the Commonwealth The land acquired under the authority of this act shall be controlled supervised and utilized in accordance with the provisions of the aforesaid act approved the second day of June one thousand nine hundred thirty-three (P. L. 141)

Section 2. The provisions of this act shall become effective immediately upon final enactment

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. LEVY. Mr. Speaker, I desire to interrogate the sponsor of the bill, the gentleman from Cameron, Mr. Huntley.

The SPEAKER pro tempore. Will the gentleman from Cameron permit himself to be interrogated?

Mr. HUNTLEY. I will, Mr. Speaker.

Mr. LEVY. Mr. Speaker, I desire to inquire of the gentleman from Cameron as to where the location of Bucktail State Park is?

Mr. HUNTLEY. Mr. Speaker, I am very much surprised. Since it is very largely a Democratic bill that created the park, and it has been before this House several times during the Democratic Administration, but the Bucktail State Park runs from Lock Haven up the West Branch of the Susquehanna to Keating and then Sinnemahoning to Emporium. It takes in one mile on each side of that river. It is seventy-five miles long. It is the greatest place for wild life in Pennsylvania through which a large river passes. It is located just north of the central part of the state. However, it has possibilities as helping to clarify the pollution problem.

Mr. LEVY. Mr. Speaker, do I understand the gentleman from Cameron to say that there is more wild life in Bucktail State Park than in Harrisburg?

The SPEAKER pro tempore. The gentleman is out of order. Both gentleman are passing the "buck".

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—196

Alspach,	Flynn,	Lane,	Riley,
Auker,	Foor,	Laughner,	Robertson,
Baker,	Fox,	Lee,	Root,
Barrett,	Freed,	Leisey,	Rose, S.,
Barton,	Fullerton,	Leonard,	Rose, W. E.,
Bentley,	Garber,	Levy,	Rowley,
Bentzel,	Gardner,	Leydic,	Royer,
Bonawitz,	Gates,	Lichtenwalter,	Salus,
Boorse,	Gillan	Livingstone,	Sarge,
Boory,	Goodling,	Longo,	Sarraf,
Bower,	Goodwin,	Lovett,	Scanlon,
Boyd,	Gorman,	Lyons,	Schuster,
Bretherick,	Grant,	Madigan,	Serrill,
Brice,	Green,	Mahany,	Simons,
Brigerman,	Greenwood,	Maxwell,	Skale,
Brown,	Gross,	McAtee,	Smith,
Brunner, C. H.,	Gyger,	McClester,	Snider,
Brunner, P. A.,	Haberlen,	McKinney,	Sollenberger,
Burns,	Hall,	McMillen,	Sorg,
Calvin,	Hamilton,	McSurdy,	Stank,
Campbell,	Hannon,	Menna,	Stockham
Chervenak,	Hare,	Mihm,	Stonier,
Chudoff,	Harris,	Miller,	Tahl,
Cohen,	Haudenshield,	Mintess,	Tate,
Coleman,	Heatherington,	Mock,	Taylor,
Cook,	Helm,	Mooney,	Thompson
Cooper,	Herman,	Moore,	Thrasher,
Cordier,	Hersch,	Moran,	Tiemann,
Corrigan,	Hewitt,	Moser,	Trent,
Costa,	Hocke,	Muir,	Trout,
Coulson,	Hoffman	Munley,	Turbett,
Croop,	Hoggard,	Murray,	Van Allsburg,
Dague,	Holmes,	Nowak,	Verona,
Dalrymple,	Hoopes,	O'Brien,	Wachhaus,
Denman,	Hunter, B. F.,	O'Connor,	Wagner, K. H.
Dennison,	Hunter, W. M.,	O'Dare,	Wagner, P. L.,
Depuy,	Huntley,	O'Neill,	Wallin,
Dillon,	Imbrie,	Owens,	Walton,
Dix,	Irvin,	Petrosky,	Watkins,
Duffy,	James,	Pettit,	Weiss,
Elder,	Jones,	Polaski,	Welsh,
Elliott,	Kennedy,	Powers,	Winner,
Ewing,	Kirley,	Readinger,	Wood L. H
Ely,	Kitchen,	Reagan,	Wood, N.,
Erb,	Kline,	Reese, D P.,	Worley,
Figlock,	Kolankiewicz,	Reese, R E.,	Wright,
Finnerty,	Kowalski,	Regan,	Yeakel,
Flack,	Krepps,	Reilly,	Yester,
Fleming,	Krise,	Reynolds,	Fiss,
			Speaker.

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 327, as follows:

An Act making an appropriation to the several fire companies of the City of Harrisburg Pennsylvania

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1. The sum of five thousand dollars ($5,000) or as much thereof as may be necessary is hereby specifically appropriated for the several fire companies of the city of Harrisburg Pennsylvania as compensation for protection from and extinguishment of any fire or fires that may occur in or on the Capitol buildings or grounds for the two fiscal years beginning June first one thousand nine hundred and forty-three Said sum to be distributed among said companies in equal amounts

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. McMILLEN. Mr. Speaker, I do not rise to oppose this bill, but I do think it is important that we call the attention of the Members of this House to what this bill is doing and what a bill previously passed is doing.

We have here an appropriation of five thousand dollars, which is a biennial appropriation to the fire department of Harrisburg, and properly so, for the protection of State property. We have also had for many years, a biennial appropriation to the fire department of Cresson for the protection of property and lives in the Cresson Sanitarium. I would just like to point out to the Members of the House that the state is fulfilling an obligation that they have in making these appropriations, but I would like to call to the attention of the House that they have other institutions, state-owned and state-maintained in which are housed many individuals who are not able to take care of themselves nearly as well as the people who inhabit the buildings in Harrisburg.

We have for instance the Torrance State Hospital. Thousands of people are behind iron bars because they are mentally incapacitated and unable to take care of themselves. I wonder if fire protection is adequately provided at these institutions, particularly at Torrance. We have in Indiana the Indiana State College with hundreds of people sleeping in buildings that have iron roofs. There are many instances. We have one in Somerset County where we are going to put the State into position where they have done their best to protect the lives of some of these people in these institutions. If something should happen in these institutions and lives should be lost and it could be proved that there was inadequate fire protection, then where would the state be under that situation?

We realize very definitely that there is a budgetary problem here. It is going to take some money to adequately take care of these institutions with adequate fire protection, and I would like to call to the attention of the House that something should be done before the state finds itself in an unenviable position.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—196

Alspach,	Flynn,	Lane,	Riley,
Auker,	Foor,	Laughner,	Robertson,
Baker,	Fox,	Lee,	Root,
Barrett,	Freed,	Leisey,	Rose, S.,
Barton,	Fullerton,	Leonard,	Rose, W. E.,
Bentley,	Garber,	Levy,	Rowley,
Bentzel,	Gardner,	Leydic,	Royer,
Bonawitz,	Gates,	Lichtenwalter,	Salus,
Boorse,	Gillan	Livingstone,	Sarge,
Boory,	Goodling,	Longo,	Sarraf,
Bower,	Goodwin,	Lovett,	Scanlon,
Boyd,	Gorman,	Lyons,	Schuster,
Bretherick,	Grant,	Madigan,	Serrill,
Brice,	Green,	Mahany,	Simons,
Brigerman,	Greenwood,	Maxwell,	Skale,
Brown,	Gross,	McAtee,	Smith,
Brunner, C. H.,	Gyger,	McClester,	Snider,

Brunner, P. A.,	Haberlen,	McKinney,	Sollenberger,
Burns,	Hall,	McMillen,	Sorg,
Calvin,	Hamilton,	McSurdy,	Stank,
Campbell,	Hannon,	Menna,	Stockham,
Chervenak,	Hare,	Mihm,	Stonier,
Chudoff,	Harris,	Miller,	Tahl,
Cohen,	Haudenshield,	Mintess,	Tate,
Coleman,	Heatherington,	Mock,	Taylor,
Cook	Helm,	Mooney,	Thompson,
Cooper,	Herman,	Moore,	Thrasher,
Cordier,	Hersch,	Moran,	Tiemann,
Corrigan,	Hewitt,	Moser,	Trent,
Costa,	Hocke,	Muir,	Trout,
Coulson,	Hoffman,	Munley,	Turbett,
Croop,	Hoggard,	Murray,	Van Allsburg,
Dague,	Holmes,	Nowak,	Verona,
Dalrymple,	Hoopes,	O'Brien,	Wachhaus,
Denman,	Hunter, B. F.,	O'Connor,	Wagner, K. H.,
Dennison,	Hunter, W. M.,	O'Dare,	Wagner, P. L.,
Depuy,	Huntley,	O'Neill,	Wallin,
Dillon,	Imbrie,	Owens,	Walton,
Dix,	Irvin,	Petrosky,	Watkins,
Duffy,	James,	Pettit,	Weiss,
Elder,	Jones,	Polaski,	Welsh,
Elliott,	Kennedy,	Powers,	Winner,
Ewing,	Kirley,	Readinger,	Wood, L. H.,
Ely,	Kitchen,	Reagan,	Wood, N.,
Erb,	Kline,	Reese, D. P.,	Worley,
Figlock,	Kolankiewicz,	Reese, R. E.,	Wright,
Finnerty,	Kowalski,	Regan,	Yeakel,
Flack,	Krepps,	Reilly,	Yester,
Fleming,	Krise,	Reynolds,	Fiss,
			Speaker.

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 415, as follows:

An Act making an appropriation to the Department of Property and Supplies for the acquisition of lands and the erection of new buildings and service systems and the alteration and extension of existing buildings and service systems for the use of the Soldiers' Orphan School at Scotland Pennsylvania

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The sum of one hundred thousand dollars ($100,000) or so much thereof as may be necessary is hereby specifically appropriated to the Department of Property and Supplies for the acquisition of additional land for the Soldiers' Orphan School at Scotland and for the construction of new buildings the addition to and alteration of present buildings the construction of a new sewage system and water and electric light lines and the alteration and extension of existing sewage systems and water and electric light lines for use and occupancy by the said Soldiers' Orphan School

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—196

Alspach,	Flynn,	Lane,	Riley,
Auker,	Foor,	Laughner	Robertson,
Baker,	Fox,	Lee,	Root,
Barrett,	Freed,	Leisey,	Rose, S.,
Barton,	Fullerton,	Leonard,	Rose, W. E.,
Bentley,	Garber,	Levy,	Rowley,
Bentzel,	Gardner,	Leydic,	Royer,
Bonawitz,	Gates,	Lichtenwalter,	Salus,
Boorse,	Gillan	Livingstone,	Sarge,
Boory,	Goodling,	Longo,	Sarraf,
Bower,	Goodwin,	Lovett,	Scanlon,
Boyd,	Gorman,	Lyons,	Schuster,
Bretherick,	Grant,	Madigan,	Serrill,
Brice,	Green,	Mahany,	Simons,
Brigerman,	Greenwood,	Maxwell,	Skale,
Brown,	Gross,	McAtee,	Smith,
Brunner, C. H.,	Gyger,	McClester,	Snider,
Brunner, P. A.,	Haberlen,	McKinney,	Sollenberger,
Burns,	Hall,	McMillen,	Sorg,
Calvin,	Hamilton,	McSurdy,	Stank,
Campbell,	Hannon,	Menna,	Stockham,
Chervenak,	Hare,	Mihm,	Stonier,
Chudoff,	Harris,	Miller,	Tahl,
Cohen,	Haudenshield,	Mintess,	Tate,
Coleman,	Heatherington,	Mock,	Taylor,
Cook	Helm,	Mooney,	Thompson,
Cooper,	Herman,	Moore,	Thrasher,
Cordier,	Hersch,	Moran,	Tiemann,
Corrigan,	Hewitt,	Moser,	Trent,
Costa,	Hocke,	Muir,	Trout,
Coulson,	Hoffman,	Munley,	Turbett,
Croop,	Hoggard,	Murray,	Van Allsburg,
Dague,	Holmes,	Nowak,	Verona,
Dalrymple,	Hoopes,	O'Brien,	Wachhaus,
Denman,	Hunter, B. F.,	O'Connor,	Wagner, K. H.,
Dennison,	Hunter, W. M.,	O'Dare,	Wagner, P. L.,
Depuy,	Huntley,	O'Neill,	Wallin,
Dillon,	Imbrie,	Owens,	Walton,
Dix,	Irvin,	Petrosky,	Watkins,
Duffy,	James,	Pettit,	Weiss,
Elder,	Jones,	Polaski,	Welsh,
Elliott,	Kennedy,	Powers,	Winner,
Ewing,	Kirley,	Readinger,	Wood, L. H.,
Ely,	Kitchen,	Reagan,	Wood, N.,
Erb,	Kline,	Reese, D. P.,	Worley,
Figlock,	Kolankiewicz,	Reese, R. E.,	Wright,
Finnerty,	Kowalski,	Regan,	Yeakel,
Flack,	Krepps,	Reilly,	Yester,
Fleming,	Krise,	Reynolds,	Fiss,
			Speaker.

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 493, as follows:

An Act making an appropriation to the Department of Forests and Waters for the use of the Pennsylvania State Park and Harbor Commission of Erie and for the joint use of the Federal Government and the Department of Forests and Waters of the Commonwealth of Pennsylvania

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The sum of one hundred eighty thousand dollars ($180,000.00) or as much thereof as may be necessary is hereby specifically appropriated to the Department of Forests and Waters for the protection of the State Park and State Highway on Presque Isle Peninsula at Erie by construction of bulkheads and jetties and repairs to steel jetties with such materials and design as determined or approved by engineers under the jurisdiction of the Department of Forests and Waters or as generally recommended in the report of the cooperative study between the Department of Forests and Waters of the Commonwealth of Pennsylvania and the Corps of Engineers of the United States War Department

Section 2 The said sum of one hundred eighty thousand dollars ($180,000.00) appropriated in section one hereof shall be expended for purposes and in amounts as follows

Fifteen hundred dollars ($1,500.00) or as much thereof

as may be necessary to repair jetty number eight near Second Beach of Presque Isle Peninsula

One hundred seventy-eight thousand five hundred dollars ($178,500.00) or so much thereof as may be necessary to defray one-half the cost of constructing a groin or jetty at Beach No 2 and a rubble groin or jetty and a rubble mound bulkhead at the root of the peninsula from the south end of U S 1920 rubble mound wall southwestwardly to the Kelso Groin on the main land near the junction of the main land and the Presque Isle Peninsula

Any part of the one hundred eighty thousand dollars ($180,000.00) remaining after the actual costs of the above work has first been paid for as outlined in paragraphs two and three of this section may be used in protecting the park and highway east of park jetty No 1

Section 3 The sum of one hundred eighty thousand dollars ($180,000.00) appropriated herein or as much thereof as may be necessary for the purposes stated in section two hereof shall be paid to the United States Government or its proper agency at such time as Federal funds for the Federal Government's share of the work are made available The Commonwealth funds shall be paid at the time and in the manner that funds of the Commonwealth are by law and custom placed at the disposal of Federal agencies for the construction of joint projects and shall be expended by said agencies of the United States Government in accordance with laws rules and regulations governing the execution of joint enterprises by the United States Government and the Commonwealth of Pennsylvania

Section 4 The Commonwealth appropriation of one hundred eighty thousand dollars ($180,000.00) shall be made available at such times as Federal funds are provided and made available for the Federal share of the proposed work

Section 5 This act shall become effective immediately upon final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—196

Alspach,	Flynn,	Lane,	Riley,
Auker,	Foor,	Laughner,	Robertson,
Baker,	Fox,	Lee,	Root,
Barrett,	Freed,	Leisey,	Rose, S.,
Barton,	Fullerton,	Leonard,	Rose, W. E.,
Bentley,	Garber,	Levy,	Rowley,
Bentzel,	Gardner,	Leydic,	Royer,
Bonawitz,	Gates,	Lichtenwalter,	Salus,
Boorse,	Gillan,	Livingstone,	Sarge,
Boory,	Goodling,	Longo,	Sarraf,
Bower,	Goodwin,	Lovett,	Scanlon,
Boyd,	Gorman,	Lyons,	Schuster,
Bretherick,	Grant,	Madigan,	Serrill,
Brice,	Green,	Mahany,	Simons,
Brigerman,	Greenwood,	Maxwell,	Skale,
Brown,	Gross,	McAtee,	Smith,
Brunner, C. H.,	Gyger,	McClester,	Snider,
Brunner, P. A.,	Haberlen,	McKinney,	Sollenberger,
Burns,	Hall,	McMillen,	Sorg,
Calvin,	Hamilton,	McSurdy,	Stank,
Campbell,	Hannon,	Menna,	Stockham,
Chervenak,	Hare,	Mihm,	Stonier,
Chudoff,	Harris,	Miller,	Tahl,
Cohen,	Haudenshield,	Mintess,	Tate,
Coleman,	Heatherington,	Mock,	Taylor,
Cook,	Helm,	Mooney,	Thompson,
Cooper,	Herman,	Moore,	Thrasher,
Cordier,	Hersch,	Moran,	Tiemann,
Corrigan,	Hewitt,	Moser,	Trent,
Costa,	Hocke,	Muir,	Trout,
Coulson,	Hoffman,	Munley,	Turbett,
Croop,	Hoggard,	Murray,	Van Allsburg,
Dague,	Holmes,	Nowak,	Verona,
Dalrymple,	Hoopes,	O'Brien,	Wachhaus,
Denman,	Hunter, B. F.,	O'Connor,	Wagner, K. H.
Dennison,	Hunter, W. M.,	O'Dare,	Wagner, P. L.,
Depuy,	Huntley,	O'Neill,	Wallin,
Dillon,	Imbrie,	Owens,	Walton,
Dix,	Irvin,	Petrosky,	Watkins,
Duffy,	James,	Pettit,	Weiss,
Elder,	Jones,	Polaski,	Welsh,
Elliott,	Kennedy,	Powers,	Winner,
Ewing,	Kirley,	Readinger,	Wood, L. H.,
Ely,	Kitchen,	Reagan,	Wood, N.,
Erb,	Kline,	Reese, D. P.,	Worley,
Figlock,	Kolankiewicz,	Reese, R. E.,	Wright,
Finnerty,	Kowalski,	Regan,	Yeakel,
Flack,	Krepps,	Reilly,	Yester,
Fleming,	Krise,	Reynolds,	Fiss,

Speaker.

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 532, as follows:

An Act making an appropriation for aid to free public non-sectarian county libraries and for the purchase and transportation of books

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The sum of sixty thousand dollars ($60,000) or so much thereof as may be necessary is hereby specifically appropriated to the Department of Public Instruction for the two fiscal years beginning June first one thousand nine hundred and forty-three for aid to free public nonsectarian county libraries and for the purchase and transportation of books to be used for demonstration and circulation purposes to carry into effect the provisions of the act approved the twenty-third day of June one thousand nine hundred and thirty-one (P. L. 1203) entitled "An act providing aid by the Commonwealth to free public nonsectarian county libraries authorizing the Department of Public Instruction to provide books for demonstration purposes to encourage the establishment of such county libraries and making an appropriation"

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—196

Alspach,	Flynn,	Lane,	Riley,
Auker,	Foor,	Laughner,	Robertson,
Baker,	Fox,	Lee,	Root,
Barrett,	Freed,	Leisey,	Rose, S.,
Barton,	Fullerton,	Leonard,	Rose, W. E.,
Bentley,	Garber,	Levy,	Rowley,
Bentzel,	Gardner,	Leydic,	Royer,
Bonawitz,	Gates,	Lichtenwalter,	Salus,
Boorse,	Gillan,	Livingstone,	Sarge,
Boory,	Goodling,	Longo,	Sarraf,
Bower,	Goodwin,	Lovett,	Scanlon,
Boyd,	Gorman,	Lyons,	Schuster,
Bretherick,	Grant,	Madigan,	Serrill,
Brice,	Green,	Mahany,	Simons,
Brigerman,	Greenwood,	Maxwell,	Skale,
Brown,	Gross,	McAtee,	Smith,
Brunner, C. H.,	Gyger,	McClester,	Snider,
Brunner, P. A.,	Haberlen,	McKinney,	Sollenberger
Burns,	Hall,	McMillen,	Sorg,
Calvin,	Hamilton,	McSurdy,	Stank,
Campbell,	Hannon,	Menna,	Stockham,
Chervenak,	Hare,	Mihm,	Stonier,
Chudoff,	Harris,	Miller,	Tahl,
Cohen,	Haudenshield,	Mintess,	Tate,
Coleman,	Heatherington,	Mock,	Taylor,
Cook,	Helm,	Mooney,	Thompson,

Cooper,	Herman,	Moore,	Thrasher,
Cordier,	Hersch,	Moran,	Tiemann,
Corrigan,	Hewitt,	Moser,	Trent,
Costa,	Hocke,	Muir,	Trout,
Coulson,	Hoffman,	Munley,	Turbett,
Croop,	Hoggard,	Murray,	Van Allsburg,
Dague,	Holmes,	Nowak,	Verona,
Dalrymple,	Hoopes,	O'Brien,	Wachhaus,
Denman,	Hunter, B. F.,	O'Connor,	Wagner, K. H.,
Dennison,	Hunter, W. M.,	O'Dare,	Wagner, P. L.,
Depuy,	Huntley,	O'Neill,	Wallin,
Dillon,	Imbrie,	Owens,	Walton,
Dix,	Irvin,	Petrosky,	Watkins,
Duffy,	James,	Pettit,	Weiss,
Elder,	Jones,	Polaski,	Welsh,
Elliott,	Kennedy,	Powers,	Winner,
Ewing,	Kirley,	Readinger,	Wood, L. H.,
Ely,	Kitchen,	Reagan,	Wood, N.,
Erb,	Kline,	Reese, D. P.,	Worley,
Figlock,	Kolankiewicz,	Reese, R. E.,	Wright,
Finnerty,	Kowalski,	Regan,	Yeakel,
Flack,	Krepps,	Reilly,	Yester,
Fleming,	Krise,	Reynolds,	Fiss,

Speaker.

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 671, as follows:

A Further Supplement to the act approved the first day of April one thousand eight hundred and sixty-three (P. L. 213) entitled "An act to accept the grant of Public Lands by the United States to the several states for the endowment of Agricultural Colleges" making an appropriation for carrying the same into effect

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 In order to carry into effect the act of Congress approved July second one thousand eight hundred and sixty-two granting public land to the several states for educational purposes and subsequent acts of Congress related thereto and the act of the Legislature of Pennsylvania approved April first one thousand eight hundred and sixty-three and subsequent acts of the Legislature of Pennsylvania accepting the provisions and conditions of said acts of Congress and pledging the faith of the State to carry the same into effect the sum of five million three hundred fifty thousand dollars ($5,350,000) is hereby specifically appropriated for the two fiscal years beginning June first one thousand nine hundred and forty-three to the Trustees of the Pennsylvania State College for the following purposes

For the general maintenance of instruction research and extension in the School of Agriculture the Mont Alto State Forest School the School of Engineering the School of the Liberal Arts the School of Mineral Industries the School of Chemistry and Physics the School of Education the Graduate School the School of Physical Education and Athletics for the general maintenance of other schools departments offices and services including repairs and improvements to the grounds and buildings service of light heat power water and sewage disposal salaries and wages materials supplies equipment books and periodicals insurance and interest and such other expenditures as the trustees may deem necessary and practicable

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—196

Alspach,	Flynn,	Lane,	Riley,
Auker,	Foor,	Laughner,	Robertson,
Baker,	Fox,	Lee,	Root,
Barrett,	Freed,	Leisey,	Rose, S.,
Barton,	Fullerton,	Leonard,	Rose, W. E.,
Bentley,	Garber,	Levy,	Rowley,
Bentzel,	Gardner,	Leydic,	Royer,
Bonawitz,	Gates,	Lichtenwalter,	Salus,
Boorse,	Gillan,	Livingstone,	Sarge,
Boory,	Goodling,	Longo,	Sarraf,
Bower,	Goodwin,	Lovett,	Scanlon,
Boyd,	Gorman,	Lyons,	Schuster,
Bretherick,	Grant,	Madigan,	Serrill,
Brice,	Green,	Mahany,	Simons,
Brigerman,	Greenwood,	Maxwell,	Skale,
Brown,	Gross,	McAtee,	Smith,
Brunner, C. H.,	Gyger,	McClester,	Snider,
Brunner, P. A.,	Haberlen,	McKinney,	Sollenberger,
Burns,	Hall,	McMillen,	Sorg,
Calvin,	Hamilton,	McSurdy,	Stank,
Campbell,	Hannon,	Menna,	Stockham,
Chervenak,	Hare,	Mihm,	Stonier,
Chudoff,	Harris,	Miller,	Tahl,
Cohen,	Haudenshield,	Mintess,	Tate,
Coleman,	Heatherington,	Mock,	Taylor,
Cook,	Helm,	Mooney,	Thompson,
Cooper,	Herman,	Moore,	Thrasher,
Cordier,	Hersch,	Moran,	Tiemann,
Corrigan,	Hewitt,	Moser,	Trent,
Costa,	Hocke,	Muir,	Trout,
Coulson,	Hoffman,	Munley,	Turbett,
Croop,	Hoggard,	Murray,	Van Allsburg,
Dague,	Holmes,	Nowak,	Verona,
Dalrymple,	Hoopes,	O'Brien,	Wachhaus,
Denman,	Hunter, B. F.,	O'Connor,	Wagner, K. H.,
Dennison,	Hunter, W. M.,	O'Dare,	Wagner, P. L.,
Depuy,	Huntley,	O'Neill,	Wallin,
Dillon,	Imbrie,	Owens,	Walton,
Dix,	Irvin,	Petrosky,	Watkins,
Duffy,	James,	Pettit,	Weiss,
Elder,	Jones,	Polaski,	Welsh,
Elliott,	Kennedy,	Powers,	Winner,
Ewing,	Kirley,	Readinger,	Wood, L. H.,
Ely,	Kitchen,	Reagan,	Wood, N.,
Erb,	Kline,	Reese, D. P.,	Worley,
Figlock,	Kolankiewicz,	Reese, R. E.,	Wright,
Finnerty,	Kowalski,	Regan,	Yeakel,
Flack,	Krepps,	Reilly,	Yester,
Fleming,	Krise,	Reynolds,	Fiss,

Speaker.

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 945, as follows:

An Act lapsing all unexpended or unencumbered balances of appropriations from all funds made by the General Assembly at its session of one thousand nine hundred and thirty-five and prior sessions and at its regular sessions of one thousand nine hundred and thirty-seven and one thousand nine hundred and thirty-nine and the Special Sessions of one thousand nine hundred and thirty-six and one thousand nine hundred and thirty-eight

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 All unexpended balances of appropriations made from all funds of the State Treasury by the General Assembly at its session of one thousand nine hundred and thirty-five or at any session prior thereto which shall remain unexpended on the effective date of this act shall lapse on that date

Section 2 All unexpended and unencumbered balances of appropriations made from all funds of the State Treasury by the General Assembly at its regular sessions of one thousand nine hundred and thirty-seven and one thousand nine hundred and thirty-nine and the Special Sessions of one thousand nine hundred and thirty-six and one thousand nine hundred and thirty-eight which shall remain unexpended and unencumbered on the effective date of this act shall lapse on that date

Section 3 The provisions of this act shall not apply to any balance remaining of the appropriations of June 5 1937 Appropriation Acts Page thirty-nine making an appropriation into the Flood Control Fund

Section 4 This act shall be effective upon the date of its final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—196

Alspach,	Flynn,	Lane,	Riley,
Auker,	Foor,	Laughner,	Robertson,
Baker,	Fox,	Lee,	Root,
Barrett,	Freed,	Leisey,	Rose, S.,
Barton,	Fullerton,	Leonard,	Rose, W. E.,
Bentley,	Garber,	Levy,	Rowley,
Bentzel,	Gardner,	Leydic,	Royer,
Bonawitz,	Gates,	Lichtenwalter,	Salus,
Boorse,	Gillan	Livingstone,	Sarge,
Boory,	Goodling,	Longo,	Sarraf,
Bower,	Goodwin,	Lovett,	Scanlon,
Boyd,	Gorman,	Lyons,	Schuster,
Bretherick,	Grant,	Madigan,	Serrill,
Brice,	Green,	Mahany,	Simons,
Brigerman,	Greenwood,	Maxwell,	Skale,
Brown,	Gross,	McAtee,	Smith,
Brunner, C. H.,	Gyger,	McClester,	Snider,
Brunner, P. A.,	Haberlen,	McKinney,	Sollenberger,
Burns,	Hall,	McMillen,	Sorg,
Calvin,	Hamilton,	McSurdy,	Stank,
Campbell,	Hannon,	Menna,	Stockham,
Chervenak,	Hare,	Mihm,	Stonier,
Chudoff,	Harris,	Miller,	Tahl,
Cohen,	Haudenshield,	Mintess,	Tate,
Coleman,	Heatherington,	Mock,	Taylor,
Cook	Helm,	Mooney,	Thompson,
Cooper,	Herman,	Moore,	Thrasher,
Cordier,	Hersch,	Moran,	Tiemann,
Corrigan,	Hewitt,	Moser,	Trent,
Costa,	Hocke,	Muir,	Trout,
Coulson,	Hoffman,	Munley,	Turbett,
Croop,	Hoggard,	Murray,	Van Allsburg,
Dague,	Holmes,	Nowak,	Verona,
Dalrymple,	Hoopes,	O'Brien,	Wachhaus,
Denman,	Hunter, B. F.,	O'Connor,	Wagner, K. H.,
Dennison,	Hunter, W. M.,	O'Dare,	Wagner, P. L.,
Depuy,	Huntley,	O'Neill,	Wallin,
Dillon,	Imbrie,	Owens,	Walton,
Dix,	Irvin,	Petrosky,	Watkins,
Duffy,	James,	Pettit,	Weiss,
Elder,	Jones,	Polaski,	Welsh,
Elliott,	Kennedy,	Powers,	Winner,
Ewing,	Kirley,	Readinger,	Wood, L. H.,
Ely,	Kitchen,	Reagan,	Wood, N.,
Erb,	Kline,	Reese, D. P.,	Worley,
Figlock,	Kolankiewicz,	Reese, R. E.,	Wright,
Finnerty,	Kowalski,	Regan,	Yeakel,
Flack,	Krepps,	Reilly,	Yester,
Fleming,	Krise,	Reynolds,	Fiss,

Speaker.

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 961, as follows:

An Act making an appropriation to the National Farm School at Doylestown Pennsylvania

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The sum of thirty-five thousand dollars ($35,000) or so much thereof as may be necessary is hereby specifically appropriated to the National Farm School at Doylestown Pennsylvania for the two fiscal years beginning June first one thousand nine hundred and forty-three for the purpose of maintenance to be paid according to law

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—196

Alspach,	Flynn,	Lane,	Riley,
Auker,	Foor,	Laughner,	Robertson,
Baker,	Fox,	Lee,	Root,
Barrett,	Freed,	Leisey,	Rose, S.,
Barton,	Fullerton,	Leonard,	Rose, W. E.,
Bentley,	Garber,	Levy,	Rowley,
Bentzel,	Gardner,	Leydic,	Royer,
Bonawitz,	Gates,	Lichtenwalter,	Salus,
Boorse,	Gillan	Livingstone,	Sarge,
Boory,	Goodling,	Longo,	Sarraf,
Bower,	Goodwin,	Lovett,	Scanlon,
Boyd,	Gorman,	Lyons,	Schuster,
Bretherick,	Grant,	Madigan,	Serrill,
Brice,	Green,	Mahany,	Simons,
Brigerman,	Greenwood,	Maxwell,	Skale,
Brown,	Gross,	McAtee,	Smith,
Brunner, C. H.,	Gyger,	McClester,	Snider,
Brunner, P. A.,	Haberlen,	McKinney,	Sollenberger,
Burns,	Hall,	McMillen,	Sorg,
Calvin,	Hamilton,	McSurdy,	Stank,
Campbell,	Hannon,	Menna,	Stockham,
Chervenak	Hare,	Mihm,	Stonier,
Chudoff,	Harris,	Miller,	Tahl,
Cohen,	Haudenshield,	Mintess,	Tate,
Coleman,	Heatherington,	Mock,	Taylor,
Cook	Helm,	Mooney,	Thompson,
Cooper,	Herman,	Moore,	Thrasher,
Cordier,	Hersch,	Moran,	Tiemann,
Corrigan,	Hewitt,	Moser,	Trent,
Costa,	Hocke,	Muir,	Trout,
Coulson,	Hoffman,	Munley,	Turbett,
Croop,	Hoggard,	Murray,	Van Allsburg,
Dague,	Holmes,	Nowak,	Verona,
Dalrymp	oopes,	O'Brien,	Wachhaus,
Denman,	unter, B. F.,	O'Connor,	Wagner, K H.,
Dennison,	nter, W. M.,	O'Dare,	Wagner, P. L.,
Depuy,	untley,	O'Neill,	Wallin,
Dillon,	mbrie,	Owens,	Walton,
Dix,	rvin,	Petrosky,	Watkins,
Duffy,	ames,	Pettit,	Weiss,
Elder,	ones,	Polaski,	Welsh,
Elliott,	nnedy,	Powers,	Winner,
Ewing,	rley,	Readinger,	Wood L. H.,
Ely,	Kitchen,	Reagan,	Wood, N.,
Erb,	Kline,	Reese, D P.,	Worley,
Figlock,	Kolankiewicz,	Reese, R E.,	Wright,
Finnerty,	Kowalski,	Regan,	Yeakel,
Flack,	Krepps,	Reilly,	Yester,
Fleming,	Krise,	Reynolds,	Fiss,

Speaker.

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 968, as follows:

An Act making an appropriation to aid certain school districts

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The sum of two million dollars ($2,000,000) is hereby specifically appropriated to the Department of Public Instruction for the purpose of aiding financially handicapped and distressed school districts in such sums and in such manner as the Superintendent of Public Instruction shall determine and for defraying the necessary cost for the administration thereof

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—196

Alspach,	Flynn,	Lane,	Riley,
Auker,	Foor,	Laughner,	Robertson,
Baker,	Fox,	Lee,	Root,
Barrett,	Freed,	Leisey,	Rose, S.,
Barton,	Fullerton,	Leonard,	Rose, W. E.,
Bentley,	Garber,	Levy,	Rowley,
Bentzel,	Gardner,	Leydic,	Royer,
Bonawitz,	Gates,	Lichtenwalter,	Salus,
Boorse,	Gillan,	Livingstone,	Sarge,
Boory,	Goodling,	Longo,	Sarraf,
Bower,	Goodwin,	Lovett,	Scanlon,
Boyd,	Gorman,	Lyons,	Schuster,
Bretherick,	Grant,	Madigan,	Serrill,
Brice,	Green,	Mahany,	Simons,
Brigerman,	Greenwood,	Maxwell,	Skale,
Brown,	Gross,	McAtee,	Smith,
Brunner, C. H.,	Gyger,	McClester,	Snider,
Brunner, P. A.,	Haberlen,	McKinney,	Sollenberger,
Burns,	Hall,	McMillen,	Sorg,
Calvin,	Hamilton,	McSurdy,	Stank,
Campbell,	Hannon,	Menna,	Stockham,
Chervenak,	Hare,	Mihm,	Stonier,
Chudoff,	Harris,	Miller,	Tahl,
Cohen,	Haudenshield,	Mintess,	Tate,
Coleman,	Heatherington,	Mock,	Taylor,
Cook	Helm,	Mooney,	Thompson,
Cooper,	Herman,	Moore,	Thrasher,
Cordier,	Hersch,	Moran,	Tiemann,
Corrigan,	Hewitt,	Moser,	Trent,
Costa,	Hocke,	Muir,	Trout,
Coulson,	Hoffman,	Munley,	Turbett,
Croop,	Hoggard,	Murray,	Van Allsburg,
Dague,	Holmes,	Nowak,	Verona,
Dalrymple,	Hoopes,	O'Brien,	Wachhaus,
Denman,	Hunter, B. F.,	O'Connor,	Wagner, K. H.,
Dennison,	Hunter, W. M.,	O'Dare,	Wagner, P. L.,
Depuy,	Huntley,	O'Neill,	Wallin,
Dillon,	Imbrie,	Owens,	Walton,
Dix,	Irvin,	Petrosky,	Watkins,
Duffy,	James,	Pettit,	Weiss,
Elder,	Jones,	Polaski,	Welsh,
Elliott,	Kennedy,	Powers,	Winner,
Ewing,	Kirley,	Readinger,	Wood L. H.,
Ely,	Kitchen,	Reagan,	Wood, N.,
Erb,	Kline,	Reese, D. P.,	Worley,
Figlock,	Kolankiewicz,	Reese, R. E.,	Wright,
Finnerty,	Kowalski,	Regan,	Yeakel,
Flack,	Krepps,	Reilly,	Yester,
Fleming,	Krise,	Reynolds,	Fiss,
			Speaker.

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

BILL PASSED OVER

There being no objection House Bill No. 975, Printer's No. 580, was passed over at the request of the SPEAKER pro tempore.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1006, as follows:

An Act authorizing and directing the Department of Highways to erect and construct and maintain as a post war construction project a toll bridge over the Ohio River at a point in the Borough of Aliquippa in the vicinity of Franklin Avenue and to provide the necessary approaches thereto providing for the acceptance of Federal aid empowering counties to pay certain damages providing for the collection of tolls on such bridge and making an appropriation

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The Department of Highways is hereby authorized and directed to erect and construct a toll bridge over the Ohio River at a point in the Borough of Aliquippa in the vicinity of Franklin Avenue and to acquire the necessary land for approaches thereto

In the construction of said bridge and the approaches thereto the Department of Highways shall have all of the powers and authority conferred with respect to the relocation widening or construction of State highways including the exercise of the power of eminent domain Any damages sustained by reason of taking property in the relocation widening or construction of any such bridge and the approaches thereto shall be ascertained in accordance with laws applicable to the ascertainment of damages in relocating widening or constructing State highways and such damages when ascertained shall be paid by the Commonwealth or county or counties as may be agreed upon in accordance with the laws relating to State highways

Section 2 The Department of Highways is hereby authorized to accept grants of funds from any Federal agency for the construction of such bridge and the approaches thereto and connections with State highways Any such moneys shall be held by the State Treasurer as custodian for the Department of Highways and the same shall be paid out on requisition of the department without further appropriation

Section 3 If such bridge is to be constructed under contract and to be paid for wholly or in part from Federal funds and the project involves additional work to be contracted and paid for by a county or counties the advertisement by the Department of Highways shall be the only advertising necessary any other acts or requirements to the contrary notwithstanding

Section 4 The Department of Highways shall have authority to make and carry out contracts and to do every other act necessary to carry out the project herein authorized and is authorized to conform to the requirements and rules and regulations of the proper Federal authorities with respect to such projects if Federal moneys are advanced for such project Nothing herein contained shall in anywise diminish any authority or powers now or hereafter conferred on the Department of Highways by any other act of Assembly

Section 5 The construction of the bridge for which funds as appropriated by this act shall be included among the various public works projects to be undertaken by the Commonwealth after the termination of the present war as a means of facilitating the transition from a war to a peace economy

Section 6 The Department of Highways shall after the completion of such bridge provide for the collection of tolls on such bridge until such tolls have been sufficient to reimburse in full the Commonwealth the Federal Government or any Federal agency which advanced moneys

and any moneys paid by counties Such tolls shall also be sufficient to pay for the maintenance of the bridge its approaches and connecting highways during the period when tolls are collected and to pay the compensation of all persons employed on or in connection with such bridge As soon as the Commonwealth the Federal Government all Federal agencies and all counties that advanced any moneys have been reimbursed in full the bridge and its approaches and connecting highways shall be maintained by the Department of Highways free of tolls for the use of the public

Section 7 The sum of one million dollars ($1,000,000) or so much thereof as may be necessary is hereby specifically appropriated out of the Motor License Fund in the State Treasury to the Department of Highways for the construction of such bridge and the approaches thereto and for the payment of damages for property taken injured or destroyed

Section 8 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—196

Alspach,	Flynn,	Lane,	Riley,
Auker,	Foor,	Laughner,	Robertson,
Baker,	Fox,	Lee,	Root,
Barrett,	Freed,	Leisey,	Rose, S.,
Barton,	Fullerton,	Leonard,	Rose, W. E.,
Bentley,	Garber,	Levy,	Rowley,
Bentzel,	Gardner,	Leydic,	Royer,
Bonawitz,	Gates,	Lichtenwalter,	Salus,
Boorse,	Gillan,	Livingstone,	Sarge,
Boory,	Goodling,	Longo,	Sarraf,
Bower,	Goodwin,	Lovett,	Scanlon,
Boyd,	Gorman,	Lyons,	Schuster,
Bretherick,	Grant,	Madigan,	Serrill,
Brice,	Green,	Mahany,	Simons,
Brigerman,	Greenwood,	Maxwell,	Skale,
Brown,	Gross,	McAtee,	Smith,
Brunner, C. H.,	Gyger,	McClester,	Snider,
Brunner, P. A.,	Haberlen,	McKinney,	Sollenberger,
Burns,	Hall,	McMillen,	Sorg,
Calvin,	Hamilton,	McSurdy,	Stank,
Campbell,	Hannon,	Menna,	Stockham,
Chervenak,	Hare,	Mihm,	Stonier,
Chudoff,	Harris,	Miller,	Tahl,
Cohen,	Haudenshield,	Mintess,	Tate,
Coleman,	Heatherington,	Mock,	Taylor,
Cook,	Helm,	Mooney,	Thompson
Cooper,	Herman,	Moore,	Thrasher,
Cordier,	Hersch,	Moran,	Tiemann,
Corrigan,	Hewitt,	Moser,	Trent,
Costa,	Hocke,	Muir,	Trout,
Coulson,	Hoffman,	Munley,	Turbett,
Croop,	Hoggard,	Murray,	Van Allsburg,
Dague,	Holmes,	Nowak,	Verona,
Dalrymple,	Hoopes,	O'Brien,	Wachhaus,
Denman,	Hunter, B. F.,	O'Connor,	Wagner, K. H.,
Dennison,	Hunter, W. M.,	O'Dare,	Wagner, P. L.,
Depuy,	Huntley,	O'Neill,	Wallin,
Dillon,	Imbrie,	Owens,	Walton,
Dix,	Irvin,	Petrosky,	Watkins,
Duffy,	James,	Pettit,	Weiss,
Elder,	Jones,	Polaski,	Welsh,
Elliott,	Kennedy,	Powers,	Winner,
Ewing,	Kirley,	Readinger,	Wood, L. H.,
Ely,	Kitchen,	Reagan,	Wood, N.,
Erb,	Kline,	Reese, D. P.,	Worley,
Figlock,	Kolankiewicz,	Reese, R. E.,	Wright,
Finnerty,	Kowalski,	Regan,	Yeakel,
Flack,	Krepps,	Reilly,	Yester,
Fleming,	Krise,	Reynolds,	Fiss,

Speaker.

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1030, as follows:

An Act making an appropriation to the Jefferson Medical College of Philadelphia Pennsylvania for medical education

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The sum of one hundred sixty-five thousand dollars ($165,000) or so much thereof as may be necessary be and the same is hereby specifically appropriated to the Jefferson Medical College of Philadelphia Pennsylvania for the two fiscal years beginning June first one thousand nine hundred forty-three for the support and promotion of medical education

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—196

Alspach,	Flynn,	Lane,	Riley,
Auker,	Foor,	Laughner,	Robertson,
Baker,	Fox,	Lee,	Root,
Barrett,	Freed,	Leisey,	Rose, S.,
Barton,	Fullerton,	Leonard,	Rose, W. E.,
Bentley,	Garber,	Levy,	Rowley,
Bentzel,	Gardner,	Leydic,	Royer,
Bonawitz,	Gates,	Lichtenwalter,	Salus,
Boorse,	Gillan,	Livingstone,	Sarge,
Boory,	Goodling,	Longo,	Sarraf,
Bower,	Goodwin,	Lovett,	Scanlon,
Boyd,	Gorman,	Lyons,	Schuster,
Bretherick,	Grant,	Madigan,	Serrill,
Brice,	Green,	Mahany,	Simons,
Brigerman,	Greenwood,	Maxwell,	Skale,
Brown,	Gross,	McAtee,	Smith,
Brunner, C. H.,	Gyger,	McClester,	Snider,
Brunner, P. A.,	Haberlen,	McKinney,	Sollenberger,
Burns,	Hall,	McMillen,	Sorg,
Calvin,	Hamilton,	McSurdy,	Stank,
Campbell,	Hannon,	Menna,	Stockham,
Chervenak,	Hare,	Mihm,	Stonier,
Chudoff,	Harris,	Miller,	Tahl,
Cohen,	Haudenshield,	Mintess,	Tate,
Coleman,	Heatherington,	Mock,	Taylor,
Cook	Helm,	Mooney,	Thompson,
Cooper,	Herman,	Moore,	Thrasher,
Cordier,	Hersch,	Moran,	Tiemann,
Corrigan,	Hewitt,	Moser,	Trent,
Costa,	Hocke,	Muir,	Trout,
Coulson,	Hoffman,	Munley,	Turbett,
Croop,	Hoggard,	Murray,	Van Allsburg,
Dague,	Holmes,	Nowak,	Verona,
Dalrymple	Hoopes,	O'Brien,	Wachhaus,
Denman,	Hunter, B. F.,	O'Connor,	Wagner, K. H.,
Dennison,	Hunter, W. M.,	O'Dare,	Wagner, P. L.,
Depuy,	Huntley,	O'Neill,	Wallin,
Dillon,	Imbrie,	Owens,	Walton,
Dix,	Irvin,	Petrosky,	Watkins,
Duffy,	James,	Pettit,	Weiss,
Elder,	Jones,	Polaski,	Welsh,
Elliott,	Kennedy,	Powers,	Winner,
Ewing,	Kirley,	Readinger,	Wood, L. H.,
Ely,	Kitchen,	Reagan,	Wood, N.,
Erb,	Kline,	Reese, D. P.,	Worley,
Figlock,	Kolankiewicz,	Reese, R. E.,	Wright,
Finnerty,	Kowalski,	Regan,	Yeakel,
Flack,	Krepps,	Reilly,	Yester,
Fleming,	Krise,	Reynolds,	Fiss,

Speaker.

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1101, as follows:

An Act to provide for the ordinary expenses of the Executive Legislative and Judicial Departments of the Commonwealth interest on the public debt and the support of the public schools for two years beginning June first one thousand nine hundred and forty-three and for the payment of bills incurred and remaining unpaid at the close of the fiscal years ending May thirty-first one thousand nine hundred and forty-three

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1. This Act shall be known and may be cited as The General Appropriation Act of one thousand nine hundred forty-three

Section 2. The following sums or as much thereof as may be necessary are hereby specifically appropriated from the General Fund to the several hereinafter named agencies of the Executive Legislative and Judicial Departments of the Commonwealth for the purpose hereinafter set forth for the two years beginning June first one thousand nine hundred and forty-three and for the payment of the bills incurred by said agencies and remaining unpaid at the close of the fiscal year ending May thirty-first one thousand nine hundred and forty-three

I Executive Department

To the Governor

For the payment of the salary of the Governor the sum of thirty-six thousand dollars ($36,000)

For the payment of salaries wages or other compensation of the Secretary to the Governor the Budget Secretary and other employes and for the payment of general expenses supplies printing and equipment necessary for the proper conduct of the work of the Governor his Secretary the Budget Secretary and the Executive Board for the expenses incurred in the conduct of the Executive Mansion and the entertainment of official guests and for the expense incident to the participation of the Governor in the Governor's Conference the sum of three hundred fifty thousand dollars ($350,000)

For the cost of painting a portrait of Governor Arthur H James to be placed in the office of the Governor the sum of seven hundred fifty dollars ($750)

To The Lieutenant Governor

For the payment of the salary of the Lieutenant Governor the sum of sixteen thousand dollars ($16,000)

For all necessary expenses including postage telegrams telephone toll charges and traveling clerical stenographic and discretionary expenses and for the care and maintenance of an automobile and mileage charges for the Department of Property and Supplies for the use of automobiles for the Lieutenant Governor the sum of ten thousand dollars ($10,000)

For the cost of painting a portrait of Lieutenant Governor Samuel S. Lewis to be placed in the office of the Lieutenant Governor the sum of seven hundred fifty dollars ($750)

To The Department of The Auditor General

For the payment of the salary of the Auditor General the sum of twenty-four thousand dollars ($24,000)

For the payment of salaries wages and other compensation of a deputy Auditor General and other employes for the payment of general expenses for the payment of rentals of patented leased office devices for the purchase of automobiles furniture furnishings and equipment and for the purchase of supplies printing binding patent indices records law books and other books necessary for the proper conduct of the work of the department the sum of one million six hundred fifty thousand dollars ($1,650,000)

For the payment to the State's Fiscal Agent for the custody and safekeeping of the books and records pertaining to loans of the Commonwealth as provided by law the sum of one thousand dollars ($1,000)

For the payment of fees to county officers for furnishing information to the officers fo the Commonwealth as provided by law the sum of four thousand dollars ($4,000)

For the payment of salaries and expenses of the Board of Arbitration of Claims the sum of ten thousand dollars ($10,000)

To The Treasury Department

For the payment of the salary of the State Treasurer the sum of twenty-four thousand dollars ($24,000)

For the payment of salaries wages or other compensation of a deputy State Treasurer and other employes for the payment of general expenses for the purchase of insurance covering the loss of any or all cash and securities of which the Treasury Department of State Treasurer is custodian and covering forgeries of all kinds on checks drafts warrants and requisitions for the payment of rentals of patented leased office devices and for the purchase of automobiles furnishings and equipment for the purchase of supplies printing binding patent indices records law books and other books necessary for the proper conduct of the work of the department the sum of seven hundred twenty-five thousand dollars ($725,000)

For the payment of salaries or other compensation of a secretary and other employes and for the payment of general expenses necessary for the proper conduct of the work of the Board of Finance and Revenue the sum of eighty-eight thousand dollars ($88,000)

For the payment of the difference between the interest earned by the moneys in the Agricultural College Land Scrip Fund and in the State College Experimental Farm Fund and the interest guaranteed by the Commonwealth of Pennsylvania to Pennsylvania State College the sum of fifty-two thousand and forty dollars ($52,040)

For the payment of legal fees publication of advertisements cost of engraving and other expenses incurred in the issuing of tax anticipation notes the sum of thirty thousand dollars ($30,000)

For the payment of the compensation of the Commonwealth's Loan and Transfer Agent for service rendered in connection with the registration transfer and payment of interest on general expense bonds and Veterans' Compensation Bonds and for other services required to be performed by the said Loan and Transfer Agent the sum of twenty-two thousand five hundred dollars ($22,500)

For the payment of the expenses of publishing statements of the General Fund and other funds of the Commonwealth the sum of twenty thousand dollars ($20,000)

For refunding the balance due or to become due retired county officers on account of overpayment of any taxes licenses fees or other moneys collected for and paid to the Commonwealth the sum of one thousand dollars ($1,000)

For refunding to purchasers of stock transfer tax stamps any sums that may be due them upon the surrender and return of such stamps as may be spoiled canceled mutilated or defaced unintentionally by accident or error the sum of two thousand five hundred dollars ($2,500)

For refunding transfer inheritance taxes on estates of resident decedents paid in error or overpaid the sum of two hundred fifty thousand dollars ($250,000)

For refunding transfer inheritance taxes on estates of nonresident decedents paid in error or overpaid the sum of three thousand dollars ($3,000)

For refunding moneys paid by any person to any professional examining board or advisory committee or

to the Department of Public Instruction on behalf of any such board or advisory committee the sum of two thousand five hundred dollars ($2,500)

For refunding fees paid for notary public commissions when such commissions have not been issued or if issued have not been received and have been canceled the sum of one thousand five hundred dollars ($1,500)

For refunding moneys which were paid into the State Treasury through escheat proceedings or without escheat either voluntary or by order of Court to any persons making proof of their ownership or right of possession thereto in the manner provided by law the sum of seventy-five thousand dollars ($75,000)

For the purpose of refunding moneys other than taxes paid into the State Treasury to the credit of the General Fund which refunds are not specifically authorized by any other appropriation the sum of five thousand dollars ($5,000)

For the payment of approved claims for refunds made to the Board of Finance and Revenue for moneys collected or received by the Department of Revenue for the maintenance support care treatment housing fees or other fees or costs of any inmate pupil patient or student in any State-owned institution and for the payment of approved claims for refunds made to the Board of Finance and Revenue for moneys collected or received by the Department of Revenue to reimburse the Commonwealth for the share which it was supposed to have paid towards the support care and treatment of any pupil or patient in any mental hospital institution for the feebleminded in part supported by the Commonwealth the sum of twenty-five thousand dollars ($25,000)

For the purpose of refunding fees in connection with renewal applications for registration under The Securities Act which have been canceled before January first of the year for which the fees were paid the sum of five hundred dollars ($500)

For the payment of approved claims for refunds of liquor taxes including moneys paid for spiritous and vinous liquor tax stamps the sum of five thousand dollars ($5,000)

For the purpose of refunding collections by the Department of Public Assistance the sum of fifteen thousand dollars ($15,000)

For the payment of approved claims for refund of cigarette tax permit fees and cigarette tax stamps the sum of five hundred dollars ($500)

For refunding liquid fuels tax erroneously paid or overpaid into the General Fund the sum of ten thousand dollars ($10,000)

For the payment of approved claims for refunds of fines collected under the provisions of the Motor Vehicle Code the sum of five thousand dollars ($5,000)

For the payment of approved claims for refund of liquor floor tax the sum of one hundred thousand dollars ($100,000)

For the payment of approved claims for refund of moneys collected under the provisions of the "State Personal Property Tax Act" the sum of two hundred thousand dollars ($200,000)

For the payment into the Sinking Fund to meet the interest and sinking fund requirements of the general expense bonds issued under authority of the act approved the first day of May one thousand nine hundred and thirty-three (P. L. 211) the sum of two million five hundred forty-six thousand eight hundred seventy-five dollars ($2,546,875) according to the following schedule

Requirements

Date	Principal	Interest	Total
December 1, 1943	$2,500,000.00	$46,875.00	$2,546,875.00

For the payment into the Sinking Fund to meet the interest and sinking fund requirements of the Veterans' Compensation Bonds issued under authority of the act approved the fifth day of January one thousand nine hundred and thirty-four (One thousand nine hundred and thirty-three and one thousand nine hundred and thirty-four Pamphlet Laws page two hundred nineteen) the sum of seven million three hundred eight thousand nine hundred forty-two dollars and fifty cents ($7,308,942.50) according to the following schedule

Requirements

Date of Payment	Principal	Interest	Total
September 2, 1943	$.....	$ 487,500.00	$ 487,500.00
November 1, 1943	.....	300,000.00	300,000.00
March 2, 1944	1,237,253.21	487,500.00	1,724,753.21
May 1, 1944	912,843.04	300,000.00	1,212,843.04
September 1, 1944	.....	446,875.00	446,875.00
November 2, 1944	.....	270,000.00	270,000.00
March 1, 1945	1,237,253.21	446,875.00	446,875.00
May 1, 1945	912,843.04	270,000.00	270,000.00
Total	$4,300,192.50	$3,008,750.00	$7,308,942.50

To The Department of Agriculture

For the payment of the salary of the Secretary of Agriculture the sum of twenty thousand dollars ($20,000)

For the payment of salaries wages or other compensation of a deputy secretary and other employes for the payment of general expenses supplies printing and equipment necessary for the proper conduct of the work of the department including the purchase of insecticides for gypsy moth work for testing of animals to prevent spreading of dangerous contagious and infectious diseases for the payment of expenses of the State Farm Show Commission for the payment of any expenses necessary in increasing and conserving the State's food supplies during war for the payment of any loss or damage by dogs to live stock domestic game birds and poultry as provided by law and for the purpose of compensating land owners according to existing law for the loss of cedar trees destroyed by order of the department to prevent damage to apple orchards by cedar apple rust the sum of two million five thousand dollars ($2,005,000)

For the payment of the salaries wages or other compensation of employes and for the payment of all other expenses necessary for the proper conduct of the Pennsylvania Official Egg Laying Contest as provided by the act of May twentieth nineteen hundred thirty-one (P. L. 136) the sum of twenty-five thousand dollars ($25,000)

For the payment of the expenses of the department in conducting research to find measures for preventing transmission of and for curing diseases of cattle the sum of twenty-five thousand dollars ($25,000)

For the purpose of reimbursing incorporated agricultural associations for premiums paid for exhibits of live stock live stock products horticultural products handiwork cereals bees and bee products as provided by law Provided That such associations file such reports as may be required by the Secretary of Agriculture the sum of one hundred thousand dollars ($100,000)

For the payment of indemnities for and payment of expenses of testing animals appraised and destroyed to prevent the spread of dangerous contagious and infectious diseases as provided by law the sum of one million seven hundred thousand dollars ($1,700,000)

For the payment of salaries wages or other compensation of employes and for the payment of all other expenses necessary for carrying out the provisions of the "Soil Conservation Districts Law" the sum of ten thousand dollars ($10,000)

To The Department of Banking

For the payment of salaries wages or other compensation of the members and employes and for the payment of general expenses supplies printing and equipment necessary for the administration and enforcement of the Securities Act the sum of one hundred ten thousand dollars ($110,000)

To The Department of Commerce

For the payment of the salary of the Secretary of

Commerce the sum of twenty thousand dollars ($20,000)

For the payment of salaries wages or other compensation of a deputy secretary and other employes for the payment of general expenses advertising supplies printing and equipment necessary for the proper conduct of the work of the department including the work of the department with respect to collecting press information and distributing it to the several administrative departments boards and commissions and to legislative offices and legislative agencies the sum of two hundred sixty thousand dollars ($260,000) and in addition thereto any amount appropriated to the department out of the Motor License Fund which shall be credited to the appropriation made by this paragraph and shall be available for the purpose herein enumerated

For the payment of salaries wages or other compensation of a secretary and employes for the payment of traveling expenses of members for the payment of general expenses supplies printing and equipment necessary for the proper conduct of the work of the State Planning Board the sum of one hundred twelve thousand dollars ($112,000)

To the Department of Forests and Waters

For the payment of the salary of the Secretary of Forests and Waters the sum of twenty thousand dollars ($20,000)

For the payment of the salaries wages or other compensation of a deputy secretary and other employes for the payment of general expenses supplies printing and equipment necessary for the proper conduct of the work of the department with respect to forests parks and waters and the Pymatuning Dam the Water and Power Resources Board the Geographic Board the State Forest Commission the Fort Washington Park State Parks Commission and Regional State Park Boards and Flood Prevention and maintenance of dikes along Darby Creek and the Delaware River in Tinicum Township Delaware County for emergency control and extinction of forest fires for maintenance of Emergency Conservation Work Projects for the purchase of telephone equipment and the cost of telephone rentals at towers district offices ranger stations and other necessary locations for the erection and repairs of buildings the sum of one million six hundred twenty-four thousand dollars ($1,624,000)

For the payment of expenses incurred for the extinction and control of forest fires the sum of two hundred thousand dollars ($200,000)

For the payment of salaries wages or other compensation of employes for the payment of general expenses supplies printing and equipment necessary for the proper conduct of the work of the Washington Crossing Park Commission for the repair and construction of roads dams parking spaces and buildings for the purchase of materials supplies flags markers and equipment and for printing photographing distributing or otherwise making available maps documents records historical information and reports issued by or in the possession of the commission for public use as may be authorized and approved by the Secretary of Forests and Waters the sum of thirty-seven thousand two hundred dollars ($37,200)

For the payment of salaries wages or other compensation of employes for the payment of general expenses supplies printing and equipment necessary for the proper conduct of the Valley Forge Park Commission for the repair and construction of roads dams parking spaces and buildings for the purchase of materials supplies flags markers and equipment and for printing and photographing distributing or otherwise making available maps documents records historical information and reports issued by or in possession of the commission for public use as may be authorized and approved by the Secretary of Forests and Waters the sum of ninety-four thousand dollars ($94,000)

For the payment of salaries wages or other compensation of employes for the payment of general expenses supplies printing and equipment necessary for the proper conduct of the work of the Pennsylvania State Park and Harbor Commission of Erie for the repair and construction of roads dams parking spaces camp sites and buildings for the repair and construction of jetties and other necessary work to protect Presque Isle Peninsula from erosion for the purchase of materials supplies flags markers and equipment and for printing photographing distributing or otherwise making available maps documents records historical information and reports issued by or in the possession of the commission for public use as may be authorized and approved by the Secretary of Forests and Waters the sum of seventy-one thousand six hundred dollars ($71,600)

For the payment of the cost of controlling and correcting erosion of the beaches of the Pennsylvania State Park at Erie the sum of twenty-five thousand dollars ($25,000)

For the payment of annual fixed charges as provided by law for county school township and road purposes on lands owned or classified by either the Commonwealth of Pennsylvania or the Federal Government and held or administered as forest reserves auxilary forest reserves or for the purpose of preserving and perpetuating a portion of the original forests of Pennsylvania and preserving and maintaining the same as public places and parks the sum of two hundred eighteen thousand five hundred dollars ($218,500)

For the payment of annual fixed charges on lands acquired for the purpose of conservation of water or the prevention of flood conditions as provided by law the sum of fourteen thousand dollars ($14,000)

For the payment of the salaries or other compensation of a secretary and such employes including among others captains pilots engineers harbor masters firemen deckhands and cooks as may be necessary for the proper conduct of the work of the Navigation Commission for the Delaware River and its navigable tributaries for the payment of the costs of repairs maintenance supplies fuel insurance oil and equipment of patrol boats and for the payment of the rent and care of the offices stationery telephone services subscription to Maritime Exchange books charts and general expenses of the commission the sum of sixty-five thousand dollars ($65,000)

For the maintenance of a nautical school located at the Port of Philadelphia by the Navigation Commission for the Delaware River and its navigable tributaries as provided by law the sum of one hundred thousand dollars ($100,000) and in addition to said amount all moneys received by the Commonwealth from the Federal Government in accordance with any act of Congress for this purpose shall be paid into the General Fund and credited to the appropriation made by this paragraph

To the Department of Health

For the payment of the salary of the Secretary of Health the sum of twenty thousand dollars ($20,000)

For the paymnt of salaries wages or other compensation of a deputy secretary and other employes for the payment of general expenses supplies printing and equipment necessary for the proper conduct of the work of the department the Sanitary Water Board the Advisory Health Board and other boards the sum of three million three hundred sixty-eight thousand dollars ($3,368,000)

For the payment of salaries wages or other compensation of members and employes for the payment of general expenses supplies printing and equipment necessary for the proper conduct of the work of the State Board of Housing the sum of three thousand six hundred dollars ($3,600)

For the payment of salaries wages or other compensation of superintendents and other employes for the payment of general expenses supplies printing and equipment for repairs alterations and improvements to plant and equipment for improvement to land for the purchase of equipment furniture furnishings and livestock for incidental expenses and all other expenses of maintenance and operation necessary for the proper conduct of the work of the State Tuberculosis Sanatoria the Bureau of Tuberculosis Control and Clinics and the State Hospital for Crippled Children including the incidental expenses necessary for the proper conduct of the orthopaedic work of the department and for the purchase of braces jackets

artificial limbs and crutches the sum of four million six hundred forty-five thousand dollars ($4,645,000)

To the Insurance Department

For the payment of the salary of the Insurance Commissioner the sum of twenty thousand dollars ($20,000)

For the payment of salaries wages or other compensation of a deputy secretary and other employes for the payment of general expenses supplies printing and equipment necessary for the proper conduct of the work of the department and for the payment of costs in court proceedings to forfeit charters of extinct companies the sum of five hundred seventy thousand dollars ($570,000)

For the payment of liquidating and dissolution expenses of companies taken in charge by the Insurance Commissioner when the cash assets are insufficient to pay such expenses the sum of fifteen thousand dollars ($15,000) and in addition there is hereby appropriated for the same purposes the full amount of all sums received from such liquidated assets by way of reimbursement for expenditures previously made from this appropriation which sums so received shall be paid into the General Fund and credited to the appropriation made by this paragraph

To the Department of Internal Affairs

For the payment of the salary of the Secretary of Internal Affairs the sum of twenty thousand dollars ($20,000)

For the payment of salaries wages or other compensation of a deputy secretary and other employes for the payment of general expenses supplies printing and equipment necessary for the proper conduct of the work of the department and the Board of Property and the Topographic and Geologic Survey and for the payment of fees to the county commissioners of the several counties of the Commonwealth for data and statistics furnished relative to local taxes the sum of seven hundred fifty thousand dollars ($750,000)

For the payment of the cost of painting a portrait of the Secretary of Internal Affairs William S Livengood to be placed in the Department of Internal Affairs the sum of seven hundred fifty dollars ($750)

For the payment of the cost of repairing restoring and preserving old records in the custody of the department the sum of twenty thousand dollars ($20,000)

To the Department of Justice

For the payment of the salary of the Attorney General the sum of twenty-four thousand dollars ($24,000)

For the payment of salaries wages or other compensation of deputy attorneys general special deputy attorneys general assistant deputy attorneys general special attorneys law clerks and other employes for the payment of compensation of attorneys employed by the several departments boards and commissions with the approval of the Attorney General for handling litigation or making collections or appointed to represent the Commonwealth or any department board or commisison thereof in special work or in particular cases for the payment of costs and witness fees for the purchase of law books for the law library of the department and for the payment of general expenses supplies printing and equipment necessary for the proper conduct of the work of the department and for the proecution and defense of litigation to which the Commonwealth is a party or in which the Commonwealth is interested the sum of three hundred sixty thousand dollars ($360,000)

For the payment of the salaries wages or other compensation of such special deputy attorneys general assistant deputy attorneys general and attorneys as may be assigned by the Attorney General to other departments boards or commissions except the counsel and assistant counsel of the Pennsylvania Public Utility Commission and except departments boards or commissions the work of which is supported mainly out of moneys in funds other than the General Fund for the payment of the salaries wages or other compensation of special deputy attorneys general assistant deputy attorneys general and attorneys appointed to represent the Commonwealth and the several departments boards and commissions thereof in legal matters arising or to be handled in cities counties or districts outside the State Capitol or appointed to represent the Commonwealth or any department board or commission thereof in special work or in particular cases for traveling and other incidental expenses incurred by the special deputy attorneys general assistant deputy attorneys general or attorneys whose compensation is payable out of this appropriation for the payment of mileage charges to the Department of Property and Supplies for the use of automobiles for any such special deputy attorneys general assistant deputy attorneys general or attorneys and for any contingent expenses incident to their work the sum of three hundred fifteen thousand dollars ($315,000)

For the payment of salaries wages or other compensation of a secretary and other employes and for the payment of general expenses supplies printing and equipment necessary for the proper conduct of the Board of Pardons the sum of twenty-nine thousand dollars ($29,000)

For the payment of expenses necessary for the proper conduct of the work of the Board of Commissioners on Uniform State Laws the sum of two thousand five hundred dollars ($2,500)

To the Department of Labor and Industry

For the payment of the salary of the Secretary of Labor and Industry the sum of twenty thousand dollars ($20,000)

For the payment of salaries wages or other compensation of the members of the Workmen's Compensation Board Workmen's Compensation Referees Pennsylvania Labor Relations Board the members of the Industrial Board a deputy secretary and other employes for the payment of general expenses supplies printing and equipment necessary for the proper conduct of the work of the department the Workmen's Compensation Board the Workmen's Compensation Referees Pennsylvania Labor Relations Board and the Industrial Board and for compensation and expenses of wage boards the sum of two million seven hundred thousand dollars ($2,700,000)

For the payment of salaries wages or other compensation of employes engaged in administration of the laws relating to rehabilitation of persons injured in industry and for the payment of general expenses supplies printing and equipment necessary for the proper conduct of the work of the department with respect to rehabilitation and for the purchase of artificial appliances for and the payment of maintenance cost of physically handicapped persons in training and all other expenses necessary to carry out the provisions of the Rehabilitation Acts the sum of three hundred seventy-five thousand dollars ($375,000) and in addition thereto any contributions from the Federal Government or from any other source for rehabilitation shall be paid into the General Fund and credited to this appropriation

For the payment of the statutory amounts of workmen's compensation and medical hospital surgical and burial expenses to injured employes and dependents of deceased employes of the various departments of the State government upon claims arising prior to June first one thousand nine hundred and twenty-nine under the Workmen's Compensation Act of one thousand nine hundred and fifteen its amendments and supplements the sum of two hundred dollars ($200)

To the Department of Military Affairs

For the payment of the salary of the Adjutant General the sum of twenty thousand dollars ($20,000)

For the payment of salaries wages or other compensation of a deputies adjutant general the Division Commander and other employes for the payment of general expenses supplies printing and equipment necessary for the proper conduct of the work of the department including Division Headquarters the United States Property and Disbursing Office State Arsenal State Military Reservation and advisory commissions connected with the department for the making of improvements additions or repairs to existing building roads and utilities on the State Military Reservation and State Arsenal and for the

acquisition by purchase or condemnation of additional lands to be used for or in connection with the Military Reservation at Indiantown Gap for the purpose of placing at the disposal of the Governor and making the same available for replacement or repair of such military stores and supplies issued to the Commonwealth of Pennsylvania by the Federal Government as may be destroyed or damages in whole or in part by fire flood storm or any other unavoidable cause for the payment of transportation pay of officers and enlisted men horse hire subsistence quartermaster stores and other proper and necessary expenses incident to field service rendered by the Pennsylvania National Guard under orders of the Governor in repelling invasion subduing insurrection riot tumult or disorder or the prevention of the same and when such Pennsylvania National Guard may be placed on duty under orders of the Governor under extraordinary circumstances for the protection of property or human life and in the event of all or any portion of said Pennsylvania National Guard being called into active service of the United States by the President of the United States or in furnishing the quota of volunteers from the Commonwealth of Pennsylvania under a call made by the President of the United States and for the equipment and maintenance of a Pennsylvania Reserve Defense Corps in the event of the Pennsylvania National Guard being called into active service of the United States and for the payment of mileage and lawful expenses of commissioners to take the vote of Pennsylvania soldiers in Federal or State service when in the field on active duty for the payment of any and all expenses incident to furnishing men material and equipment to relieve unemployment or drought conditions throughout the State or when a disaster occurs for the payment of claims against the Commonwealth of Pennsylvania for damages incurred by the operation or training of the Pennsylvania National Guard or the Pennsylvania Reserve Defense Corps as provided by law for the payment of all necessary expenses supplies printing and equipment including annual allowances for maintenance and armory rent individual pay officers' annual allowances passenger and freight transportation telegrams telephone toll charges subscription to The Pennsylvania National Guardsman for distribution to officers and men of the Pennsylvania National Guard in either State or Federal service and the Pennsylvania Reserve Defense Corps the expenses of operating and maintaining automobiles and other motor equipment the payment of mileage charges to the Department of Property and Supplies for the use of automobiles and other expenses necessary for the maintenance training government discipline and equipment of the Pennsylvania National Guard or the Pennsylvania Reserve Defense Corps for the payment of claims made by the War Department based upon approved reports of survey covering loss damage or destruction of Federal property for the payment of salaries of members and inspectors of the Armory Board of the State of Pennsylvania for the payment of salaries wages or other compensation of employes for the payment of general expenses supplies printing and equipment necessary for the proper conduct of the work of the Armory Board of the State of Pennsylvania for the maintenance and repair of armories and for the expenses of inspection of armories the sum of two million one hundred twenty-six thousand dollars ($2,126,000) Provided however that there is hereby appropriated for the same purposes the full amount of all rentals and all other moneys paid into the State Treasury in connection therewith of armories and receipts from public or private sources in payment of costs and material expenses by the Pennsylvania National Guard and the Pennsylvania Reserve Defense Corps in furnishing relief from disaster and all receipts from the Federal Government or other public or private sources for or in connection with services performed by employes of the Department of Military Affairs or for or in connection with the use of property under the control of said department which shall be collected as heretofore and paid into the General Fund and credited to the appropriation made by this paragraph The expenditure of such rentals of armories and other moneys received in connection therewith is hereby authorized for the purchase of furniture furnishings and recreational equipment which may at the discretion of the Armory Board of the State of Pennsylvania be considered essential for the benefit betterment and welfare of the Pennsylvania National Guard or the Pennsylvania Reserve Defense Corps

Provided further That the Department of Military Affairs shall upon the direction of the Governor allocate from this appropriation from time to time such amounts as he shall deem necessary to defray the expenses of the State Council of Defense and this appropriation is hereby appropriated for such purpose

For the payment of salaries wages or other compensation of the superintendent and other employes for the payment of general expenses supplies printing and equipment for improvements to land for repairs alterations and improvements to plant and equipment for the purchase of equipment furniture furnishings and live stock for expenses of the Board of Trustees and incidental expenses for burial expenses and for all other expenses of maintenance and operation necessary for the proper conduct of the work of the Soldiers' and Sailors' Home at Erie as may be authorized and approved by the Adjutant General the sum of two hundred fifty thousand dollars ($250,000) and in addition to said amount all moneys collected by the institution or by the Commonwealth from the Federal Government in payment of support or training of members of Federal military establishments at the institution shall be paid into the General Fund and shall be credited to the appropriation made by this paragraph

To the Department of Mines

For the payment of the salary of the Secretary of Mines the sum of twenty thousand dollars ($20,000)

For the payment of salaries wages or other compensation of a deputy secretary and other employes and for the payment of general expenses supplies printing and equipment necessary for the proper conduct of the work of the department the sum of one hundred ten thousand dollars ($110,000)

For the payment of salaries postage supplies printing and equipment traveling expenses telephone toll charges telegrams freight express cartage and incidental expenses of the anthracite and bituminous mine inspectors the sum of five hundred ninety-one thousand dollars ($591,000)

For the payment of expenses of conducting the examination of applicants for certificate of qualification as mine foreman assistant mine foremen and fire bosses as provided by law the sum of twelve thousand five hundred dollars ($12,500)

To The Department of Property and Supplies

For the payment of the salary of the Secretary of Property and Supplies the sum of twenty thousand dollars ($20,000)

For the payment of salaries wages or other compensation of a deputy secretary and other employes for the payment of general expenses supplies printing and equipment necessary for the proper conduct of the work of the department and Capitol Police the Board of Commissioners of Public Grounds and Buildings and other boards attached to the department for the care maintenance and preservation of public grounds and buildings including the Executive Mansion for the payment of the advertising schedules of supplies the sale of unserviceable property proposals for executing the State printing and binding proposals for any contract work readvertising any schedule or proposals when necessary and all other advertising necessary for the proper conduct of the work of the department the sum of two million two hundred thousand dollars ($2,200,000) Provided however That the department shall not use any part of this appropriation for the payment of the salaries wages or other compensation of employes necessary for the cleaning and care of offices or other quarters either in the Capitol Building or elsewhere

used by the Department of Banking the Department of Highways and any other agency to the extent to which appropriations for this purpose shall have been made to them from special funds or used by the General Assembly the Judicial Department the Department of the Auditor General the Treasury Department the Pennsylvania Game Commission the Board of Fish Commissioners the Pennsylvania Liquor Control Board the Milk Control Commission or the State Workmen's Insurance Board or for the cleaning and care of offices or other quarters outside the city of Harrisburg used by any other department board or commission or for the cleaning and care of the State Arsenal or any barracks used by the Pennsylvania Motor Police

For the cost of printing and distributing records of the proceedings of the conventions of the Department of Pennsylvania of the Grand Army of the Republic the United Spanish War Veterans the Veterans of Foreign Wars of the United States the American Legion and the Disabled American Veterans of the World War as provided by law the sum of eleven thousand two hundred dollars ($11,200)

For the cost of printing and distributing the Capitol News clip sheet and the Pennsylvania State Manual the sum of thirty-five thousand dollars ($35,000)

For the purchase of fuel water gas steam and electric current and necessary devices for the reception and use of same and for alterations materials supplies repairs equipment renovations and improvements to for or on the State Capitol buildings the public grounds and buildings connected with the State Capitol the Publications Building the Executive Mansion any buildings lands or structures within the City of Harrisburg donated or devised to the Commonwealth and any buildings or monuments of historical interest located anywhere in the Commonwealth except the Liquor Control Board Office Building in Harrisburg for the payment of rents fuel water gas steam electric current and any necessary alterations for any buildings offices or storage space in the city of Harrisburg required for the accommodation of departments supported from the General Fund which had heretofore been provided entirely with space in the Capitol Buildings the sum of six hundred thousand dollars ($600,000)

For the purchase of automotive equipment aeroplanes and accessories thereto as may be required for use by the several administrative departments boards commissions and officers of the State government except those required for permanent use by the Department of Banking the Department of Highways and the Department of Revenue and any other agency to the extent to which appropriations for this purpose shall have been made to them from special funds the Department of the Auditor General the Treasury Department the Pennsylvania Motor Police the Board of Fish Commissioners the Pennsylvania Game Commission the State Farm Products Show Commission the Pennsylvania Liquor Control Board the Milk Control Commission and the State Workmen's Insurance Board for the payment of the cost of minor repairs to automotive equipment permanently assigned to departments boards and commissions except the Department of Highways and Stored at the garage maintained by the Department of Property and Supplies in the city of Harrisburg and for the payment of the cost of oil gasoline tires repair parts for and repairs to automotive equipment which is not permanently assigned to any department board commission or officer of the State Government the sum of one hundred seventy-five thousand dollars ($175,000)

For the purchase of office supplies and equipment stationery printing printing supplies and printing processes for the purchase of legal books periodical maps pamphlets for the purchase of all other materials supplies and equipment for the costs of repairing office equipment for the payment of rental charges of telephone and other leased devices for the payment of telephone toll charges and telegrams required by the General Assembly and the Judicial Department for the payment of costs including delivery expenses of documents and publications furnished to members and officers of the General Assembly for the payment of the costs of all printing incident to the sessions of the General Assembly including the printing of the Pamphlet Laws and for the payment of the cost of postage freight express paper and printing of departmental documents distributed to members of the General Assembly in accordance with law the sum of two hundred fifty thousand dollars ($250,000)

For the payment of rental charges to the General State Authority for the use and occupancy of the projects structures buildings and facilities leased by the Authority to the Commonwealth the sum of seven million eight hundred nineteen thousand dollars ($7,819,000)

To the Department of Public Assistance

For the payment of the salary of the Secretary of Public Assistance the sum of twenty thousand dollars ($20,000)

For the payment of the salaries wages or other compensation of a deputy secretary and other employes for payment to the State Civil Service Commission for services rendered for the payment of general expenses supplies printing and equipment necessary for the proper conduct of the work of the department the sum of seven hundred twelve thousand dollars ($712,000)

To the Department of Public Instruction

For the payment of the salary of the Superintendent of Public Instruction the sum of twenty-four thousand dollars ($24,000)

For the payment of salaries wages or other compensation of a deputy superintendent and other employes for the payment of general expenses supplies printing and equipment necessary for the proper conduct of the work of the department and the State Council of Education the sum of six hundred thousand dollars ($600,000)

For the payment of salaries wages or other compensation of employes for the payment of general expenses supplies printing and equipment and for the purchase of books maps charts manuscripts records exchanges pamphlets illustrations lantern slides periodicals parliamentary papers legal books and periodicals subscriptions to newspapers necessary for the proper conduct of the work of the department with respect to the State Library and Museum the sum of two hundred forty thousand dollars ($240,000)

For the payment of salaries wages or other compensation of a deputy members and other employes for the payment of general expenses supplies printing and equipment necessary for the proper conduct of the work of the Department of Public Instruction with respect to professional education and licensure and the professional examining boards and advisory committees within the department the sum of five hundred sixty-five thousand dollars ($565,000) Provided That no part of this appropriation shall be expended for any purpose other than the work of the department with respect to certification of teachers professional education and licensure and the professional examining boards and advisory committees within the department

For the payment of salaries wages or other compensation of members and other employes for the payment of general expenses supplies printing and equipment necessary for the proper conduct of the work of the Pennsylvania State Board of Censors the sum of one hundred twenty-five thousand dollars ($125,000)

For the payment of salaries wages or other compensation of a secretary and other employes for the payment of general expenses supplies printing and equipment necessary for the proper conduct of the work of the Pennsylvania Historical Commission and for the purchase of archaeological collections and maintenance of historical monuments sites buildings and markers as provided by law and as authorized and approved by the Superintendent of Public Instruction the sum of two hundred fifty thousand dollars ($250,000)

For the payment of salaries wages and other expenses of the department in conducting examinations of auditory acuity of pupils in the public schools the sum of fifteen thousand dollars ($15,000)

For the payment of salaries wages or other compensation of the presidents or principals and other employes for the expenses of maintaining and operating automobiles and other motor equipment for the payment to the Department of Property and Supplies of mileage charges for the use of automobiles for the purchase of supplies food and fuel for repairs alterations and improvements to plant and equipment for improvements to land for the purchase of equipment furniture furnishings and livestock for the expenses of the boards of trustees and incidental expenses and for all other expenses of maintenance and operation necessary for the proper conduct of the work of the State Teachers Colleges and the Cheyney Training School for Teachers as may be authorized and approved by the Superintendent of Public Instruction the sum of four million dollars ($4,000,000) and in addition to said amount all income and all moneys collected at the various State Teachers Colleges and the Cheyney Training School and paid into the General Fund of the State Treasury under existing law are hereby appropriated out of the General Fund to the several State Teachers Colleges and Training Schools for the same purpose each college and school to receive from such appropriation the exact amount which was collected at said school or college during the said fiscal years

For the payment of salaries wages or other compensation of superintendents and other employes for the payment of general expenses supplies printing and equipment for repairs alterations and improvements to plant and equipment for improvements to land for the purchase of equipment furniture furnishings and live stock for the expenses of boards of trustees and incidental expenses and for all other expenses of maintenance and operation necessary for the proper conduct of the work of the hereinafter designated institutions as may be authorized and approved by the Superintendent of Public Instruction in the amounts hereinafter specified

Pennsylvania State Oral School for the Deaf at Scranton Pennsylvania ..... ($207,000)
Pennsylvania Soldiers' Orphan School at Scotland Pennsylvania ..... ($450,000)
Thaddeus Stevens Industrial School at Lancaster Pennsylvania ..... ($190,000)

and in addition to the appropriation to the Thaddeus Stevens Industrial School made by this paragraph all moneys collected from the Federal Government by the institution or by the Commonwealth in payment of support or training of members of Federal military establishments at the Thaddeus Stevens Industrial School shall be paid into the General Fund and shall be credited to the appropriation to the Thaddeus Stevens Industrial School made by this paragraph

For the payment of salaries of the county superintendents of public schools as required by law the sum of five hundred twenty-one thousand dollars ($521,000)

For the payment of the expenses of county superintendents of public schools as required by law the sum of fifty thousand dollars ($50,000)

For the payment of the salaries of assistant county superintendents of public schools and supervisors of special education as required by law the sum of seven hundred eight thousand dollars ($708,000)

For the payment of expenses of assistant county superintendents of public schools and supervisors of special education as required by law the sum of ninety-five thousand dollars ($95,000)

For the payment of salaries of members of county boards of school directors the sum of fifty-two thousand eight hundred dollars ($52,800)

For reimbursement to school districts for transportation of school children as required by law the sum of nine million dollars ($9,000,000)

For aid to school districts that now maintain or shall cause to be established and maintained as part of the public school system vocational schools or departments schools for agricultural education industrial training home economics distributive occupations public service occupations and other vocational and practical education for the salaries wages and expenses of employes for general expenses of vocational divisions and the payment to the Department of Property and Supplies of mileage charges for the use of automobiles by traveling vocational education supervisors and for the cost of training vocational teachers in such institutions as the State Council of Education may designate and under such regulations as the State Council of Education may prescribe as provided by law the sum of one million five hundred thousand dollars ($1,500,000)

For the payment of salaries and expenses of the department in carrying out the provisions of the Act of July 28 one thousand nine hundred forty-one Pamphlet Laws page 513 in conducting special classes in vocational education the sum of forty thousand dollars ($40,000)

For the cost of transportation investigation and necessary expenses involved in the education of blind children as required by law for the education of children placed in homes by the courts or other agencies as required by law for the award of scholarships to graduates of secondary schools to aid them in obtaining higher education as required by law for Cornplanter Indians as required by law for the expenses of blind students in attendance at institutions of higher learning as provided by law and for the payment to school districts of annual fixed charges in lieu of taxes on State lands as required by law the sum of four hundred thirty-eight thousand five hundred dollars ($438,500)

For reimbursing school districts upon the salaries of school teachers and for closed schools and for nonresident high school tuition as required by law the sum of seventy-eight million dollars ($78,000,000) Provided That the Superintendent of Public Instruction with the approval of the Governor may make payments from this appropriation in advance of the due dates prescribed by law to school districts which are financially handicapped whenever he shall deem it necessary to make such advanced payment to enable school districts to keep their public schools open

For special education including the payment of the Commonwealth's share in the case of children between the ages of six (6) and twenty-one (21) and the payment of all in the case of pupils under the age of six (6) or over twenty-one (21) of the cost of tuition and maintenance (as determined by the Superintendent of Public Instruction) of Pennsylvania pupils enrolled with the approval of the Department of Public Instruction in schools or institutions for the blind or for the deaf under the supervision of and approved by the department in accordance with law the sum of one million two hundred seventy thousand dollars ($1,270,000)

For the payment into the School Employes' Retirement Fund to the credit of the Contingent Reserve Account of the School Employes Retirement Fund as required by law the sum of two million six hundred thousand dollars ($2,600,000)

For the payment into the School Employers' Retirement Fund to the credit of the State Annuity Reserve Account Number Two of the School Employes Retirement Fund as required by law the sum of three million eight hundred fifty thousand dollars ($3,850,000)

For the payment of compensation to former teachers principals supervising principals or superintendents who agree in writing to hold themselves ready under the direction of the board of school directors to advise and counsel with school officials to visit and counsel with new teachers to act as substitute teachers when able to examine and report on public school work to visit pupils homes in the interest of child welfare to attend educational conferences and addresses and to be concerned with other educational work as may be deemed necessary and help-

ful to community-school interest as provided by law the sum of two hundred twenty thousand dollars ($220,000)

To The Pennsylvania Public Utility Commission

For the payment of the salary of the chairman and members of the commission the sum of one hundred one thousand dollars ($101,000)

For the payment of salaries wages or other compensation of a secretary and other employes and for the payment of general expenses supplies printing and equipment necessary for the proper conduct of the work of the commission the sum of one million nine hundred seventy thousand dollars ($1,970,000)

For the payment of such proportion of the cost of installing warning signals for the protection of the public where tracks of railroad corporations or street railways corporations cross public highways other than those State Highways designated as primary routes as shall be determined by the commission to be paid by the Commonwealth the sum of fifteen thousand dollars ($15,000)

To the Department of Revenue

For the payment of the salary of the Secretary of Revenue the sum of twenty-four thousand dollars ($24,000)

For the payment of salaries wages or other compensation of deputy secretaries and other employes for the payment of general expenses rentals equipment and other expenses incidental to the collection of inheritance and estate taxes and mercantile license taxes supplies printing and equipment necessary for the proper conduct of the work of the department for the payment of cost of filing liens for the purchase of tax stamps and for the payment of costs of advertising required by any act of Assembly in connection with the escheat of moneys and property to the Commonwealth or in connection with the payment of unclaimed moneys into the State Treasury without escheat the sum of three million one hundred thirty-seven thousand dollars ($3,137,000) Provided however That to the extent to which appropriations have been made to the department out of special funds for any of the foregoing purposes this appropriation shall not be used for such purposes

For the payment of salaries of the members of the State Athletic Commission for the payment of salaries wages or other compensation of a secretary and deputies and other employes and for the payment of general expenses supplies printing and equipment necessary for the proper conduct of the work of the State Athletic Commission as approved by the Secretary of Revenue the sum of ninety thousand dollars ($90,000)

For the payment of the compensation of informants in escheats and the fees and expenses of escheators in connection with escheat proceedings the sum of five thousand dollars ($5,000)

For the payment of mileage of appraisers of mercantile and other license taxes the sum of fifteen thousand dollars ($15,000)

For the payment of costs in suits against delinquent dealers for mercantile and other license taxes the sum of five thousand dollars ($5,000)

For the payment of the salaries wages or other compensation of such special deputy attorneys general special attorneys appointed by the Attorney General experts scientists examiners statisticians clerks stenographers and other assistants and employes and for costs witness fees postage express charges telegraph and telephone charges and all other expenses whatsoever as may be necessary for the proper conduct of investigations and litigation in the Estate of Henrietta E Garrett Deceased the sum of thirty thousand dollars ($30,000)

To the Department of State

For the payment of the salary of the Secretary of the Commonwealth the sum of twenty thousand dollars ($20,000)

For the payment of salaries wages or other compensation of a deputy secretary and other employes for the payment of general expenses supplies printing and equipment necessary for the proper conduct of the work of the department and for proofreading the Pamphlet Laws the sum of two hundred twenty thousand dollars ($220,000)

For the payment of salaries wages or other compensation of commissioners and other employes and for the payment of printing and other expenses of the department in taking the vote of citizens of the Commonwealth who are in the active military service of the United States the sum of fifty thousand dollars ($50,000)

For the payment of salaries wages or other compensation of a secretary and other employes and for the payment of general expenses necessary for the proper conduct of the work of the State Employes' Retirement Board the sum of one hundred thousand dollars ($100,000) and in addition to the said amount any monies collected from a public corporation or similar agency in payment of the proportionate share of administering the State Employes' Retirement Fund on behalf of the employes of such public corporation or similar agency whose employes are entitled by law to be members of the State Employes' Retirement System shall be paid into the General Fund and credited to this appropriation

For the payment into the State Employes' Retirement Fund to the credit of the State Annuity Reserve Account Number Two the sum of one million seven hundred eleven thousand four hundred dollars ($1,711,400)

For the payment into the State Employes' Retirement Fund to the credit of the Contingent Reserve Account the sum of eight hundred fourteen thousand two hundred dollars ($814,200)

For the payment into the State Employes' Retirement Fund to cover the additional liability for reserve required by reason of the creation of the Pennsylvania Motor Police Retirement System the sum of fifty thousand dollars ($50,000)

For the payment into the State Employes' Retirement Fund to the credit of the Members' Annuity Reserve account and other accounts the sum of two hundred fifty-one thousand seven hundred ten dollars ($251,710)

For the payment of State employes who have retired in accordance with the provisions of the act of Assembly approved June fourteenth one thousand nine hundred fifteen (Pamphlet Laws nine hundred seventy-three) as amended the sum of sixteen thousand four hundred dollars ($16,400)

For the payment of pensions and gratuities that have been granted by law or that may hereafter be granted by law the sum of one thousand eight hundred fifty dollars ($1,850)

For the payment of the cost of publishing in various newspapers throughout the State the several proposed amendments to the Constitution of the Commonwealth of Pennsylvania the sum of thirty thousand dollars ($30,000)

To the Pennsylvania Motor Police

For the payment of the salaries wages or other compensation and necessary traveling expenses of the Commissioner and Deputy Commissioner of the Pennsylvania Motor Police the members of the Motor Police force and the other employes of the Pennsylvania Motor Police for the purchase of motor equipment for the payment of general expenses necessary for the proper conduct of the work of the Pennsylvania Motor Police for the payment of the board lodging uniforms arms and equipment of the Pennsylvania Motor Police force and for medical attendance and hospital charges not covered by insurance for members of such force injured in the line of duty for the payment of premiums on policies insuring the Commonwealth against workmen's compensation liability to all employes or dependants of employes of the Pennsylvania Motor Police for the payment of premiums on policies of insurance covering motor vehicles operated by the Pennsylvania Motor Police and surety bonds for employes of the Pennsylvania Motor Police required to

furnish such bonds for the operation and maintenance of the Pennsylvania Motor Police Training School including any branches thereof for the payment of traveling expenses and witness fees in the amount of two dollars ($2) per capita per diem to witnesses testifying for the Commonwealth at hearings in connection with the work of the Pennsylvania Motor Police and for the payment of fees charged by physicians for examining persons suspected of operating motor vehicles while intoxicated whenever such persons are found as a result of such examination not to be intoxicated except that no sum in excess of five dollars ($5) shall be paid to any physician for any such examination for the maintenance and operation of a radio broadcasting station or stations and for the purpose of installing operating and maintaining a teletype or other intercommunication system linking the central office of the Pennsylvania Motor Police and the offices of the various organized police forces of the political subdivisions of the Commonwealth maintaining night offices and linking such central office with other states using similar systems which cooperate with Pennsylvania in broadcasting police information the sum of one million dollars ($1,000,000) and any additional sums from time to time transferred from the Motor License Fund and credited to this appropriation in the manner provided by law

To the Department of Welfare

For the payment of the salary of the Secretary of Welfare the sum of twenty thousand dollars ($20,000)

For the payment of salaries wages or other compensation of a deputy secretary and other employes for the payment of general expenses supplies printing and equipment necessary for the proper conduct of the work of the department including the cost of a central accounting system for State-owned institutions subject to the supervision of the department the sum of five hundred thirty-six thousand dollars ($536,000)

For the payment of salaries wages or other compensation of employes and for the payment of general expenses supplies printing and equipment necessary for the proper conduct of the work of the State Council for the Blind the sum of one hundred four thousand dollars ($104,000)

For the payment of salaries wages or other compensation of the superintendents or wardens and other employes for the payment of general expenses supplies and printing for repairs alterations and improvements to plant and equipment for improvements to land for the purchase of equipment furniture furnishings and live stock for expenses of the boards of trustees and incidental expenses for the payment of gratuities clothing and parole expenses and for all other expenses of maintenance and operation necessary for the proper conduct of the work of the Pennsylvania Industrial School at Huntingdon the Pennsylvania Training School at Morganza the State Industrial Home for Women at Muncy the Eastern State Penitentiary at Philadelphia and Graterford the Western State Penitentiary at Pittsburgh the State Penitentiary at Rockview and any other institution hereafter established for the custody of prisoners as may be authorized and approved by the Secretary of Welfare the sum of nine million five hundred thousand dollars ($9,500,000)

For the payment of salaries wages or other compensation of the superintendents and other employes for the payment of general expenses supplies and printing for repairs alterations and improvements to plant and equipment for improvements to land for the purchase of equipment furniture furnishings and live stock for expenses of the boards of trustees and incidental expenses and for all other expenses of maintenance and operation necessary for the proper conduct of the work of the Allentown State Hospital at Allentown the Danville State Hospital at Danville the Farview State Hospital at Farview the Harrisburg State Hospital at Harrisburg the Norristown State Hospital at Norristown the Torrance State Hospital at Torrance the Warren State Hospital at Warren the Philadelphia State Hospital at Philadelphia the Wernersville State Hospital at Wernersville and any other institution established for the care and treatment of the insane as may be authorized and approved by the Secretary of Welfare the sum of twenty-eight million dollars ($28,000,000)

For the payment of salaries wages or other compensation of the superintendents and other employes for the payment of general expenses supplies and printing for repairs alterations and improvements to plant and equipment for improvements to lands for the purchase of equipment furniture furnishings and live stock for expenses of the boards of trustees and incidental expenses and for all other expenses of maintenance and operation necessary for the proper conduct of the work of the Laurelton State Village at Laurelton the Pennhurst State School at Pennhurst the Polk State School at Polk the Selinsgrove State Colony for Epileptics at Selinsgrove and any other institution established for the care and treatment of mental defectives and epileptics as authorized and approved by the Secretary of Welfare the sum of four million eight hundred thousand dollars ($4,800,000)

For the payment of salaries wages or other compensation of the superintendents and other employes for the payment of general expenses supplies and printing for repairs for the purchase of equipment furniture and furnishings for expenses of the board of trustees and incidental expenses and for all other expenses of maintenance and operation necessary for the proper conduct of the work of the Ashland State Hospital at Ashland the Blossburg State Hospital at Blossburg the Coaldale State Hospital at Coaldale the Connellsville State Hospital at Connellsville the Hazleton State Hospital at Hazleton the Locust Mountain State Hospital at Shenandoah the Nanticoke State Hospital at Nanticoke the Philipsburg State Hospital at Philipsburg the Scranton State Hospital at Scranton and the Shamokin State Hospital at Shamokin as may be authorized and approved by the Secretary of Welfare the sum of three million seven hundred fifty thousand dollars ($3,750,000)

To the Milk Control Commission

For the payment into the Milk Control Fund in the State Treasury for the purposes for which such fund is appropriated by law the sum of three hundred forty thousand dollars ($340,000)

To the State Civil Service Commission

For the payment of salaries wages or other compensation of a Personnel Director and other employes for the payment of general expenses supplies printing and equipment necessary for the proper conduct of the work of the Commission the sum of one hundred thousand dollars ($100,000) and be it provided that any money collected by the Commission by way of reimbursement under the provisions of Sections 211 and 212 of the Civil Service Act shall be paid into the General Fund through the Department of Revenue and shall be credited to this appropriation

To the Pennsylvania Board of Parole

For the payment of salaries of members of the Board and salaries wages or other compensation of employes for the payment of general expenses supplies printing and equipment necessary for the proper conduct of the work of the Board the sum of one million dollars ($1,000,000)

II Legislative Department

For the payment of the expenses of the Legislative Department for two years beginning June one one thousand nine hundred and forty-three and also for the expenses of the session and recess of one thousand nine hundred and forty-three not previously provided for the following sums or as much thereof as may be necessary to be paid in the manner prescribed by law Provided That the salaries stationery and mileage of the members of the Senate and House of Representatives and all the

salaries and mileage of the session officers and employes of the legislative session of one thousand nine hundred and forty-five shall only be paid after statement of the amounts due the several senators members officers and employes shall have been certified to the Auditor General by the President pro tempore of the Senate and the Speaker of the House of Representatives respectively and that the senators and members also the officers receiving fixed salaries for said session shall each be paid one-fifth of his total salary each month for the first four months of the session if the Legislature shall be in session that long and the balance on the day fixed for the final adjournment of the Legislature or during the two days previous thereto and that the session officers and employes receiving per diem salaries shall be paid amounts due them at the end of each month during the session except the last month when payment shall be made on the date fixed for final adjournment of the Legislature or during the two days previous thereto

To The Senate

For the payment of the salaries of fifty senators and extra compensation allowed by law to the President pro tempore of the Senate session of one thousand nine hundred and forty-five the sum of one hundred fifty-one thousand dollars ($151,000)

For the payment of the mileage of fifty senators session of one thousand nine hundred and forty-five the sum of eighteen thousand dollars ($18,000)

For the payment of postage session of one thousand nine hundred and forty-five allowed by law to fifty senators the sum of seven thousand five hundred dollars ($7,500)

For the payment of postage session of one thousand nine hundred and forty-five for the chief clerk and assistants the sum of one hundred fifty dollars ($150)

For the payment of postage session of one thousand nine hundred and forty-five for the Lieutenant Governor the sum of one hundred fifty dollars ($150)

To the chief clerk of the Senate for the payment of the postage on the Legislative Journal bills and calendars session of one thousand nine hundred and forty-five the sum of four thousand five hundred dollars ($4,500)

For the payment of the salaries of the officers and employes of the Senate session of one thousand nine hundred and forty-five also for the payment of the session and recess salaries of all officers and employes whose positions are now or may hereafter be created and for the payment of which provision is not otherwise made also for the payment of any increases which may now or hereafter be authorized in the recess and session salaries of the officers and employes of the Senate whose present salaries are provided for in this section the sum of one hundred two thousand dollars ($102,000) for the two years beginning June first one thousand nine hundred and forty-three

For the payment of the mileage of the officers and employes of the Senate session of one thousand nine hundred and forty-five the sum of two thousand seven hundred dollars ($2,700)

For the payment of the salaries of the returning officers of the Senate at the beginning of the session of one thousand nine hundred and forty-five the sum of eight thousand dollars ($8,000)

For the payment of the mileage of the returning officers of the Senate at the beginning of the session of one thousand nine hundred and forty-five the sum of two thousand dollars ($2,000)

For the payment of the salary of the clerk to the President of the Senate for two years beginning June first one thousand nine hundred and forty-three the sum of four thousand eight hundred dollars ($4,800)

For the payment of the salary of the Secretary of the Senate for the two years beginning June first one thousand nine hundred and forty-three the sum of fifteen thousand dollars ($15,000)

For the payment of the salary of the chief clerk of the Senate for the two years beginning June first one thousand nine hundred and forty-three the sum of twelve thousand dollars ($12,000)

For the payment of the salary of the assistant clerk of the Senate for the session of one thousand nine hundred and forty-five the sum of two thousand dollars ($2,000)

For the payment of the salary of the assistant clerk of the Senate for the time employed during the recess periods in the two years beginning June first one thousand nine hundred and forty-three the sum of three thousand eight hundred dollars ($3,800)

For the payment of the salary of the librarian of the Senate for the two years beginning June first one thousand nine hundred and forty-three the sum of nine thousand dollars ($9,000)

For the payment of the salary of the assistant librarian of the Senate for the two years beginning June first one thousand nine hundred and forty-three the sum of seven thousand two hundred dollars ($7,200)

For the payment of the salary of the assistant to the secretary of the Senate for the time employed during the recess periods in the two years beginning June first one thousand nine hundred and forty-three as provided by law the sum of four thousand two hundred dollars ($4,200)

For the payment of the salary of the stenographer to the President of the Senate for the two years beginning June first one thousand nine hundred forty-three the sum of three thousand two hundred forty dollars ($3,240)

For the payment of the salary of the clerk to the President pro tempore of the Senate for two years beginning June first one thousand nine hundred and forty-three the sum of four thousand eight hundred dollars ($4,800)

For the payment of the salaries of the Secretaries to the majority and minority floor leaders of the Senate for the two years beginning June first one thousand nine hundred and forty-three as provided by law the sum of seven thousand two hundred dollars ($7,200)

For the payment of the salaries of the stenographers to the Senate Librarian for the time employed during the recess periods in the two years beginning June first one thousand nine hundred and forty-three as provided by law the sum of six thousand three hundred dollars ($6,300)

For the payment of the salaries of two watchmen of the Senate for the two years beginning June first one thousand nine hundred and forty-three as provided by law the sum of seven thousand two hundred dollars ($7,200)

For the payment of the salary of the superintendent of the storeroom of the Senate for the two years beginning June first one thousand nine hundred and forty-three as provided by law the sum of six thousand dollars ($6,000)

For the payment of the salary of the custodian of the basement of the Senate for the two years beginning June first one thousand nine hundred and forty-three as provided by law the sum of three thousand six hundred dollars ($3,600)

For the payment of the salaries of one custodian of the Senate Chamber and three assistant custodians of the Senate Chamber for the two years beginning June first one thousand nine hundred and forty-three as provided by law the sum of ten thousand one hundred fifty-five dollars ($10,155)

For the payment of the salary of the chief custodian of the Senate for the two years beginning June first one thousand nine hundred and forty-three as provided by law the sum of four thousand eight hundred dollars ($4,800)

For the payment of the salary of the messenger in the Senate Library for the two years beginning June first one thousand nine hundred and forty-three as pro-

vided by law the sum of two thousand four hundred dollars ($2,400)

To the Secretary of the Senate for the payment of extra services in connection with the compilation of the history of legislation in the Senate session of one thousand nine hundred and forty-three the sum of two thousand five hundred dollars ($2,500)

For the payment of the expenses of the Committee on Appropriations of the Senate during the biennium June first one thousand nine hundred and forty-three and ending May thirty-first one thousand nine hundred and forty-five in investigating schools colleges universities penal institutions mental hospitals medical and surgical hospitals homes and other institutions and agencies supported in whole or in part by appropriations from the State Treasury in analyzing reports of said institutions and agencies in examining and analyzing requests of the same and of the various departments boards and commissions of the Commonwealth for appropriations and for the necessary clerical assistance and other necessary expenses in connection with the work of said committee in compiling data and information for the use of said committee and the Senate during legislative sessions and during the interim between legislative sessions the sum of twelve thousand dollars ($12,000) to be paid on warrant of the Auditor General in favor of the chairman of said committee on the presentation of his requisition for the same Of the sum herein appropriated not more than seven thousand dollars ($7,000) shall be expended prior to the beginning of the regular session of the General Assembly of one thousand nine hundred and forty-five If the term of office of the chairman of Committee on Appropriations shall terminate prior to the regular session of 1945 he shall not later than thirty days after such termination and also within thirty days after the adjournment of any regular or special session file an account with the Auditor General of the committee's expenses since the filing of the prior account

For the payment of expenses incident to issuing certificates of election of senators for the session of one thousand nine hundred and forty-five the sum of seventy-five dollars ($75) (Act of June fourteenth one thousand nine hundred and eleven)

For the payment of the contingent expenses including clerical stenographic traveling and discretionary charges of the President pro tempore of the Senate during the recess ending the first Tuesday of January one thousand nine hundred and forty-five the sum of three thousand dollars ($3,000) or as much thereof as may be necessary and for like expenses for the session of one thousand nine hundred and forty-five the sum of three thousand dollars ($3,000)

For the payment of the necessary expenses including extra labor in the office of the chief clerk for the year ending May thirty-first one thousand nine hundred and forty-four the sum of seven thousand dollars ($7,000) and for six months ending November thirtieth one housand nine hundred and forty-four the sum of four thousand dollars ($4,000)

For the payment of the incidental expenses of the Senate for six months commencing December first one thousand nine hundred and forty-four and the entire period of the session of one thousand nine hundred and forty-five should the same extend beyond May thirty-first such sum as may be necessary to be expended by the chief clerk of the Senate who shall render to the Auditor General accounts from time to time with proper specifically itemized vouchers to be settled in the same manner as other accounts but said chief clerk shall at no time have in his hands more than two thousand dollars ($2,000) for which accounts have not been rendered and settled and the whole amount expended by said chief clerk shall not exceed the sum of ten thousand dollars ($10,000) out of which amount such necessary extra labor in the Senate shall be paid as shall be certified by the President pro tempore and the chief clerk

For the payment of the postage labor and incidental expenses in the office of the secretary of the Senate for the year beginning June first one thousand nine hundred and forty-three the sum of five thousand dollars ($5,000) and for the year beginning June first one thousand nine hundred and forty-four the sum of five thousand dollars ($5,000)

For the payment of postage labor express charges and all other expenses in the office of the librarian of the Senate for the year beginning June first one thousand nine hundred and forty-three the sum of two thousand eight hundred dollars ($2,800) and for the year beginning June first one thousand nine hundred and forty-four the sum of two thousand eight hundred dollars ($2,800)

For the payment of the contingent expenses of the majority and minority floor leaders of the Senate for the two years beginning June first one thousand nine hundred forty-three as provided by law the sum of three thousand dollars ($3,000)

To the Secretary of the Senate for the payment of the expenses of the Senate or committee of the Senate in attending funerals or expenses incident thereto of senators officers of the Senate or State officials during the two years beginning June first one thousand nine hundred and forty-three the sum of one thousand dollars ($1,000)

To the House of Representatives

For the payment of the salaries of two hundred and eight members of the House of Representatives and extra compensation allowed by law to the Speaker of the House session of one thousand nine hundred and forty-five the sum of six hundred and twenty-five thousand dollars ($625,000)

For the payment of the mileage of two hundred and eight members of the House session of one thousand nine hundred and forty-five the sum of eighty-five thousand dollars ($85,000)

For the payment of postage session of one thousand nine hundred and forty-five allowed by law to two hundred and eight members one hundred fifty dollars ($150) each the sum of thirty-one thousand two hundred dollars ($31,200)

For the payment of postage session of one thousand nine hundred and forty-five to the chief clerk and assistants the sum of one hundred fifty dollars ($150)

To the chief clerk of the House of Representaitves for the payment of postage on the Legislative Journal bills and calendar session of one thousand nine hundred and forty-five the sum of ten thousand dollars ($10,000)

For the payment of salaries of the officers and employes of the House of Representatives session of one thousand nine hundred and forty-five also for the payment of the session and recess salaries of all officers and employes whose positions are now or may be hereafter created and for the payment of which provision is not otherwise made also for the payment of any increase which may now or hereafter be authorized in the recess and session salaries of all the officers and employes of the House of Representatives whose present salaries are provided for in this section the sum of one hundred twenty-eight thousand five hundred dollars ($128,500) for the two years beginning June first one thousand nine hundred and forty-three

For the payment of the mileage of the officers and employees of the House of Representatives session of one thousand nine hundred and forty-five the sum of four thousand dollars ($4,000)

For the payment of the salaries of the returning officers of the House of Representaitves at the beginning of the session of one thousand nine hundred and forty-five the sum of thirteen thousand dollars ($13,000)

For the payment of the mileage of the returning officers of the House of Representatives at the beginning of the session of one thousand nine hundred and forty-five the sum of three thousand dollars ($3,000)

For the payment of the salary of the chief clerk of the House of Representatives for the two years beginning

June first one thousand nine hundred and forty-three the sum of twelve thousand dollars ($12,000)

For the payment of the salary of the Secretary of the House of Representatives for the two years beginning June first one thousand nine hundred and forty-three the sum of ten thousand dollars ($10,000)

For the payment of the salary of the assistant to the chief clerk of the House of Representatives for the two years beginning June first one thousand nine hundred and forty-three the sum of seven thousand two hundred dollars ($7,200)

For the payment of the salary of the chief stenographer to the chief clerk for the time employed during the recess periods in the two years beginning June first one thousand nine hundred forty-three the sum of three thousand seventy-five dollars ($3,075)

For the payment of the salary of the messenger to the Chief Clerk for the two years beginning June first one thousand nine hundred forty-three the sum of two thousand four hundred dollars ($2,400)

For the payment of the salary of the secretary to the majority floor leader of the House for the two years beginning June first one thousand nine hundred forty-three as provided by law the sum of three thousand six hundred dollars ($3,600)

For the payment of the salary of the Secretary of the minority floor leader of the House for the two years beginning June first one thousand nine hundred forty-three as provided by law the sum of three thousand six hundred dollars ($3,600)

For the payment of the salary of the assistant clerk of the House of Representatives for the session of one thousand nine hundred and forty-five the sum of two thousand dollars ($2,000)

For the payment of the salary of the assistant clerk of the House of Representatives for the time employed during the recess periods in the two years beginning June first one thousand nine hundred and forty-three the sum of three thousand six hundred dollars ($3,600)

For the payment of the salary of the superintendent of storerooms of the House of Representatives for the time employed during the period beginning June first one thousand nine hundred and forty-three as provided by law the sum of three thousand six hundred dollars ($3,600)

For the payment of salaries of one day watchman and one night watchman of the House of Representatives for the time employed during the period beginning June first one thousand nine hundred and forty-three as provided by law the sum of seven thousand two hundred dollars ($7,200)

For the payment of the salary of the custodian of the basement of the House of Representatives for the time employed in the period beginning June first one thousand nine hundred and forty-three as provided by law the sum of three thousand six hundred dollars ($3,600)

For the payment of the salary of the custodian of the Hall of the House of Representatives for the time employed in the period beginning June first one thousand nine hundred and forty-three as provided by law the sum of three thousand six hundred dollars ($3,600)

For the payment of the salaries of the four assistant custodians of the Hall of the House of Representatives for the time employed in the recess period beginning June first one thousand nine hundred and forty-three as provided by law the sum of eight thousand eight hundred dollars ($8,800)

For the payment of the salary of the messenger in the House Library for the time employed in the period beginning June first one thousand nine hundred and forty-three as provided by law the sum of two thousand four hundred dollars ($2,400)

For the payment of contingent expenses including clerical stenographic traveling and discretionary charges of the Speaker of the House of Representatives during the recess ending December first one thousand nine hundred and forty-four the sum of three thousand dollars ($3,000) or as much thereof as may be necessary and for like expenses for the session of one thousand nine hundred and forty-five the sum of three thousand dollars ($3,000)

For the payment of the salary of the stenographer to the Speaker of the House of Representatives for the two years beginning June first one thousand nine hundred and forty-three the sum of three thousand six hundred dollars ($3,600) or as much thereof as may be necessary

For the payment of the salary of the parliamentarian of the House of Representatives for the two years beginning June first one thousand nine hundred and forty-three the sum of eight thousand dollars ($8,000) or as much thereof as may be necessary

For the payment of the salary of the secretary to the Speaker of the House of Representatives for the two years beginning June first one thousand nine hundred and forty-three the sum of four thousand eight hundred dollars ($4,800)

For the payment of necessary expenses including extra labor in the office of the chief clerk and library for the year beginning June first one thousand nine hundred and forty-three the sum of nineteen thousand dollars ($19,000) and for the six months beginning June first one thousand nine hundred and forty-four the sum of nine thousand one hundred dollars ($9,100)

For the payment of the incidental expenses of the House of Representatives for the six months commencing December first one thousand nine hundred and forty-four and for the entire period of the session of one thousand nine hundred and forty-five should the same extend beyond May thirty-first to be expended by the chief clerk who shall render to the Auditor General accounts from time to time with proper specifically itemized vouchers to be settled in the same manner as other accounts The whole amount thus expended by the chief clerk shall not exceed the sum of twenty thousand dollars ($20,000)

To the chief clerk of the House for the payment of extra services in connection with the compilation of the history of legislation in the House session of one thousand nine hundred and forty-five the sum of two thousand five hundred dollars ($2,500)

For the payment of the expense of the Committee on Appropriations of the House of Representatives during the biennium beginning June first one thousand nine hundred and forty-three and ending May thirty-first one thousand nine hundred and forty-five in investigating schools colleges universities penal institutions mental hospitals medical and surgical hospitals homes and other institutions and agencies supported in whole or in part by appropriations from the State Treasury in analyzing reports of said institutions and agencies in examining and analyzing requests of the same and of the various departments boards and commissions of the Commonwealth for appropriations and for the necessary clerical assistance and other necessary expenses in connection with the work of said committee in compiling data and information for the use of said committee and the House of Representatives during legislative sessions and during the interim between legislative sessions the sum of twelve thousand dollars ($12,000) to be paid on warrant of the Auditor General in favor of the chairman of said committee on the presentation of his requisition for the same of the sum herein appropriated not more than seven thousand dollars ($7,000) shall be expended prior to the beginning of the regular session of the General Assembly of nineteen hundred and forty-five The chairman of the Committee on Appropriations shall not later than thirty days after the termination of his term of office and also within thirty days after the adjournment of any regular or special session file an account with the Auditor General of the committee's expenses since the filing of the prior account

For the payment of the postage labor and express charges and all other expenses in the office of the secretary of the House for the year beginning June first one thousand nine hundred and forty-three the sum of three thousand five hundred dollars ($3,500) and for the year beginning June first one thousand nine hundred and forty-four the sum of three thousand five hundred dollars ($3,500)

For the payment of the contingent expenses including

clerical stenographic traveling and discretionary charges of the Majority floor leader of the House during the recess ending December first one thousand nine hundred and forty-four the sum of one thousand dollars ($1,000) and for like expenses for the session of one thousand nine hundred forty-five the sum of five hundred dollars ($500)

For the payment of the contingent expenses including clerical stenographic traveling and discretionary charges of the Minority floor leader of the House during the recess ending December first one thousand nine hundred and forty-four the sum of one thousand dollars ($1,000) and for like expenses for the session of one thousand nine hundred forty-five the sum of five hundred dollars ($500)

For the payment of the expenses incident to issuing certificates of election to members of the House of Representatives for the session of one thousand nine hundred and forty-five (Act of June fourteenth one thousand nine hundred and eleven) the sum of seven hundred fifty dollars ($750) to be paid by the State Treasurer on warrants of the Auditor General upon presentation of vouchers approved by the Speaker of the House of Representatives

To the chief clerk of the House of Representatives for the payment of the expenses of the House of Representatives or committee of the House of Representatives in attending funerals or expenses incident thereto of members of the House of Representatives officers of the House of Representatives or State Officials during the two years beginning June first one thousand nine hundred and forty-three the sum of three thousand dollars ($3,000)

Legislative Journals

The expenses for paper and printing of the Legislative Journals shall be paid out of the appropriation for paper and printing made to the Department of Property and Supplies contained in this act

For the payment of the chief clerk of the Senate and the chief clerk of the House of Representatives the sum of seven hundred fifty dollars ($750) each for making indices for the journals of each House for the session of one thousand nine hundred and forty-three the sum of one thousand five hundred dollars ($1,500)

For the work of the Legislative Journal officials after the close of the session of one thousand nine hundred and forty-three on the Legislative Journals also the proofreading of the appendix and index thereto as provided by law the sum of four thousand five hundred dollars ($4,500)

For the payment of the person or persons appointed to index the Legislative Journals session of one thousand nine hundred and forty-five the sum of one thousand five hundred dollars ($1,500) in accordance with the act establishing said journals

Legislative Miscellaneous

For the payment of wages and other compensation of employes for the payment of expenses of members in attending conferences when designated by the Governor the President pro tempore of the Senate or the Speaker of the House of Representatives and for the payment of the general expenses necessary for the proper conduct of the work of the Commission on Interstate Cooperation the sum of five thousand dollars ($5,000) to be paid on warrants of the Auditor General in favor of the chairman of said commission on the presentation of his requistion for the same The chairman shall file an accounting of said expenses with the Auditor General

For the payment of wages and other compensation of employes for the payment of general expenses necessary for the proper conduct of the work of the Interstate Commission on the Delaware River Basin created by the Commission on Interstate Cooperation the sum of sixteen thousand seven hundred dollars ($16,700) to be paid on warrants of the Auditor General in favor of the chairman of said commission on the presentation of his requisiton for the same The chairman of said commission shall file an accounting of said expenses with the Auditor General

For the payment of traveling and other expenses of the members of the General Assembly of Pennsylvania appointed by the President pro tempore of the Senate and the Speaker of the House in attending the meetings of the American Legislators' Association and the Council of State Governments the sum of two thousand five hundred dollars ($2,500) to be paid on warrants of the Auditor General in favor of the President Pro tempore of the Senate or the Speaker of the House of Representatives on presentation of his requisition for the same The President pro tempore or the Speaker shall file an accounting of said expenses with the Auditor General

For the support of the Council of State Governments and the Interstate Legislative Reference Bureau established by it to co-ordinate the work of the various State Legislative Reference Bureaus and other official agencies dealing with legislative matters the sum of fifteen thousand dollars ($15,000) One-half of said appropriation shall be paid during each fiscal year of the biennium in equal quarterly installments on requisition drawn by the Auditor General Warrants for such payments shall be drawn to the order of the Executive Director of the Council of State Governments who shall file an accounting of said expenses with the Auditor General

For the payment of premiums on surety bonds for chairman and officers of the Senate and House of Representatives to be paid by Chief Clerks of each House for the two years beginning June first one thousand nine hundred forty-three the sum of eight hundred dollars ($800)

For support of the Interstate Commission on Crime the sum of five thousand dollars ($5,000) One-half of said appropriation shall be paid during each fiscal year of the biennium in equal quarterly installments on requisition drawn by the Auditor General

For the payment of the expenses of the Inaugural Committee created under the provisions of Senate Concurrent Resolution number one hundred (Pamphlet Laws Resolution number one) adopted by the General Assembly session of one thousand nine hundred forty-three the sum of five thousand dollars ($5,000)

To the Joint State Government Commission

For the payment of wages and other compensation of the employes and for the payment of general expenses necessary for the proper conduct of the work of the Joint State Government Commisson the sum of fifty thousand dollars ($50,000) to be paid on warrants of the Auditor General in favor of the chairman of said commission on the presentation of his requistion for the same The chairman shall file an accounting of said expenses with the Auditor General

To the Legislative Reference Bureau

For the payment of the salaries of the director assistant director chief compiler compiler and bill drafter compiler and bill reading clerk search clerk messenger and file clerk chief clerk reference librarian stenographers charwoman regularly employed and bill book clerks and stenographers for the two fiscal years beginning June first one thousand nine hundred forty-three and for the session of the General Assembly of one thousand nine hundred forty-five and for maintenance law books incidental expenses traveling expenses and emergency clerical help and emergency assistants if needed for two years for the Legislative Reference Bureau the sum of ninety-four thousand dollars ($94,000)

III Judicial Department

For the payment of the salaries of the judges of the Supreme Court and Superior Court the salaries and mileage of the president and other law judges of the several courts of common pleas in the Commonwealth and the judges of the several orphans' courts and for the compensation of common pleas judges holding court in other districts and for the payment of salaries and mileage of associate judges the following sums or as much thereof as may be necessary for the two fiscal years beginning June first one thousand nine hundred and forty-three payments to be made monthly by warrant drawn by the Auditor General on the State Treasurer except in the case of associate judges who shall be paid quarterly on August thirty-first November thirtieth February twenty-eighth and May thirty-first of each year but when by reason of death or resignation salary for a fraction of a

quarter is due any judge it shall be computed according to the ratio it bears the whole quarter so as not however to increase or diminish the salary he is entitled to receive under the several acts of Assembly fixing the compensation of judges Provided That at the beginning of the term the interval from the first Monday of January to the first Monday of March shall be reckoned as two-thirds of a quarter and at the close of the term the interval from the first day of December to the first Monday of January shall be reckoned as one-third of a quarter

Supreme Court

For the payment of the salaries of the Supreme Court Judges the sum of two hundred seventy-four thousand dollars ($274,000)

For the payment of the salaries or compensation of the briefers investigators stenographers typewriters and clerks and to reimburse the judges of said court for expenses incurred in the discharge of their duties or attendant upon execution of the duties of the office the sum of fifty-six thousand dollars ($56,000)

For the payment of salaries wages and other compensation of deputy prothonotary and other employes in the office of the Prothonotary of the Supreme Court for the eastern district and employes in the library of the Supreme Court at Philadelphia for the purchase of stationery supplies and and the payment of the necessary expenses of the Supreme Court for the eastern district thereof for the purchase of books and necessary expenses of the library of the Supreme Court at Philadelphia the sum of sixty-five thousand two hundred dollars ($65,000)

For the payment of salaries wages and other compensation of a deputy prothonotary and other employes in the office of the Prothonotary of the Supreme Court for the western district thereof for the purchase of stationery supplies books for the library and other necessary expenses of the Supreme Court western district the sum of thirty thousand seven hundred dollars ($30,700)

For the payment of salaries wages and other compensation of the Prothonotary and other employes in the office of the Prothonotary of the Supreme Court for the middle district and for the payment of expenses for the Supreme Court in the middle district and the Superior Court of Harrisburg the sum of eleven thousand one hundred dollars ($11,100)

For the payment of the salary and expenses of the crier tipstaves official stenographers court officers and law secretary of the Chief Justice of the eastern middle and western districts and for premiums for workmen's compensation insurance covering all employes of the Supreme Court the sum of seventy-three thousand nine hundred and ninety-five dollars ($73,995) Provided That the crier for the middle district shall receive no other compensation from the State

For the payment of the fees of the prothonotaries of the Supreme Court of the eastern middle and western districts on assignment of judges to counties other than their own under an order of the Supreme Court dated February nineteen one thousand nine hundred and nineteen the sum of four thousand five hundred dollars ($4,500) payments to be made monthly by the State Treasurer on warrants drawn by the Auditor General

For the payment of expenses of Board of Governance of the Pennsylvania Bar the sum of ten thousand dollars ($10,000)

For the payment of the expenses of the Procedural Rules Committee appointed by the Supreme Court to assist it in the preparation revision promulgation publication and administraton of general rules of practice for the courts of this Commonwealth the sum of twenty-five thousand dollars ($25,000)

In the case of necessary expenses stationery supplies and books for the eastern western and middle districts herein provided for the same shall be paid on warrant of the Auditor General upon presentation of specifically itemized vouchers approved by the Prothonotary of the said Supreme Court for the particular district thereof

For the payment of the salaries and expenses of the State Board of Law Examiners the sum of sixty thousand dollars ($60,000)

Superior Court

For the payment of the salaries of the judges of the Superior Court the sum of two hundred fifty-three thousand dollars ($253,000)

For the payment of the salaries or compensation of the clerks briefers investigators stenographers and typewriters of the Superior Court and to reimburse the judges of said court for expenses incurred in the discharge of their duties the sum of forty-nine thousand dollars ($49,000)

For the payment of the salaries and expenses of the crier and necessary tipstaves of the Superior Court and for premiums for workmen's compensation insurance covering all employes of the Superior Court the sum of sixty-three thousand dollars ($63,000)

For the purchase of dockets stationery supplies books for the library and other necessary expenses of the said Superior Court or its officers the sum of twelve thousand dollars ($12,000) to be paid on the warrant of the Auditor General upon presentation of specifically itemized vouchers approved by the prothonotary of the said Superior Court Philadelphia Harrisburg and Pittsburgh

Common Pleas Court

For the payment of the salaries of the judges of the courts of common pleas learned in the law in the several judical districts of the Commonwealth the sum of three million one hundred thousand dollars ($3,100,000)

For the payment of the compensation carfare expenses of judges for holding court outside of their own judicial districts in accordance with law the sum of one hundred thousand dollars ($100,000)

For the payment of mileage allowed common pleas judges in judicial districts containing more than one county as provided by law the sum of five thousand dollars ($5,000)

For the payment of the judges of the courts of common pleas of Dauphin County for clerk hire in accordance with the law and for premiums for workmen's compensation insurance covering such clerks the sum of nineteen thousand four hundred dollars ($19,400)

Orphans' Court

For the payment of the salaries of the orphans' court judges in the several judicial districts in which separate orphans' courts have been established by law the sum of six hundred eighteen thousand dollars ($618,000)

Municipal Court of Philadelphia

For the payment of the salaries of the judges of the Municipal Court of Philadelphia in accordance with law the sum of two hundred twenty-one thousand dollars ($221,000)

County Court of Allegheny County

For the payment of the salaries of the judges of the County Court for County of Allegheny the sum of one hundred twenty-one thousand dollars ($121,000)

To the Juvenile Court of Allegheny County

For the payment of the salaries of the judges of the Juvenile Court of the County of Allegheny the sum of twenty thousand dollars ($20,000)

Retired Judges

For the payment of the salaries of the judges of the Supreme Superior common pleas and orphans' courts who may resign or retire in accordance with the provision of the act of Assembly approved June twelfth Anno Domini one thousand nine hundred and nineteen (P. L. 461) the sum of one hundred thousand dollars ($100,000)

Associate Judges

For the payment of the salaries of the associate judges the sum of fifty thousand dollars ($50,000)

For the payment to associate judges of mileage for the two fiscal years beginning June first one thousand nine hundred and forty-three the sum of seven thousand dollars ($7,000)

State Reporter

For the payment of the salary of the State Reporter, the sum of ten thousand dollars ($10,000)

For the payment of the salary of the Assistant State Reporter the sum of nine thousand six hundred dollars ($9,600)

For the payment of stationery clerk hire assistants and other general expenses the sum of thirteen thousand dollars ($13,000)

Section 3 This act is not intended to be inconsistent with or to repeal any provision of any act enacted at this or any prior session of the General Assembly regulating the purchase of supplies the ordering of printing and binding the purchase maintenance and use of automobiles the method of making payments from the State Treasury for any purpose or the functioning of any administrative department board or commission

Section 4 No appropriation made by this act to any department board commission or agency of the Executive Department shall be available unless and until such department board commission or agency shall have complied with section 604 605 and 606 of The Administrative Code

Section 5 The term "employes" as used in this act shall include all directors superintendents bureau or division chiefs assistant directors assistant superintendents assitant chiefs experts scientists engineers surveyors draftsmen accountants secretaries auditors inspectors examiners statisticians marshals clerks stenographers bookkeepers messengers and other assistants in any department board and commission

Section 6 The term "general expenses" shall include all printing binding and stationery food and forage materials and supplies traveling expenses motor vehicle supplies and repairs freight express and cartage postage telephone and telegraph rentals and toll charges newspaper advertising and notices fuel light heat power and water contracted repairs rent of real estate and equipment preminums on workmen's compensation insurance premium on policies of liability insurance covering the operation of permanently assigned automobiles premiums on surety bonds the purchase of equipment and machinery other than passenger motor vehicles and all other incidental costs and expenses including payment to the Department of Property and Supplies of mileage charges for the use of automobiles and of expenses or costs of services incurred through the Purchasing Fund

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. COHEN. Mr. Speaker, in the interests of saving time and saving printing costs, certain amendments that I had in mind on this bill were not presented when the bill was on second reading.

I discussed with the Chairman of the Committee several items to which I had objected, and by agreement with him this matter will be taken up in the Senate. I might say that with the cooperation of the gentleman from Lancaster, Mr. Wood, and Senator Chapman I think when the bill gets over there the amendments can be made.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—196

Alspach,	Flynn,	Lane,	Riley,
Auker,	Foor,	Laughner,	Robertson,
Baker,	Fox,	Lee,	Root,
Barrett,	Freed,	Leisey,	Rose, S.,
Barton,	Fullerton,	Leonard,	Rose, W. E.,
Bentley,	Garber,	Levy,	Rowley,
Bentzel,	Gardner,	Leydic,	Royer,
Bonawitz,	Gates,	Lichtenwalter,	Salus,
Boorse,	Gillan	Livingstone,	Sarge,
Boory,	Goodling,	Longo,	Sarraf,
Bower,	Goodwin,	Lovett,	Scanlon,
Boyd,	Gorman,	Lyons,	Schuster,
Bretherick,	Grant,	Madigan,	Serrill,
Brice,	Green,	Mahany,	Simons,
Brigerman,	Greenwood,	Maxwell,	Skale,
Brown,	Gross,	McAtee,	Smith,
Brunner, C. H.,	Gyger,	McClester,	Snider,
Brunner, P. A.,	Haberlen,	McKinney,	Sollenberger,
Burns,	Hall,	McMillen,	Sorg,
Calvin,	Hamilton,	McSurdy,	Stank,
Campbell,	Hannon,	Menna,	Stockham,
Chervenak,	Hare,	Mihm,	Stonier,
Chudoff,	Harris,	Miller,	Tahl,
Cohen,	Haudenshield,	Mintess,	Tate,
Coleman,	Heatherington,	Mock,	Taylor,
Cook	Helm,	Mooney,	Thompson
Cooper,	Herman,	Moore,	Thrasher,
Cordier,	Hersch,	Moran,	Tiemann,
Corrigan,	Hewitt,	Moser,	Trent,
Costa,	Hocke,	Muir,	Trout,
Coulson,	Hoffman,	Munley,	Turbett,
Croop,	Hoggard,	Murray,	Van Allsburg,
Dague,	Holmes,	Nowak,	Verona,
Dalrymple,	Hoopes,	O'Brien,	Wachhaus,
Denman,	Hunter, B. F.,	O'Connor,	Wagner, K. H.,
Dennison,	Hunter, W. M.,	O'Dare,	Wagner, P. L.,
Depuy,	Huntley,	O'Neill,	Wallin,
Dillon,	Imbrie,	Owens,	Walton,
Dix,	Irvin,	Petrosky,	Watkins,
Duffy,	James,	Pettit,	Weiss,
Elder,	Jones,	Polaski,	Welsh,
Elliott,	Kennedy,	Powers,	Winner,
Ewing,	Kirley,	Readinger,	Wood, L. H.,
Ely,	Kitchen,	Reagan,	Wood, N.,
Erb,	Kline,	Reese, D. P.,	Worley,
Figlock,	Kolankiewicz,	Reese, R. E.,	Wright,
Finnerty,	Kowalski,	Regan,	Yeakel,
Flack,	Krepps,	Reilly,	Yester,
Fleming,	Krise,	Reynolds,	Fiss,

Speaker.

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 531, as follows:

An Act making an appropriation to the Pennsylvania State College to advance the tobacco interest of this Commonwealth

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The sum of ten thousand dollars ($10,000) is hereby specifically appropriated to the Pennsylvania State College for the purpose of advancing the interests of tobacco growers in this Commonwealth by experimental work with a view of improving existing types of tobacco and shade grown wrappers and other nicotine bearing plants of overcoming diseases destructive to tobacco and other nicotine plants of perfecting processes of curing fermentation sweating and packing of tobacco and of securing and using correct types of fertilizers

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—196

Alspach,	Flynn,	Lane,	Riley,
Auker,	Foor,	Laughner,	Robertson,
Baker,	Fox,	Lee,	Root,
Barrett,	Freed,	Leisey,	Rose, S.,
Barton,	Fullerton,	Leonard,	Rose, W. E.,
Bentley,	Garber,	Levy,	Rowley,
Bentzel,	Gardner,	Leydic,	Royer,
Bonawitz,	Gates,	Lichtenwalter,	Salus,
Boorse,	Gillan,	Livingstone,	Sarge,
Boory,	Goodling,	Longo,	Sarraf,
Bower,	Goodwin,	Lovett,	Scanlon,
Boyd,	Gorman,	Lyons,	Schuster,
Bretherick,	Grant,	Madigan,	Serrill,
Brice,	Green,	Mahany,	Simons,
Brigerman,	Greenwood,	Maxwell,	Skale,
Brown,	Gross,	McAtee,	Smith,
Brunner, C. H.,	Gyger,	McClester,	Snider,
Brunner, P. A.,	Haberlen,	McKinney,	Sollenberger,
Burns,	Hall,	McMillen,	Sorg,
Calvin,	Hamilton,	McSurdy,	Stank,
Campbell,	Hannon,	Menna,	Stockham,
Chervenak,	Hare,	Mihm,	Stonier,
Chudoff,	Harris,	Miller,	Tahl,
Cohen,	Haudenshield,	Mintess,	Tate,
Coleman,	Heatherington,	Mock,	Taylor,
Cook,	Helm,	Mooney,	Thompson,
Cooper,	Herman,	Moore,	Thrasher,
Cordier,	Hersch,	Moran,	Tiemann,
Corrigan,	Hewitt,	Moser,	Trent,
Costa,	Hocke,	Muir,	Trout,
Coulson,	Hoffman,	Munley,	Turbett,
Croop,	Hoggard,	Murray,	Van Allsburg,
Dague,	Holmes,	Nowak,	Verona,
Dalrymple,	Hoopes,	O'Brien,	Wachhaus,
Denman,	Hunter, B. F.,	O'Connor,	Wagner, K. H.,
Dennison,	Hunter, W. M.,	O'Dare,	Wagner, P. L.,
Depuy,	Huntley,	O'Neill,	Wallin,
Dillon,	Imbrie,	Owens,	Walton,
Dix,	Irvin,	Petrosky,	Watkins,
Duffy,	James,	Pettit,	Weiss,
Elder,	Jones,	Polaski,	Welsh,
Elliott,	Kennedy,	Powers,	Winner,
Ewing,	Kirley,	Readinger,	Wood, L. H.,
Ely,	Kitchen,	Reagan,	Wood, N.,
Erb,	Kline,	Reese, D. P.,	Worley,
Figlock,	Kolankiewicz,	Reese, R. E.,	Wright,
Finnerty,	Kowalski,	Regan,	Yeakel,
Flack,	Krepps,	Reilly,	Yester,
Fleming,	Krise,	Reynolds,	Fiss,

Speaker.

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 974, as follows:

An Act making an appropriation to the Trustees of the College of Lincoln University Chester County

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The sum of one hundred thousand dollars ($100,000) or as much thereof as may be necessary is hereby specifically appropriated to the Trustees of the College of Lincoln University Chester County for the two fiscal years beginning June first one thousand nine hundred and forty-three for the general maintenance of the university and the purchase of such apparatus and equipment as the trustees may deem for the best interests of the university

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—196

Alspach,	Flynn,	Lane,	Riley,
Auker,	Foor,	Laughner,	Robertson,
Baker,	Fox,	Lee,	Root,
Barrett,	Freed,	Leisey,	Rose, S.,
Barton,	Fullerton,	Leonard,	Rose, W. E.,
Bentley,	Garber,	Levy,	Rowley,
Bentzel,	Gardner,	Leydic,	Royer,
Bonawitz,	Gates,	Lichtenwalter,	Salus,
Boorse,	Gillan,	Livingstone,	Sarge,
Boory,	Goodling,	Longo,	Sarraf,
Bower,	Goodwin,	Lovett,	Scanlon,
Boyd,	Gorman,	Lyons,	Schuster,
Bretherick,	Grant,	Madigan,	Serrill,
Brice,	Green,	Mahany,	Simons,
Brigerman,	Greenwood,	Maxwell,	Skale,
Brown,	Gross,	McAtee,	Smith,
Brunner, C. H.,	Gyger,	McClester,	Snider,
Brunner, P. A.,	Haberlen,	McKinney,	Sollenberger,
Burns,	Hall,	McMillen,	Sorg,
Calvin,	Hamilton,	McSurdy,	Stank,
Campbell,	Hannon,	Menna,	Stockham,
Chervenak,	Hare,	Mihm,	Stonier,
Chudoff,	Harris,	Miller,	Tahl,
Cohen,	Haudenshield,	Mintess,	Tate,
Coleman,	Heatherington,	Mock,	Taylor,
Cook,	Helm,	Mooney,	Thompson,
Cooper,	Herman,	Moore,	Thrasher,
Cordier,	Hersch,	Moran,	Tiemann,
Corrigan,	Hewitt,	Moser,	Trent,
Costa,	Hocke,	Muir,	Trout,
Coulson,	Hoffman,	Munley,	Turbett,
Croop,	Hoggard,	Murray,	Van Allsburg,
Dague,	Holmes,	Nowak,	Verona,
Dalrymple,	Hoopes,	O'Brien,	Wachhaus,
Denman,	Hunter, B. F.,	O'Connor,	Wagner, K. H.,
Dennison,	Hunter, W. M.,	O'Dare,	Wagner, P. L.,
Depuy,	Huntley,	O'Neill,	Wallin,
Dillon,	Imbrie,	Owens,	Walton,
Dix,	Irvin,	Petrosky,	Watkins,
Duffy,	James,	Pettit,	Weiss,
Elder,	Jones,	Polaski,	Welsh,
Elliott,	Kennedy,	Powers,	Winner,
Ewing,	Kirley,	Readinger,	Wood, L. H.,
Ely,	Kitchen,	Reagan,	Wood, N.,
Erb,	Kline,	Reese, D. P.,	Worley,
Figlock,	Kolankiewicz,	Reese, R. E.,	Wright,
Finnerty,	Kowalski,	Regan,	Yeakel,
Flack,	Krepps,	Reilly,	Yester,
Fleming,	Krise,	Reynolds,	Fiss,

Speaker.

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1106, as follows:

An Act making an appropriation to the Department of Welfare for the maintenance of certain homes

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The sum of four hundred forty-nine thousand nine hundred and twenty-five dollars ($449,925) [sixty thousand dollars ($460,000)] or as much thereof as may be necessary is hereby appropriated to the Department of Welfare for the two fiscal years beginning June first one thousand nine hundred forty-three to be by it paid to the homes hereinafter designated in the amounts hereinafter specified for the purpose of the maintenance of such homes in the manner prescribed by law

Aged Colored Women's Home Williamsport	$ 825
Allegheny Temporary Home for Children	3,400
Almira Home Association New Castle	5,000
Children's Home of Bradford	1,800
Beaver County Children's Home New Brighton	5,400
Benevolent Association's Home for Children Pottsville	1,500
Berean Manual Training School	20,000
[Boys' Haven Allentown]	
Boys' Industrial Home Oakdale	9,300
Chester Day Nursery and Children's Boarding Home	1,500
Children's Aid Society of Franklin County	2,000
Children's Aid Society of Pennsylvania Philadelphia	58,000
Children's Aid Society of Western Pennsylvania Pittsburgh	24,000
Children's Home of Easton	5,900
Children's Home of York	3,500
Children's Home of South Bethlehem	3,200
Children's Industrial Home Harrisburg	10,800
Christian Home of Johnstown	3,000
Colored Children's Bureau	3,000
Colored Women's Relief Association of Western Pennsylvania	1,700
Curtis Home for Girls	4,000
Erie Home for Friendless changed to Sarah A Reed Home	9,000
Erie Infant's Home and Hospital	2,000
Florence Crittenton Home Erie	1,000
Florence Crittenton Home Philadelphia	2,000
Florence Crittenton Home Williamsport	700
Friend's Home for Children Philadelphia	2,100
George Jr Republic Association Grove City	8,000
Home for Aged Philadelphia	3,200
Home for Aged Couples Philadelphia	1,400
Home for Aged Infirm Women Easton	3,900
Home for Aged and Infirm Colored Women Pittsburgh	3,200
Home for Colored Children Pittsburgh	1,800
[Home for Friendless Children Lancaster]	
Home for Friendless Children Reading	1,500
Home for Friendless Williamsport	7,500
Home for Friendless Women Scranton	6,100
Home of Industry for Discharged Prisoners Philadelphia	2,400
Home for Veterans of G A R and Wives Philadelphia	14,500
Home for Widows and Single Women Lebanon	2,500
Home for Widows and Single Women Reading	2,800
Industrial Home for Crippled Children Pittsburgh	15,000
Ladies G A R Home Hawkins Station	19,200
Margaret Henery Children's Home New Castle	600
[McKeesport Day Nursery]	
Meadville Children's Aid Society and Home for Aged	3,200
Nazarene Home for Aged Philadelphia	3,500
Northern Home for Friendless Children Philadelphia	14,000
Northern Tier Home Harrison Valley	2,400
Pennsylvania Memorial Home at Brookville	9,400
Pennsylvania Association for Blind Harrisburg	30,000
Pennsylvania Home Teaching Society and Free circulated Library for Blind Philadelphia	16,000
Pennsylvania Society to Protect Children from Cruelty Philadelphia	3,000
Pennsylvania Working Home for the Blind Philadelphia	44,000
[Philadelphia Committee for Prevention of Blindness]	
[Philadelphia Home for Infants]	
Pittsburgh Home for Babies	10,000
Pittsburgh and Allegheny Home for Friendless	10,000
Seamen's Church Institute Philadelphia	7,500
Tabor Home for Children Doylestown	5,000
United Charities Home for Children Hazleton	2,000
Union Home for Old Ladies Philadelphia	3,000
[Western Temporary Home Philadelphia]	
Westmoreland County Children's Aid Society	6,000
[Workingmen's Home for Aged Warrington]	
York County's Blind Center	1,000
[York Society to Protect Children and Aged Persons]	
Zoar Home for Mothers Babies and Convalescents Allison Park Allegheny County	1,700

Section 2 Notwithstanding the provisions of section one of this act no part of the appropriation made to the Department of Welfare thereunder shall be paid to any home therein named if such home is a denominational or sectarian institution corporation or association

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—196

Alspach,	Flynn,	Lane,	Riley,
Auker,	Foor,	Laughner,	Robertson,
Baker,	Fox,	Lee,	Root,
Barrett,	Freed,	Leisey,	Rose, S.,
Barton,	Fullerton,	Leonard,	Rose, W. E.,
Bentley,	Garber,	Levy,	Rowley,
Bentzel,	Gardner,	Leydic,	Royer,
Bonawitz,	Gates,	Lichtenwalter,	Salus,
Boorse,	Gillan	Livingstone,	Sarge,
Boory,	Goodling,	Longo,	Sarraf,
Bower,	Goodwin,	Lovett,	Scanlon,
Boyd,	Gorman,	Lyons,	Schuster,
Bretherick,	Grant,	Madigan,	Serrill,
Brice,	Green,	Mahany,	Simons,
Brigerman,	Greenwood,	Maxwell,	Skale,
Brown,	Gross,	McAtee,	Smith,
Brunner, C. H.,	Gyger,	McClester,	Snider,
Brunner, P. A.,	Haberlen,	McKinney,	Sollenberger,
Burns,	Hall,	McMillen,	Sorg,
Calvin,	Hamilton,	McSurdy,	Stank,
Campbell,	Hannon,	Menna,	Stockham,
Chervenak,	Hare,	Mihm,	Stonier,
Chudoff,	Harris,	Miller,	Tahl,
Cohen,	Haudenshield,	Mintess,	Tate,
Coleman,	Heatherington,	Mock,	Taylor,
Cook,	Helm,	Mooney,	Thompson,
Cooper,	Herman,	Moore,	Thrasher,
Cordier,	Hersch,	Moran,	Tiemann,
Corrigan,	Hewitt,	Moser,	Trent,
Costa,	Hocke,	Muir,	Trout,
Coulson,	Hoffman,	Munley,	Turbett,
Croop,	Hoggard,	Murray,	Van Allsburg,
Dague,	Holmes,	Nowak,	Verona,
Dalrymple,	Hoopes,	O'Brien,	Wachhaus,
Denman,	Hunter, B. F.,	O'Connor,	Wagner, K. H.,
Dennison,	Hunter, W. M.,	O'Dare,	Wagner, P. L.,
Depuy,	Huntley,	O'Neill,	Wallin,
Dillon,	Imbrie,	Owens,	Walton,
Dix,	Irvin,	Petrosky,	Watkins,
Duffy,	James,	Pettit,	Weiss,
Elder,	Jones,	Polaski,	Welsh,
Elliott,	Kennedy,	Powers,	Winner,
Ewing,	Kirley,	Readinger,	Wood, L. H.
Ely,	Kitchen,	Reagan,	Wood, N.,
Erb,	Kline,	Reese, D. P.,	Worley,
Figlock,	Kolankiewicz,	Reese, R. E.,	Wright,
Finnerty,	Kowalski,	Regan,	Yeakel,
Flack,	Krepps,	Reilly,	Yester,
Fleming,	Krise,	Reynolds,	Fiss,

Speaker.

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 179, as follows:

An Act making an appropriation to the Johnson Industrial School of Scranton Pennsylvania

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1. The sum of thirty-five thousand dollars ($35,000) is hereby specifically appropriated to the Johnson Industrial School of Scranton Pennsylvania for the two fiscal years beginning June first one thousand nine hundred and forty-three for the purpose of maintenance and the purchase of supplies and equipment to be paid according to law

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—196

Alspach,	Flynn,	Lane,	Riley,
Auker,	Foor,	Laughner,	Robertson,
Baker,	Fox,	Lee,	Root,
Barrett,	Freed,	Leisey,	Rose, S.,
Barton,	Fullerton,	Leonard,	Rose, W. E.,
Bentley,	Garber,	Levy,	Rowley,
Bentzel,	Gardner,	Leydic,	Royer,
Bonawitz,	Gates,	Lichtenwalter,	Salus,
Boorse,	Gillan	Livingstone,	Sarge,
Boory,	Goodling,	Longo,	Sarraf,
Bower,	Goodwin,	Lovett,	Scanlon,
Boyd,	Gorman,	Lyons,	Schuster,
Bretherick,	Grant,	Madigan,	Serrill,
Brice,	Green,	Mahany,	Simons,
Brigerman,	Greenwood,	Maxwell,	Skale,
Brown,	Gross,	McAtee,	Smith,
Brunner, C. H.,	Gyger,	McClester,	Snider,
Brunner, P. A.,	Haberlen,	McKinney,	Sollenberger,
Burns,	Hall,	McMillen,	Sorg,
Calvin,	Hamilton,	McSurdy,	Stank,
Campbell,	Hannon,	Menna,	Stockham,
Chervenak	Hare,	Mihm,	Stonier,
Chudoff,	Harris,	Miller,	Tahl,
Cohen,	Haudenshield,	Mintess,	Tate,
Coleman,	Heatherington,	Mock,	Taylor,
Cook,	Helm,	Mooney,	Thompson,
Cooper,	Herman,	Moore,	Thrasher,
Cordier,	Hersch,	Moran,	Tiemann,
Corrigan,	Hewitt,	Moser,	Trent,
Costa,	Hocke,	Muir,	Trout,
Coulson,	Hoffman,	Munley,	Turbett,
Croop,	Hoggard,	Murray,	Van Allsburg,
Dague,	Holmes,	Nowak,	Verona,
Dalrymple,	Hoopes,	O'Brien,	Wachhaus,
Denman,	Hunter, B. F.,	O'Connor,	Wagner, K. H.,
Dennison,	Hunter, W. M.,	O'Dare,	Wagner, P. L.,
Depuy,	Huntley,	O'Neill,	Wallin,
Dillon,	Imbrie,	Owens,	Walton,
Dix,	Irvin,	Petrosky,	Watkins,
Duffy,	James,	Pettit,	Weiss,
Elder,	Jones,	Polaski,	Welsh,
Elliott,	Kennedy,	Powers,	Winner,
Ewing,	Kirley,	Readinger,	Wood, L. H.,
Ely,	Kitchen,	Reagan,	Wood, N.,
Erb,	Kline,	Reese, D. P.,	Worley,
Figlock,	Kolankiewicz,	Reese, R. E.,	Wright,
Finnerty,	Kowalski,	Regan,	Yeakel,
Flack,	Krepps,	Reilly,	Yester,
Fleming,	Krise,	Reynolds,	Fiss,

Speaker.

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 627, as follows:

An Act making an appropriation to the Department of Public Instruction for the use of the Pennsylvania Historical Commission for the purpose of completing restoration and preparing for public use as a museum the property at Ambridge Beaver County Pennsylvania formerly owned and occupied by the Harmony Society and known as "Old Economy"

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The sum of Twenty Thousand dollars ($20,000) or so much thereof as may be necessary is hereby specifically appropriated to the Department of Public Instruction for the use of the Pennsylvania Historical Commission for the purpose of completing restoration of the property situated in Ambridge Beaver County Pennsylvania formerly owned and occupied by the Harmony Society and known as "Old Economy" and to prepare the same for public use as a museum commemorating the life and times of the Harmony Society its notable past in the industrial development of western Pennsylvania and its world-wide fame as an experiment in community life

The moneys hereby appropriated shall be paid out on requisition of the Department of Public Instruction upon presentation of proper vouchers by the Pennsylvania Historical Commission

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—196

Alspach,	Flynn,	Lane,	Riley,
Auker,	Foor,	Laughner,	Robertson,
Baker,	Fox,	Lee,	Root,
Barrett,	Freed,	Leisey,	Rose, S.,
Barton,	Fullerton,	Leonard,	Rose, W. E.,
Bentley,	Garber,	Levy,	Rowley,
Bentzel,	Gardner,	Leydic,	Royer,
Bonawitz,	Gates,	Lichtenwalter,	Salus,
Boorse,	Gillan	Livingstone,	Sarge,
Boory,	Goodling,	Longo,	Sarraf,
Bower,	Goodwin,	Lovett,	Scanlon,
Boyd,	Gorman,	Lyons,	Schuster,
Bretherick,	Grant,	Madigan,	Serrill,
Brice,	Green,	Mahany,	Simons,
Brigerman,	Greenwood,	Maxwell,	Skale,
Brown,	Gross,	McAtee,	Smith,
Brunner, C. H.,	Gyger,	McClester,	Snider,
Brunner, P. A.,	Haberlen,	McKinney,	Sollenberger
Burns,	Hall,	McMillen,	Sorg,
Calvin,	Hamilton,	McSurdy,	Stank,
Campbell,	Hannon,	Menna,	Stockham,
Chervenak,	Hare,	Mihm,	Stonier,
Chudoff,	Harris,	Miller,	Tahl,
Cohen,	Haudenshield,	Mintess,	Tate,
Coleman,	Heatherington,	Mock,	Taylor,
Cook	Helm,	Mooney,	Thompson
Cooper,	Herman,	Moore,	Thrasher,
Cordier,	Hersch,	Moran,	Tiemann,
Corrigan,	Hewitt,	Moser,	Trent,
Costa,	Hocke,	Muir,	Trout,
Coulson,	Hoffman,	Munley,	Turbett,
Croop,	Hoggard,	Murray,	Van Allsburg,
Dague,	Holmes,	Nowak,	Verona,
Dalrymple,	Hoopes,	O'Brien,	Wachhaus,
Denman,	Hunter, B. F.,	O'Connor,	Wagner, K. H.,
Dennison,	Hunter, W. M.,	O'Dare,	Wagner, P. L.,
Depuy,	Huntley,	O'Neill,	Wallin,
Dillon,	Imbrie,	Owens,	Walton,
Dix,	Irvin,	Petrosky,	Watkins,
Duffy,	James,	Pettit,	Weiss,
Elder,	Jones,	Polaski,	Welsh,
Elliott,	Kennedy,	Powers,	Winner,
Ewing,	Kirley,	Readinger,	Wood, L. H.,
Ely,	Kitchen,	Reagan,	Wood, N.,
Erb,	Kline,	Reese, D. P.,	Worley,
Figlock,	Kolankiewicz,	Reese, R. E.,	Wright,
Finnerty,	Kowalski,	Regan,	Yeakel,
Flack,	Krepps,	Reilly,	Yester,
Fleming,	Krise,	Reynolds,	Fiss,

Speaker.

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1109, as follows:

An Act making an appropriation to the Department of Revenue for the payment of claims for legal services

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The sum of two thousand two hundred thirty dollars ($2,230) or as much thereof as may be necessary is hereby appropriated to the Department of Revenue for the payment of claims against that Department for legal services which have been approved according to law

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—196

Alspach,	Flynn,	Lane,	Riley,
Auker,	Foor,	Laughner,	Robertson,
Baker,	Fox,	Lee,	Root,
Barrett,	Freed,	Leisey,	Rose, S.,
Barton,	Fullerton,	Leonard,	Rose, W. E.,
Bentley,	Garber,	Levy,	Rowley,
Bentzel,	Gardner,	Leydic,	Royer,
Bonawitz,	Gates,	Lichtenwalter,	Salus,
Boorse,	Gillan,	Livingstone,	Sarge,
Boory,	Goodling,	Longo,	Sarraf,
Bower,	Goodwin,	Lovett,	Scanlon,
Boyd,	Gorman,	Lyons,	Schuster,
Bretherick,	Grant,	Madigan,	Serrill,
Brice,	Green,	Mahany,	Simons,
Brigerman,	Greenwood,	Maxwell,	Skale,
Brown,	Gross,	McAtee,	Smith,
Brunner, C. H.,	Gyger,	McClester,	Snider,
Brunner, P. A.,	Haberlen,	McKinney,	Sollenberger,
Burns,	Hall,	McMillen,	Sorg,
Calvin,	Hamilton,	McSurdy,	Stank,
Campbell,	Hannon,	Menna,	Stockham,
Chervenak,	Hare,	Mihm,	Stonier,
Chudoff,	Harris,	Miller,	Tahl,
Cohen,	Haudenshield,	Mintess,	Tate,
Coleman,	Heatherington,	Mock,	Taylor,
Cook	Helm,	Mooney,	Thompson,
Cooper,	Herman,	Moore,	Thrasher,
Cordier,	Hersch,	Moran,	Tiemann,
Corrigan,	Hewitt,	Moser,	Trent,
Costa,	Hocke,	Muir,	Trout,
Coulson,	Hoffman,	Munley,	Turbett,
Croop,	Hoggard,	Murray,	Van Allsburg,
Dague,	Holmes,	Nowak,	Verona,
Dalrymple,	Hoopes,	O'Brien,	Wachhaus,
Denman,	Hunter, B. F.,	O'Connor,	Wagner, K. H.,
Dennison,	Hunter, W. M.,	O'Dare,	Wagner, P. L.,
Depuy,	Huntley,	O'Neill,	Wallin,
Dillon,	Imbrie,	Owens,	Walton,
Dix,	Irvin,	Petrosky,	Watkins,
Duffy,	James,	Pettit,	Weiss,
Elder,	Jones,	Polaski,	Welsh,
Elliott,	Kennedy,	Powers,	Winner,
Ewing,	Kirley,	Readinger,	Wood, L. H.,
Ely,	Kitchen,	Reagan,	Wood, N.,
Erb,	Kline,	Reese, D. P.,	Worley,
Figlock,	Kolankiewicz,	Reese, R. E.,	Wright,
Finnerty,	Kowalski,	Regan,	Yeakel,
Flack,	Krepps,	Reilly,	Yester,
Fleming,	Krise,	Reynolds,	Fiss,
			Speaker.

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 958, entitled:

An Act making an appropriation to the State Council for the Blind for use in supplying medical treatment surgical operations eyeglasses or other necessary aids or services to needy blind persons or persons with impaired vision

On the question,

Will the House agree to the bill on third reading?

Mr. CORDIER. Mr. Speaker, I ask unanimous consent to offer amendments at this time.

The SPEAKER pro tempore. The amendments will be read by the Clerk for information.

The Clerk read the amendments as follows:

Amend title, page 1, last line of title, by inserting after the word "vision" the following: "and to supplement local aid for these purposes."

Amend bill, page 1, by inserting after line 10 the following: "Section 2. No person shall be refused the aid provided for under section one hereof because of the fact that he or she resides in an area where other agencies are carrying on the work hereby provided for."

The SPEAKER pro tempore. Will the House give unanimous consent to the offering of amendments at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendments?

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, that the bill as amended lie over for printing.

THE SPEAKER (Ira T. Fiss) IN THE CHAIR

The SPEAKER. The Chair thanks the gentleman from Montgomery, Mr. Wood, for presiding.

COMMUNICATION FROM THE GOVERNOR

The Secretary to the Governor being introduced, presented a communication in writing from His Excellency the Governor, which was read as follows:

APPROVAL OF RESOLUTION RECALLING HOUSE BILL No. 549

Commonwealth of Pennsylvania.
Governor's Office, Harrisburg, April 28, 1943.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Concurrent Resolution recalling from the Governor House Bill No. 549, Printer's No. 474, for the purpose of amendment.

Accordingly, the orignal bill is herewith returned.

EDWARD MARTIN.

RECONSIDERATION OF VOTE

Mr. MUIR. Mr. Speaker, I move that the vote by which this bill passed finally be reconsidered.

Mr. TAYLOR. Mr. Speaker, I second the motion.

The SPEAKER. How did the gentleman from Warren, Mr. Muir, vote on the final passage of this bill?

Mr. MUIR. Mr. Speaker, I voted in the majority.

The SPEAKER. How did the gentleman from Dauphin, Mr. Taylor, vote on the final passage of this bill?

Mr. TAYLOR. Mr. Speaker, I voted in the majority.

On the question,

Will the House agree to the motion?

It was agreed to.

Mr. MUIR. Mr. Speaker, I move that the vote by which this bill passed third reading be reconsidered.

The motion was agreed to.

On the question recurring.

Will the House agree to the bill on third reading?

Mr. MUIR. Mr. Speaker, I ask unanimous consent to offer an amendment at this time.

The SPEAKER. The amendment will be read by the Clerk for information.

The Clerk read the amendment as follows:

Amend page 2, line 18 of the title by inserting at the end of the line after the word "same" the following: "and conferring certain powers and duties upon the Treasury Department with respect to such obligations".

The SPEAKER. Will the House give unanimous consent to the offering of an amendment at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendment?

It was agreed to.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, that the bill as amended lie over for printing.

BILLS ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 975, as follows:

An Act making an appropriation to the Department of Forests and Waters for the use of the Valley Forge Park Commission in payment of lands acquired by condemnation

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The sum of two hundred forty-three thousand eight hundred dollars ($243,800) or as much thereof as may be necessary is hereby specifically appropriated to Department of Forests and Waters for the use of the Valley Forge Park Commission in the payment of lands acquired by condemnation under authority duly granted by law and for which payment has not been made No part of the money hereby appropriated shall be used for acquiring lands in addition to those heretofore lawfully purchased or taken by condemnation

Section 2 This act shall become effective immediately upon final enactment

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. COHEN. Mr. Speaker, I would like to interrogate the gentleman from Montgomery, Mr. Brunner.

The SPEAKER. Will the gentleman from Montgomery permit himself to be interrogated?

Mr. CHARLES H. BRUNNER, Jr. I will, Mr. Speaker.

Mr. COHEN. Mr. Speaker, I understand that this bill appropriates a sum of money for payment for land already condemned by the Valley Forge Park Commission?

Mr. CHARLES H. BRUNNER, Jr. That is correct, Mr. Speaker.

Mr. COHEN. May I ask, Mr. Speaker, when those lands were condemned for which this money is appropriated?

Mr. CHARLES H. BRUNNER, Jr. I think that lands are being condemned at the present time, Mr. Speaker.

Mr. COHEN. Do I understand then, Mr. Speaker, that the Valley Forge Park Commission has the continuing right to condemn whatever lands it wishes and then come to us for reimbursement?

Mr. CHARLES H. BRUNNER, Jr. I believe that is true up to three thousand acres.

Mr. COHEN. Does the gentleman mean until they acquire a total of three thousand acres, or that each individual condemnation may not exceed three thousand acres?

Mr. CHARLES H. BRUNNER, Jr. The whole acreage, as I understand it, is three thousand acres.

Mr. COHEN. And once they reach three thousand they may not condemn any more land? Is that correct?

Mr. CHARLES H. BRUNNER, Jr. That is correct, Mr. Speaker.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—196

Alspach,	Flynn,	Lane,	Riley,
Auker,	Foor,	Laughner,	Robertson,
Baker,	Fox,	Lee,	Root,
Barrett,	Freed,	Leisey,	Rose, S.,
Barton,	Fullerton,	Leonard,	Rose, W. E.,
Bentley,	Garber,	Levy,	Rowley,
Bentzel,	Gardner,	Leydic,	Royer,
Bonawitz,	Gates,	Lichtenwalter,	Salus,
Boorse,	Gillan,	Livingstone,	Sarge,
Boory,	Goodling,	Longo,	Sarraf,
Bower,	Goodwin,	Lovett,	Scanlon,
Boyd,	Gorman,	Lyons,	Schuster,
Bretherick,	Grant,	Madigan,	Serrill,
Brice,	Green,	Mahany,	Simons,
Brigerman,	Greenwood,	Maxwell,	Skale,
Brown,	Gross,	McAtee,	Smith,
Brunner, C. H.,	Gyger,	McClester,	Snider,
Brunner, P. A.,	Haberlen,	McKinney,	Sollenberger,
Burns,	Hall,	McMillen,	Sorg,
Calvin,	Hamilton,	McSurdy,	Stank,
Campbell,	Hannon,	Menna,	Stockham,
Chervenak,	Hare,	Mihm,	Stonier,
Chudoff,	Harris,	Miller,	Tahl,
Cohen,	Haudenshield,	Mintess,	Tate,
Coleman,	Heatherington,	Mock,	Taylor,
Cook,	Helm,	Mooney,	Thompson,
Cooper,	Herman,	Moore,	Thrasher,
Cordier,	Hersch,	Moran,	Tiemann,
Corrigan,	Hewitt,	Moser,	Trent,
Costa,	Hocke,	Muir,	Trout,
Coulson,	Hoffman,	Munley,	Turbett,
Croop,	Hoggard,	Murray,	Van Allsburg,
Dague,	Holmes,	Nowak,	Verona,
Dalrymple,	Hoopes,	O'Brien,	Wachhaus,
Denman,	Hunter, B. F.,	O'Connor,	Wagner, K. H.,
Dennison,	Hunter, W. M.,	O'Dare,	Wagner, P. L.,
Depuy,	Huntley,	O'Neill,	Wallin,
Dillon,	Imbrie,	Owens,	Walton,
Dix,	Irvin,	Petrosky,	Watkins,
Duffy,	James,	Pettit,	Weiss,
Elder,	Jones,	Polaski,	Welsh,
Elliott,	Kennedy,	Powers,	Winner,
Ewing,	Kirley,	Readinger,	Wood, L. H.,
Ely,	Kitchen,	Reagan,	Wood, N.,
Erb,	Kline,	Reese, D. P.,	Worley,
Figlock,	Kolankiewicz,	Reese, R. E.,	Wright,
Finnerty,	Kowalski,	Regan,	Yeakel,
Flack,	Krepps,	Reilly,	Yester,
Fleming,	Krise,	Reynolds,	Fiss,

Speaker.

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

REPORTS FROM COMMITTEES

Mr. BRETHERICK from the Committee on State Government reported as committed, House Bill No. 496, entitled:

An Act authorizing the Department of Property and Supplies to acquire by purchase, gift, lease or condemnation, on behalf of the Commonwealth of Pennsylvania, land adjacent to the Daniel Boone Homestead, or so much thereof as may be necessary to properly honor the pioneer, Daniel Boone, on the farm where he was born; providing for the control, management, improvement, preservation, restoration, and maintenance thereof; authorizing the Pennsylvania Historical Commission to make and enforce rules and regulations for the preservation and visitation thereof; and making an appropriation.

Mr. FLEMING from the Committee on Townships reported as committed, Senate Bill No. 427, entitled:

An Act to amend Sections 2501 2504 2505 and 2506 of the act approved the twenty-fourth day of June one thousand nine hundred and thirty-one (P. L. 1206) entitled "An act concerning townships of the first class amending revising consolidating and changing the law relating thereto" providing for the payment of sewer assessment in monthly or quarterly instalments regulating the filing of liens therefor and authorizing the filing of such liens after the time fixed by law shall have expired.

Mr. CORDIER from the Committee on State Government reported as amended, House Bill No. 139, entitled:

An Act providing for the issuance of certified copies of death birth and marriage certificates and divorce decrees by county officers free of charge to disabled war veterans and their dependents in death and compensation cases and prescribing penalties.

Mr. COOPER from the Committee on Military Affairs reported as amended, House Bill No. 250, entitled:

An Act to amend section one of the act, approved the eighteenth day of June, one thousand nine hundred and forty-one (P. L. 136), entitled "An act authorizing certain officers on active duty with the armed forces of the United States to act as notaries public, and requiring certification of their authority," changing the provisions of said act in order to clarify the meaning.

Mr. WILLIAM M. HUNTER from the Committee on Federal Relations reported as committed House Resolutions No. 33.

ANNOUNCEMENT BY THE CLERK

There will be a meeting of the Dairy Industry Committee during recess in the Conference Room at the rear of the House.

RECESS

Mr. LICHTENWALTER. Mr. Speaker, I move that this House do now recess until 9 p. m.

The motion was agreed to.

AFTER RECESS

The House reconvened at 9 p. m.
The SPEAKER (Ira T. Fiss) in the Chair.

BILLS SIGNED BY SPEAKER

Bills numbered and entitled as follows having been prepared for presentation to the Governor, and the same being correct, the titles were publicly read as follows:

HOUSE BILL No. 115.

An Act to further amend the act approved the first day of May one thousand nine hundred and twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" by permitting the use of red signal lights and sound devices on certain additional vehicles changing the provisions concerning rights of way and providing penalties

HOUSE BILL No. 374.

An Act to amend section nine of the act approved the thirteenth day of April one thousand nine hundred and forty-two (P. L. 37) entitled "An act relating to air raid precautions including blackouts conferring certain powers and duties upon the State Council of Defense local and district Councils of Defense political subdivisions members of certain municipal and volunteer agencies and civilians necessary for the safety defense and protection of civilians and property in the Commonwealth providing for the mobilization coordination and use of certain municipal agencies and volunteer agencies including their personnel and equipment providing for immunity from liability for injury or death to persons or damage to property under certain circumstances and providing penalties" by providing for the payment of fines recovered under said section to municipalities and townships

HOUSE BILL No. 403.

An Act to amend section seven of the act approved the seventeenth day of May one thousand nine hundred seventeen (P. L. 208) entitled "An act to regulate the practice of pharmacy and sale of poisons and drugs and providing penalties for the violation thereof defining the words 'drug' and 'poison' and providing for the appointment of a board which shall have in charge the enforcement of said law and the power to make rules and regulations for the enforcement of said law and providing for the purchase of samples of drugs for determining their quality strength and purity" by requiring a copy of the latest edition of the Year Book of the Pennsylvania Pharmaceutical Association to be kept in every pharmacy.

HOUSE BILL No. 546.

An Act to reenact and amend the title and the act approved the sixteenth day of May one thousand nine hundred thirty-five (P. L. 208) entitled as amended "An act to provide revenue for State purposes by imposing an excise tax for a limited period of time on the net incomes of certain corporations joint-stock associations and limited partnerships providing for the assessment collection settlement and resettlement of taxes and reviews and appeal therefrom conferring powers and imposing duties on certain persons corporations joint-stock associations limited partnerships State and county officers boards and departments making an appropriation and providing penalties" as previously reenacted and amended by extending the provisions of the act for a further limited period of time by reducing the rate of tax eliminating the deduction for Federal taxes further defining net income authorizing the Department of Revenue to grant an additional extension of time for filing reports changing the method of reporting in certain cases reducing the interest penalty on unpaid taxes and making certain of the changes effected by this reenacting and amending act retroactive to a certain extent.

HOUSE BILL No. 583.

An Act to further amend section fourteen of article four and section one of article five of the act, approved the ninth day of June, one thousand nine hundred eleven (P. L. 756), entitled "An act to provide for the health and safety of persons employed in and about the bituminous coal mines of Pennsylvania, and for the protection and preservation of property connected therewith," further regulating lamps to be carried by shot-firers and fire bosses.

HOUSE BILL No. 625.

An Act to amend section one of the act approved the sixth day of May one thousand nine hundred twenty-seven (P. L. 843) entitled "An act authorizing the Department of Highways with the approval of the Governor to build rebuild construct and maintain roads wholly upon the lands of State institutions and State parks and providing for the payment of the cost thereof" by authorizing the Department of Highways with the approval of the Governor to build rebuild construct and maintain roads bridges and viaducts wholly on State Armory properties and State Military Reservations and on the grounds of the Soldiers' and Sailors' Home of Erie Pennsylvania and The Pennsylvania State College

HOUSE BILL No. 678.

An Act to further amend the act, approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 343), entitled "An act relating to the finances of the State government; providing for the settlement, assessment, collection and lien of taxes, bonus, and all other accounts due the Commonwealth, the collection and recovery of fees and other money or property due or belonging to the Commonwealth, or any agency thereof, including escheated property and the proceeds of its sale, the custody and disbursement or other disposition of funds and securities belonging to or in the possession of the Commonwealth, and the settlement of claims against the Commonwealth, the resettlement of accounts and appeals to the courts, refunds of moneys erroneously paid to the Commonwealth, auditing the accounts of the Commonwealth and all agencies thereof, of all public officers collecting moneys payable to the Commonwealth, or any agency thereof, and all receipts of appropriations from the Commonwealth and imposing penalties; affecting every department, board, commission, and officer of the State government, every political subdivision of the State, and certain officers of such subdivisions, every person, association, and corporation required to pay, assess, or collect taxes, or to make returns or reports under the laws imposing taxes for State purposes, or to pay license fees or other moneys to the Commonwealth, or any agency thereof, every State depository and every debtor or creditor of the Commonwealth," by further regulating the procedure and the jurisdiction of the Board of Finance and Revenue relative to certain claims for refund; clarifying certain provisions relating to extensions of time for filing tax reports or returns; eliminating the provisions imposing interest on tax and bonus at any greater rate than six per centum per annum; changing and restricting the right of the Commonwealth to impose interest on certain unpaid taxes and bonus when such taxes and bonus are not settled within a prescribed period of time; providing for the automatic adjustment of interest liability so as to correspond to certain changes in tax or bonus liability; and further regulating the procedure for filing petitions for resettlement, petitions for review, appeals to court and the security accompanying such appeals.

HOUSE BILL No. 684.

An Act to amend the act approved the fifth day of May one thousand nine hundred thirty-three (P. L. 364) entitled "An act relating to business corporations defining and providing for the organization merger consolidation reorganization winding up and dissolution of such corporations conferring certain rights powers duties and immunities upon them and their officers and shareholders prescribing the conditions on which such corporations may exercise their powers providing for the inclusion of certain existing corporations of the second class within the provisions of this act prescribing the terms and conditions upon which foreign business corporations may be admitted or may continue to do business within the Commonwealth conferring powers and imposing duties on the courts of common pleas and certain State departments commissions and officers authorizing certain State departments boards commissions or officers to collect fees for services required to be rendered by this act imposing penalties and repealing certain acts and parts of acts relating to corporations" by authorizing the certain officers of dissolved business corporations to execute and deliver deeds conveyances agreements assignments or other instruments necessary to perfect or complete transfers of real property or rights therein intended to have been completed or perfected by such corporations prior to dissolution

HOUSE BILL No. 767.

An Act to amend section five hundred and one of the act approved the first day of May one thousand nine hundred and twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" changing the provisions of said act relating to registration plates and the issuance thereof by the department

HOUSE BILL No. 771.

An Act to amend section three hundred and one of the

act approved the first day of May one thousand nine hundred and twenty-nine (P. L. 1005) entitled "An act relating to and regulating tractors and trailers and their operation providing for their registration and the licensing of certain operators by the Department of Revenue upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of tractors and trailers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns and townships within the Commonwealth liability for damages caused by the negligent operation of tractors and trailers imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" changing the provisions of said act relating to registration plates and the issuance thereof

HOUSE BILL No. 780.

An Act to amend the definition of "Trailer" in section one hundred two of the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 1005) entitled "An act relating to and regulating tractors and trailers and their operation providing for their registration and the licensing of certain operators by the Department of Revenue upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of tractors and trailers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns and townships within the Commonwealth liability for damages caused by the negligent operation of tractors and trailers imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" providing that a wagon or truck drawn by a tractor for the transportation of agricultural products of the owner shall be exempt from registration fees

HOUSE BILL No. 789.

An Act to amend the definition of "Trailer" in section one hundred two as amended of the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" provided that in certain cases where wagons and agricultural machinery are used for hauling the products of the owner no registration fee shall be required thereof

HOUSE BILL No. 797.

An Act to amend section two of article five of the act approved the second day of June one thousand eight hundred ninety-one (P. L. 176) entitled "An act to provide for the health and safety of persons employed in and about the anthracite coal mines of Pennsylvania and for the protection and preservation of property connected therewith" by providing that certain low pressure boilers used for heating purposes only shall be exempt from the requirements of said section which prohibits the installation of boilers within one hundred feet of structures in which persons are employed in the preparation of anthracite coal

HOUSE BILL No. 849.

An Act relating to child care centers conferring certain powers and duties upon the State Council of Defense local and district councils of defense and political subdivisions providing for the adoption of rules and regulations for the maintenance operation and conduct thereof authorizing appropriations by political subdivisions and providing penalties

HOUSE BILL No. 1056.

An Act abolishing the entire Mercantile License Tax System repealing the various license taxes under said system except as to taxes already due abolishing certain offices and employments providing for the collection of delinquent taxes providing for the final settlement of accounts between the Commonwealth and county treasurers and making certain repeals

Whereupon,

The SPEAKER, in the presence of the House, signed the same.

COMMUNICATIONS FROM THE GOVERNOR

The Secretary to the Governor being introduced, presented a communication in writing from His Excellency the Governor, which was read as follows:

APPROVAL OF HOUSE BILL No. 838

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, April 28, 1943.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 838, Printer's No. 186, entitled "An act to further amend section four of the act approved the twenty-fifth day of July one thousand nine hundred seventeen (P. L. 1195) entitled 'An act for the encouragement of agriculture and the holding of agricultural exhibitions providing State aid for certain agricultural associations and regulating the payment thereof' by suspending under certain conditions the operation of certain provisions during the present war."

EDWARD MARTIN.

The Secretary to the Governor being introduced, presented a communication in writing from His Excellency the Governor, which was read as follows:

APPROVAL OF RESOLUTION RECALLING HOUSE BILL No. 285

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, April 28, 1943.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Concurrent Resolution recalling from the Governor House Bill No. 285, Printer's No. 124, for the purpose of further consideration.

Accordingly, the original bill is herewith returned.

EDWARD MARTIN.

RECONSIDERATION OF VOTE

Mr. DENNISON. Mr. Speaker, I move that the vote by which this bill passed finally be reconsidered.

Mr. McMILLAN. Mr. Speaker, I second the motion.

The SPEAKER. How did the gentleman from Jefferson, Mr. Dennison, vote on the final passage of this bill?

Mr. DENNISON. Mr. Speaker, I voted in the majority.

The SPEAKER. How did the gentleman from Indiana, Mr. McMillan, vote on the final passage of this bill?

Mr. McMILLAN. Mr. Speaker, I voted in the majority.

On the question,

Will the House agree to the motion?

It was agreed to.

Mr. DENNISON. Mr. Speaker, I move that the vote by which this bill passed third reading be reconsidered.

The motion was agreed to.

On the question,

Will the House agree to the bill on third reading?

Mr. DENNISON. Mr. Speaker, I ask unanimous consent to offer amendments at this time.

The SPEAKER. The amendments will be read by the Clerk for information.

The Clerk read the amendments as follows:

Amend Section 1, page 2, lines 26 by inserting after the word "washeries" and before the word "cleaning" the word: "and".

Amend Section 1, page 2, line 26 by striking out with boldface brackets at the end of the line after the word "plants" the word: "[and]".

Amend Section 1, page 2, line 27 by striking out with boldface brackets at the beginning of the line before the word "connected" the words: "[other plants]".

The SPEAKER. Will the House give unanimous consent to the offering of amendments at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill as amended lie over for printing.

COMMUNICATION FROM THE GOVERNOR

The Secretary to the Governor being introduced, presented a communication in writing from His Excellency the Governor, which was read as follows:

APPROVAL OF RESOLUTION RECALLING HOUSE BILL No. 72

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, April 28, 1943.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Concurrent Resolution recalling from the Governor House Bill No. 72, Printer's No. 134, for the purpose of further consideration.

Accordingly, the original bill is herewith returned.

EDWARD MARTIN.

RECONSIDERATION OF VOTE

Mr. ELY. Mr. Speaker, I move that the vote by which this bill passed finally be reconsidered.

Mr. LEISEY. Mr. Speaker, I second the motion.

The SPEAKER. How did the gentleman from Susquehanna, Mr. Ely, vote on the final passage of this bill?

Mr. ELY. Mr. Speaker, I voted in the majority.

The SPEAKER. How did the gentleman from Chester, Mr. Leisey, vote on the final passage of this bill?

Mr. LEISEY. Mr. Speaker, I voted in the majority.

On the question,

Will the House agree to the motion?

It was agreed to.

Mr. ELY. Mr. Speaker, I move that the vote by which this bill passed third reading be reconsidered.

The motion was agreed to.

On the question recurring,

Will the House agree to the bill on third reading?

Mr. ELY. Mr. Speaker, I ask unanimous consent to offer amendments at this time.

The SPEAKER. The amendments will be read by the Clerk for information.

The Clerk read the amendments as follows:

Amend Title, page 2, line 2 of title, by striking out the word "tax" and inserting in lieu thereof: "county commissioners."

Amend Sec. 1 (Sec. 4), page 3, line 13 to 15, by striking out the following "any tax" in line 13, all of lines 14 and 15, and inserting in lieu thereof: "a sale of the property bound thereby, heretofore or hereafter made by the county commissioners, in any case where the property had been purchased by the county at tax sale."

The SPEAKER. Will the House give unanimous consent to the offering of amendments at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill as amended lie over for printing.

BILL ON FINAL PASSAGE

Agreeably to order,

The bill having been called up from the postponed calendar by Mr. KITCHEN.

The House resumed the consideration on final passage of House Bill No. 341, as follows:

An Act abating the penalties and interest on certain unpaid delinquent county city borough town township school district poor district and county institution district taxes and on municipal liens and providing for the publication at the cost of the county of a notice of the provisions of this act

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 All penalties and interest imposed on unpaid delinquent county city borough town township school district poor district and county institution district taxes and other municipal liens for the year one thousand nine hundred and forty-two and all previous years assessed and levied against any parcel or parcels of real estate are hereby abated providing all unpaid delinquent taxes are paid as hereafter provided if the authority levying the tax shall have notified the county treasurer within thirty days after this act becomes effective that the taxing authority has accepted by a majority vote the provisions of this act

In order to receive the benefits of this act all taxes must be paid on or before November fifteenth one thousand nine hundred and forty-three Any taxpayer or owner having the right of redemption shall have the right to pay the delinquent taxes assessed and levied against any parcel or parcels of real estate without being required to pay the delinquent taxes assessed and levied against any other parcel or parcels of real estate in the same ward district or other municipal subdivision

Section 2 The county commissioners of each county shall at the cost of the county cause to be published two times in not more than two newspapers of general circulation throughout the county and in the legal newspaper if any a notice to the taxpayers setting forth the benefits provided to them by this act

Section 3 Any taxpayer who has availed himself of the lease agreement provisions of the act approved the twenty-ninth day of July one thousand nine hundred and forty-one (P. L. 600) entitled "An act to amend sections one two three and four of the act approved the twenty-first day of May one thousand nine hundred thirty-seven (P. L. 787) entitled 'An act authorizing the compromise or reduction of tax claims on real property purchased by any county city borough town school district or poor district at any sale for the nonpayment of taxes and the reconveyance or private sale of such property' extending the provisions of said act to properties purchased by said political subdivision at sales for municipal claims and to the payment of such claims from the proceeds of such compromises or sales and changing the time when such compromises may be made" shall be permitted to avail himself of the provisions of this act

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—122

Alspach,	Fullerton,	Lane,	Root,
Barton,	Garber,	Laughner,	Rowley,
Bonawitz,	Gardner,	Lee,	Royer,
Boorse,	Gates,	Leisey,	Salus,
Bower,	Gillan,	Leydic,	Sarge,
Boyd,	Goodling,	Lichtenwalter,	Serrill,
Bretherick,	Gorman,	Livingstone,	Simons,
Brice,	Greenwood,	Longo,	Smith,
Brunner, C. H.,	Gross,	Lyons,	Sollenberger,
Calvin,	Gyger,	Madigan,	Sorg,
Campbell,	Hannon,	Mahany,	Stockham,
Cook	Hare,	McAtee,	Stonier,
Cooper,	Haudenshield,	McKinney,	Tahl,
Cordier,	Helm,	McSurdy,	Taylor,
Costa,	Hewitt,	Menna,	Thrasher,
Coulson,	Hocke,	Miller,	Tiemann,
Dague,	Hoffman,	Mintess,	Trout,
Dalrymple,	Holmes,	Mock,	Turbett,
Denman,	Hoopes,	Moore,	Van Allsburg,
Dennison,	Hunter, W. M.,	Moser,	Wachhaus,
Depuy,	Huntley,	Muir,	Wagner, K. H.,
Dix,	Imbrie,	Murray,	Wagner, P. L.,
Elder,	Irvin,	Nowak,	Wallin,
Ely,	James,	O'Connor,	Walton,
Erb,	Jones,	O'Dare,	Watkins,
Ewing,	Kennedy,	Reagan,	Weiss,
Figlock,	Kitchen,	Reese, D. P.,	Wood, L. H.,
Flack,	Kline,	Reese, R. E.,	Wood, N.,
Fleming,	Kowalski,	Reilly,	Worley,
Foor,	Krepps,	Riley,	Yeakel,
Fox,	Krise,	Robertson,	Fiss,
Freed,			Speaker.

NAYS—74

Auker,	Elliott,	Levy,	Reynolds,
Baker,	Finnerty,	Lovett,	Rose, S.,
Barrett,	Flynn,	Maxwell,	Rose, W. E.,
Bentley,	Goodwin,	McClester,	Sarraf,
Bentzel,	Grant,	McMillen,	Scanlon,
Boory,	Green,	Mihm,	Schuster,
Brigerman,	Haberlen,	Mooney,	Skale,
Brown,	Hall,	Moran,	Snider,
Brunner, P. A.,	Hamilton,	Munley,	Stank,
Burns,	Harris,	O'Brien,	Tate,
Chervenak,	Heatherington,	O'Neill,	Thompson,
Chudoff,	Herman,	Owens,	Trent,
Cohen,	Hersch,	Petrosky,	Verona,
Coleman,	Hoggard,	Pettit,	Welsh,
Corrigan,	Hunter, B. F.,	Polaski,	Winner,
Croop,	Kirley,	Powers,	Wright,
Dillon,	Kolankiewicz,	Readinger,	Yester,
Duffy,	Leonard,	Regan,	

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

BILLS ON THIRD READING

BILL PASSED OVER

There being no objection House Bill No. 944, Printer's No. 359, was passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 700, as follows:

An Act to amend the act approved the twenty-fourth day of June one thousand nine hundred thirty-nine (P. L. 872) entitled "An act to consolidate amend and revise the penal laws of the Commonwealth" by making any attempt to commit rape a felony prescribing the penalty therefor and providing that whoever attempts to commit any offense made punishable by said act without completing such offense may be separately indicted tried and convicted for such attempt

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1. The act approved the twenty-fourth day of June one thousand nine hundred thirty-nine (P. L. 872) entitled "An act to consolidate amend and revise the penal laws of the Commonwealth" is hereby amended by adding thereto immediately after section seven hundred twenty-one a new section to read as follows

Section 721.1. Attempt to Commit Rape Whoever attempts to have unlawful carnal knowledge of a woman forcibly and aginst her will or whoever being of the age of sixteen (16) years and upwards attempts to unlawfully and carnally know and abuse any woman child under the age of sixteen (16) years with or without her consent is guilty of attempt to commit rape a felony and on conviction shall be sentenced to pay a fine not exceeding three thousand dollars ($3,000) or undergo imprisonment by separate or solitary confinement at labor or by simple imprisonment not exceeding six (6) years or both

Section 2. Said act is hereby amended by adding thereto immediately after section one thousand one hundred seven a new section to read as follows

Section 1107.1. Attempts to be Separately Indictable Whoever attempts to commit any offense made punishable by this act without completing such offense may be separately indicted tried and convicted for such attempt

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. COHEN. Mr. Speaker, I would like to interrogate the sponsor of the bill, the gentleman from Westmoreland, Mr. Weiss.

The SPEAKER. Will the gentleman from Westmoreland permit himself to be interrogated?

Mr. WEISS. I shall, Mr. Speaker.

Mr. COHEN. Mr. Speaker, I would like to ask the gentleman to define an attempt to rape.

Mr. WEISS. Mr. Speaker, I believe that the gentleman from Philadelphia will have to get a better authority than I for that.

Mr. COHEN. Very frankly, I will admit, Mr. Speaker, that I am no authority myself. If the gentleman from Westmoreland, Mr. Weiss, would like to yield to anyone else in the House, I would like to know the answer.

The SPEAKER. The Chair recognizes the gentleman from Blair, Mr. Auker.

Mr. AUKER. I yield to the gentleman from Allegheny, Mr. Moran, Mr. Speaker.

Mr. COHEN. Mr. Speaker, I would like to further interrogate the gentleman from Westmoreland.

The SPEAKER. Possibly the Chair should move the previous question. Will the gentleman permit himself to be further interrogated?

Mr. WEISS. I will, Mr. Speaker.

Mr. COHEN. Seriously, we are dealing with the matter of adding another crime to the book. The question that has been asked me by several attorneys rather seriously is what the definition of this new crime is, whether it is sitting in the dark, rowing in a boat or riding in a buggy; whether things of that kind would come within the definition?

Mr. WEISS. Evidently some of the Members of this House are frightened by this bill, but I can assure them it is nothing to be frightened about or to worry about.

Mr. COHEN. That's what you think. May I interrogate the gentleman from Westmoreland further?

The SPEAKER. Will the gentleman from Westmoreland permit himself to be further interrogated?

Mr. WEISS. I shall, Mr. Speaker.

Mr. COHEN. Mr. Speaker, I wonder whether this bill applies only to Dauphin County or to the entire state.

Mr. WEISS. Mr. Speaker, getting as serious as it is possible on this bill, I might state that this bill was put in at the request of our district attorney, who happens to be a former Member of this House. Whether that makes it a good bill or not I cannot say, but anyhow, after receiving this bill we consulted with the Deputy Attorney General, then went into the law to see if this bill does not add something that is necessary in reference to the crime of rape, and I also had this particular bill checked by the Bar Association, by the secretary, and I have before me here a letter from the Secretary of the Bar Association, and also after having consulted with the Deputy Attorney General and after going into this matter from a legal angle, he makes this reference to this particular bill, and this is quoting the letter from the Secretary of the Bar Association:

> "However, to procure an indictment under Section 722 of the Criminal Code there must be evidence of assault and attempted rape, and that the attempted rape was against the will of the woman," but none of these are elements of the crime of statutory rape, and there could be an attempt to commit statutory rape on a girl between ten or twelve or sixteen years old without being against the will of the girl or without the use of any assault and battery, and in such a case as the law is at the present time certainly no indictment would lie."

Going further into this letter, quoting the same gentleman, he states:

> "You must admit there is a gap in our law, which will prevent the indictment for attempt to commit statutory rape on a girl at the age of twelve and possibly from ten to sixteen years of age. It is this gap that Mr. Bowers proposed to have filled by this bill, House Bill No. 700, and I believe with Mr. Bowers that such a gap does exist."

The rest of the letter, of course—

Mr. COHEN. Mr. Speaker, I plead guilty.

Mr. PETROSKY. Mr. Speaker, evidently there is a motive behind the tactics that are being used on this measure to try to laugh it out of the House and defeat it in one way or the other. I can assure you that we in Westmoreland County are interested in the enactment of this measure, inasmuch as this will clarify the law. I think the gentleman from Westmoreland, Mr. Weiss, deserves the respect of the House to be heard on this bill that is up for consideration.

The SPEAKER. The Chair agrees with the gentleman.

Mr. PETROSKY. Certainly, there are certain difficulties at the present time which exist in the law which cannot correct this situation and we feel that this bill will take care of the situation and certainly is necessary at the present time in Westmoreland County, much more so than in any other county.

POINT OF ORDER

Mr. BRETHERICK. Mr. Speaker, I rise to a point of order.

The SPEAKER. The gentleman will state his point of order.

Mr. BRETHERICK. How many people are speaking on this bill? This is a serious matter, Mr. Speaker.

The SPEAKER. Two hundred eight.

Mr. BRETHERICK. Mr. Speaker, I am afraid this bill has too many gaps in it.

Mr. PETROSKY. Mr. Speaker, I was just trying to get the gentleman from Westmoreland, Mr. Weiss, a hearing before the House.

The SPEAKER. Will the gentleman from Westmoreland, Mr. Weiss, yield to the gentleman from Philadelphia, Mr. O'Brien?

Mr. WEISS. I will, Mr. Speaker.

QUESTION OF INFORMATION

Mr. O'BRIEN. Mr. Speaker, I rise to a question of information.

The SPEAKER. The gentleman will state his question of information.

Mr. O'BRIEN. Mr. Speaker, I would like to know if the gentleman from Westmoreland, Mr. Petrosky, was speaking from personal observation or experience.

The SPEAKER. The Chair is not able to answer that question.

Mr. ALSPACH. Mr. Speaker, I am rather inclined to agree with the gentleman from Westmoreland, Mr. Petrosky. I do not think that this is any laughing matter. I do not think after all the Members of the House have had five minutes of relaxation, and have been very much amused over this controversy. I do not think this is any indication that we are going to get any where, because I think this is a very peculiar bill. There are some peculiar angles to the law which some not too smart lawyers take advantage of, which may be against public policy. I think undoubtedly a bill to correct one of these things is in order, and it seems to me the more you say the deeper you get.

Mr. SALUS. Mr. Speaker, in all seriousness this bill is a bill that should not be passed. We have on the statute books in our criminal code sufficient latitude for conviction or not conviction of any defendant arrested on a similar charge. This is just adding criminal offenses on the statute books that are altogether unnecessary and no doubt have been sent up here either by some district attorney or by somebody who failed or neglected or didn't have the ability to get a conviction in a case where he thought he should have had a conviction. I am serious in this. We have too many laws on our statute books that conflict, and this act would conflict with our criminal code and be absolutely of no advantage, but may tend to add confusion in conviction for this crime, which is one of the most serious crimes that can be committed in this or any other Commonwealth. I don't believe this bill should pass.

Mr. MAXWELL. Mr. Speaker, I would like to interrogate the gentleman from Westmoreland, Mr. Weiss, the sponsor of the bill.

The SPEAKER. Will the gentleman from Westmoreland permit himself to be interrogated?

Mr. WEISS. I will, Mr. Speaker.

Mr. MAXWELL. Mr. Speaker, in all seriousness I would like to have Mr. Weiss tell us between what ages, just exactly between what ages this bill affect. What age of the individual does this bill affect?

Mr. WEISS. Mr. Speaker, on page 2 of the bill, line 3,

> Whoever being of the age of sixteen years and upwards attempts to unlawfully and carnally know and abuse any woman child under the age of sixteen years.

It applies between ten and twelve to sixteen years. The common law covers the crime of attempt to rape up to ten or twelve, but the common law does not cover between ten and sixteen as far as the attempt is concerned.

Mr. MAXWELL. That is all, Mr. Weiss. Mr. Speaker—

The SPEAKER. The gentleman from Westmoreland, Mr. Weiss, has the floor. The gentleman only yielded to Mr. Maxwell for interrogation. Will the gentleman from Westmoreland yield?

Mr. WEISS. I will yield, Mr. Speaker.

Mr. MAXWELL. Mr. Speaker, in view of the very sensible answer that the gentleman from Westmoreland gave, I really and sincerely think that this House should give this bill favorable consideration in view of the fact that there is at this time no definite protection for any girl, any father's daughter or sister of this House between the ages of twelve and sixteen years. Therefore, there should be something in the statute books of this Commonwealth under which that person could be punished. I think that this bill attempts to accomplish that purpose. Therefore, I would ask that the members of this House give this bill favorable consideration.

Mr. HUNTLEY. Mr. Speaker—

The SPEAKER. Will the gentleman from Westmoreland yield to the gentleman from Cameron, Mr. Huntley?

Mr. WEISS. I will, Mr. Speaker.

Mr. HUNTLEY. Mr. Speaker, this bill has to do with a serious question and I think it ought to be treated seriously. I believe in states where we have such laws as this that punishment is capital. It is just such bills as this that are used in the south to lynch negroes, to justify, you might say, or legalize the lynching of negroes. It is the attempted rape that causes lynchings down south, and the lynchers are a mob that are the judges of whether the man is guilty or not. I know it is a very serious question in some localities, and I really do not think much of this bill, because I am afraid it can be abused.

You know, according to rape on the statute books as of today, especially the common law rape, I don't know so much about the penal code, but as near as I can understand it is a one-sided affair. The female cannot commit rape; it can only be done by a male. What I mean to say, in the former days when the female did not have so many privileges as they have today, it was probably easier to define this crime under the bill than it is today. I just want to call your attention to the Federal Mann Act. That was passed in order to prevent what is commonly called white slavery. It never was supposed to cover personal escapades, but the courts have construed it so that a woman can entice a man across the border of a state and then she can claim that he enticed her and the jury nine times out of ten will convict him. You know how that act has been abused, and in this day and generation when the girl does the courting instead of the boy, I can see how it can be easily abused like the Mann Federal Statute has been misconstrued. From what I know of the law—and I don't know very much, it looks to me that the young girls of today have a great deal of protection. Take for instance, we have heard it said here on the floor that girls between the ages of twelve and sixteen have no protection from rape. That is new law to me. She has protection of the law of consent which makes it statutory rape whether there is common law rape or not, and I am inclined to think that from my experience in states where we have had capital punishment for rape, that it is always better defined than it is in this act. Therefore, I feel that I must vote against it.

Mr. WEISS. Mr. Speaker, in answering Mr. Huntley and the statement of the gentleman from Philadelphia, Mr. Salus, although I respect the wisdom and statesmanship of his years, I certainly cannot agree with his legal reasoning especially with respect to particular interest in this bill. I happened to be defense attorney in certain cases, and therefore it certainly is of no particular interest to me insofar as it relates to the bench and to the prosecution under this particular bill, but it happens that in these war times there are more sex crimes committed than at any other time, and there are more girls between the ages of twelve and sixteen being attacked by sex maniacs. They are not going to be treated gently; they are going to get the whole book thrown at them. If they

are going to bring a charge of attempt to rape against them, they might as well bring a charge of rape so that this particular suggestion of blackmail doesn't bear much weight as far as I am concerned. But here is the bill, and many legal minds and the best legal thought, checking the laws of Pennsylvania find that there is need for such a law, and I say that men who are sworn to do their duty, our district attorney is a very well respected man, and he suggested this bill. So far as delinquency in our county and sex crimes are concerned many of them have been able to get out without any punishment whatever. This bill attempts to cover what the present law does not cover. If it did, we would not be here today asking you to pass this bill. For the sake of the protection of these young girls from twelve to sixteen years, as far as their protection is concerned I will ask you one and all to vote for this bill.

Mr. FREED. Mr. Speaker, I rise to oppose this bill. I believe in these days we have seen our Sunday newspapers instruct the girls how to slip the money to the boys not to look so foolish in paying the bill. I believe in reading part of the bill, that I agree with the gentleman from Philadelphia, Mr. Salus, and what he said about this matter being properly taken care of at the present time. Years ago I believe the situation was such that a man could not be convicted of rape by proving the reputation of the girl. This was very much criticized at that time, but it still holds true. I feel that we have law enough to take care of this matter, and I would like to oppose it.

Mr. HERMAN. Mr. Speaker, I would like to interrogate the sponsor of this bill, Mr. Weiss.

The SPEAKER. Will the gentleman from Westmoreland permit himself to be interrogated?

Mr. WEISS. I will, Mr. Speaker.

Mr. HERMAN. Mr. Speaker, I am serious about this thing. I would like the sponsor of this bill to explain how this proposed amendment will improve the present law and how it differs from the present law.

Mr. WEISS. Mr. Speaker, common law rape covers as far as the young girls are concerned, up to the age of ten or twelve: "even though there has been consent and agreement". Statutory rape itself is covered by the law, by the penal code of 1939 in its enactment which states that any girl under sixteen years, if there has been a rape can be indicted under that particular section, but the attempt to commit a statutory rape, if the rape itself has not been committed is not indictable, and that is the point that this bill proposes to cover.

Mr. HERMAN. What does the gentleman mean, Mr. Speaker, by stating that the girl under sixteen can be indicted?

Mr. WEISS. Not the girl, but the individual who has attempted rape on a girl under sixteen can be indicted.

Mr. HERMAN. He is presumed to have committed rape, whether she consents or not, is that right.

Mr. WEISS. That is right, Mr. Speaker.

Mr. HERMAN. Mr. Speaker, with or without the consent of the girl, he is presumed to have committed rape?

Mr. WEISS. If the actual act took place, Mr. Speaker.

Mr. HERMAN. Mr. Speaker, how does the gentleman's bill express that?

Mr. WEISS. This particular bill would indict these individuals, even though the actual act did not take place but everything else did take place. I think that is plain enough.

Mr. HERMAN. Mr. Speaker, I don't know whether I understand the gentleman. I am not quite clear on that. What does he mean by "whether or not the act took place?"

Mr. WEISS. I believe I would have to yield to my colleague—

Mr. HERMAN. Mr. Speaker, I am serious about this thing.

Mr. WEISS. Mr. Speaker, of course, this is a ticklish situation to discuss. If I had Mr. Herman in the Conference Room we could go into the details.

Mr. HERMAN. Mr. Speaker, I regret that we are unable to obtain a real explanation upon the part of the sponsor as to the purpose or intent of this bill. On the face of it, Mr. Speaker, it seems to me it is a very dangerous piece of legislation, and a lot of innocent people may be convicted under such a law, and I for one would ask the House to oppose this bill.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—53

Alspach,	Haberlen,	Mahany,	Regan,
Auker,	Hall,	Maxwell,	Rose, W. E.,
Bower,	Hamilton,	Moore,	Rowley,
Cohen,	Harris,	Moran,	Sollenberger,
Coleman,	Haudenshield,	Muir,	Sorg,
Croop,	Heatherington,	O'Connor,	Stank,
Dalrymple,	Helm,	O'Neill,	Stockham,
Ely,	Herman,	Owens,	Wachhaus,
Erb,	Hewitt,	Petrosky,	Walton,
Ewing,	Hunter, B. F.,	Pettit,	Weiss,
Gardner,	Laughner,	Polaski,	Yester,
Gates,	Longo,	Readinger,	Fiss,
Goodwin,	Lovett,	Reese, D. P.,	Speaker.
Grant,	Madigan,		

NAYS—63

Baker,	Garber,	Kolankiewicz,	Salus,
Barrett,	Gillan,	Krepps,	Schuster,
Barton,	Gorman,	Lane,	Serrill,
Bonawitz,	Green,	Leonard,	Simons,
Brigerman,	Greenwood,	Leydic,	Smith,
Brown,	Gross,	Livingstone,	Snider,
Burns,	Hersch,	Lyons,	Taylor,
Chudoff,	Hoffman,	McKinney,	Thompson,
Cordier,	Hoopes,	McSurdy,	Thrasher,
Corrigan,	Huntley,	Menna,	Trent,
Coulson,	Imbrie,	Miller,	Trout,
Denman,	Irvin,	Mintess,	Verona,
Dennison,	James,	Mock,	Wallin,
Duffy,	Jones,	Moser,	Welsh,
Fox,	Kirley,	Reese, R. E.,	Worley,
Freed,	Kline,	Royer,	

Less than the majority required by the Constitution having voted in the affirmative, the question was determined in the negative and the bill falls.

Agreeably to order,

The bill having been called up from the postponed calendar by Mr. SORG.

The House resumed the consideration on third reading of House Bill No. 510, as follows:

An Act to amend sections seven hundred thirty-one and seven hundred thirty-three of the act approved the twenty-fourth day of June one thousand nine hundred thirty-nine (P. L. 872) entitled "An act to consolidate amend and revise the penal laws of the Commonwealth"

authorizing the courts to issue writs of execution and attachment against the property money and wages of defendants in separation and non-support cases and the attachment of wages in desertion and non-support cases

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Sections seven hundred thirty-one and seven hundred thirty-three of the act approved the twenty-fourth day of June one thousand nine hundred thirty-nine (P. L. 872) entitled "An act to consolidate amend and revise the penal laws of the Commonwealth" are hereby amended to read as follows

Section 731 Wilful Separation or Nonsupport Whoever being a husband or father separates himself from his wife or from his children or from wife and children without reasonable cause or wilfully neglects to maintain his wife or children such wife or children being destitute or being dependent wholly or in part on their earnings for adequate support is guilty of a misdemeanor and on conviction thereof shall be sentenced to imprisonment not exceeding one (1) year or to pay a fine not exceeding five hundred dollars ($500) or both Such fine if any may be paid or applied in whole or in part to the wife or children as the court may direct

No such conviction payment or fine or undergoing imprisonment shall in any manner affect the obligation of any order for support therefore made against the defendant in any competent court

In any such case the court may suspend sentence upon and during compliance by the defendant with any order for support as already made or as thereafter modified If no such order shall have been made then the court trying the defendant may make such order for the support by the defendant of his wife and children or either of them which order shall be subject to modification by the court on cause shown and may suspend sentence upon and during the compliance by defendant with such order upon entry of bond by defendant with surety approved by the court conditioned on compliance with such order

The court may also issue the appropriate writ of execution against any property real or personal belonging to the defendant and its writ of attachment execution against any money or property to which he may be in any way entitled including wages whether present or to be earned in the future or whether under what is known as a spendthrift trust or otherwise which shall not exceed fifty per centum thereof and shall remain a continuing levy until the order has been paid in full with costs The person against whom an order is made shall not be entitled to the benefits of any exemption law now in force or hereafter passed

The provisions of this section shall apply to any trust whether it is known as a spendthrift trust or otherwise whether such trust was created or came into existence before or after the passage of this act Where an attachment execution is issued the further proceedings thereon shall be in the manner provided in the case of foreign attachments

In any proceedings under this section the wife or any person having the care custody or control of minor children shall be a competent witness

As used in this section the word "children" shall be limited to mean children under sixteen (16) years of age and also such children over sixteen (16) and under twenty-one (21) years of age as by reason of infirmity are incapable of supporting themselves "Separation" or "nonsupport" shall include every case where a husband has caused his wife to leave him by conduct on his part which would be ground for divorce or a father has neglected to provide for maintenance support and care of his wife or children or wife and children

Section 733 Desertion and Nonsupport If any husband or father being within the limits of this Commonwealth separates himself from his wife or from his children or from wife and children without reasonable cause or neglects to maintain his wife or children any magistrate upon information made before him under oath or affirmation by his wife or children or either of them or by any person may issue his warrant for the arrest of the person against whom the information shall have been made and bind him over with one sufficient surety to appear at the court of quarter sessions or other court having jurisdiction there to answer the said charge of desertion

The said court after hearing in a summary proceeding may order the person against whom complaint has been made being of sufficient ability to pay such sum as said court shall think reasonable and proper for the comfortable support and maintenance of the said wife or children or both and to commit such person to prison there to remain until he shall comply with such order or give security by one or more sureties to the Commonwealth and in such sum as the court shall direct for the compliance therewith The court may also issue the appropriate writ of execution against any property real or personal belonging to the defendant and its writ of attachment execution against any money or property to which he may be in any way entitled including wages whether present or to be earned in the future or whether under what is known as a spendthrift trust or otherwise which shall not exceed fifty per centum thereof and shall remain a continuing levy until the order has been paid in full with costs The person against whom an order is made shall not be entitled to the benefits of any exemption law now in force or hereafter passed

The provisions of this section shall apply to any trust whether it is known as a spendthrift trust or otherwise whether such trust was created or came into existence before or after the passage of this act Where an attachment execution is issued the further proceedings thereon shall be in the manner provided in the case of foreign attachments

Any wife so deserted shall be a competent witness on the part of the Commonwealth and the husband shall also be a competent witness

Should any such person abscond remove or be found in any other county of the Commonwealth than the one in which said warrant issued he may be arrested by the said warrant being backed by any magistrate of the county in which such person may be found

Whenever the court of quarter sessions of any county in the Commonwealth commits the person complained of to the county prison there to remain until he complies with their order or give security etc the court may at any time after three (3) months if it shall be satisfied of the inability of such person to comply with the said order and give such security to discharge him from imprisonment

Section 2 The provisions of this act shall become effective immediately upon final enactment

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. SORG. Mr. Speaker, I suppose every sponsor has an exaggerated opinion of the intentions of this bill, and of course if it is defeated on final passage, it is because everybody misunderstands. But it is not often that a bill generates as much adverse comment as this one did, indicating the importance of it, and it behooves us not to treat it lightly even though it has no political import. Because it deals with a serious situation and because it is important I shall be very greatful if the Members of the House will hear my story, a little bit of law and my very sincere reasons for introducing the measure.

The Members will recall House Bill 510, dealing with the enforcement of court orders in desertion and nonsupport cases or with those sections of the Penal Code that give to our courts the power to order and direct the payments by those who refused to support their families. If there were no such provisions as are included in the present bill, and the man refused to comply with an order of the court directing payment for the support

of his family, the court would have no other alternative except to commit the defendant to jail, the practical effect of which is to make it impossible for the man to have any income whatsoever, making the hope of his dependants receiving more support even more remote, in addition to the fact that an additional burden of support of the guilty man himself is imposed upon society. In addition to that, the family has no benefit of his services. The job is only half done when a man is punished for his criminal neglect because his family still needs his support and his country needs his skill. To this end the proposal has two features. The one I am given to understand is not objectionable, and the other of which is objectionable. It provides that not only the man, but his property as well shall be subject to attachment for the support of his family when he refuses to do so and he is found guilty of the crime so committed. This is an unobjectionable feature because no new procedure is introduced and because it only makes uniform the provisions of the present law.

The objectionable feature, according to what I understand, provides that his wages shall be subjected to attachment for the payment of such court order, but in my humble, though considered opinion, there is no real basis for these objections, and I am going to ask the members of the House to support the bill. When I ask them to do so, Mr. Speaker, I am aware of the vast number of communications received in opposition to the bill, communications from employers who object that a great amount of clerical help will be required in order to carry out the provisions; communications from those who protest that wages should not be subject to attachment for any debt and from those who insist that there are already too many undeserving wives receiving payment under orders of court. There is no real basis, Mr. Speaker, for any of these objections under this bill. Yet, some members have told me that all of their communications were against, none were for the bill and therefore they must vote against the bill.

Unfortunately there is no reasoning with a telegram. There it is. You cannot say that even though it is conceived in error by an author who would not fully deliberate on the measure under discussion before he would condemn it. This bill does not impose any undue hardship on the employer; it does not open the door for attachment of wages or debt and it provides nothing for bad wives. On his point, Mr. Speaker, I cannot help begging the question just to say that if, as these employers say, there is such a tremendous amount of clerical work necessary and so many transactions would be required that there must be a lot of loyal Pennsylvanians desperately in need of a measure just like this. Yet regardless of the preponderance of telegrams against this bill, many members have told me that on reconsideration, and further study and further investigation, they will change their vote from "no" to "aye" and they told me why. The inconvenience to employers is so little, the amount of good that would be accomplished is so great, that I do not wonder sometimes that industry finds itself in the dog house for arbitrary thinking. But I know, Mr. Speaker, that those who have done the objecting in this instance are not speaking for the whole of industry, and I know that they do not even reflect the thought of most of industry in matters like this.

Mr. Speaker, the amount of clerical transactions that would be required is so insignificant that the present setup that the employers have for the deduction of union dues, victory tax, group hospitalization, and so forth, is more than adequate to take care of the requirements under this law.

Mr. Speaker, I want to say concerning the objections of those who say that favoritism is shown to guilty wives that this bill changes in no manner whatsoever the substantive law of desertion and nonsupport. It does not make a man guilty where he was not guilty before because it only applies after the question of right or wrong, or guilt or innocence is finally determined. In this connection I might say that I have represented husbands and I have represented wives and, of course, I have felt that the other side was always wrong. I conclude sometimes that the wife is at fault, but I have also observed that when it is the fault of the wife and the man establishes justification, there is no provision under the law that requires him to pay, and the court does not order him to do so, but I have never seen a case where the children were wrong, and there is no reason or no justification for refusing to support them under any circumstances. I want to say further that I would be the first to oppose any measure that would provide for the attachment of wages for debt, because I realize that it would be contrary to good public policy that a man should work and find himself without the means of obtaining the necessities of life, that on payday through some misfortune or through some improvidence of his own, he should find that all of his pay check goes to the payment of creditors. The law which protects wages is a just, reasonable and equitable one. A man's wages should not be attached for debt but the obligation we have here under consideration is not a debt. It is a legal, moral, social duty, like the duty I have not to go around punching noses when I feel so disposed. A duty that is more than a debt. I want to say Mr. Speaker that the working man I know is an honest working man, he is sincere, he is what we sometimes term a family man. He is the kind of a man who having one piece of bread, will see his hungry children have it before he himself would eat it. He is the kind of a man that sees in his wages first the welfare of his family. I say that the law protecting those wages is a just and equitable one, because regardless of the man's misfortune or of his improvidence, at least he shall have his wages for shelter, for food, for the welfare and comfort of himself and his family.

I am afraid that I must revise my opinion radically in my concept of the working man if I would see him come in here and call upon the law to protect him against his children. I respectfully submit that the man who says that Mr. Average Working Man opposes this does him an injustice. This bill hurts no one but the guilty. It helps no one but the helpless. I say that the bill has more than a nuisance value to it, because it goes to the very root of our basic philosophy, it deals with the seriousness of the marriage contract, it deals with the importance of the family unit in our American society. It deals with child care, it deals with the kind of child care referred to by the gentleman from Philadelphia Mr. Welsh, parental care. It touches very closely the thought expressed by the gentleman from Northampton, Mr. Hoff-

man, when he said that we get ourselves into trouble when we lose sight of fundamentals and when we lose sight of our basic philosophy when confronted with a serious situation. I know there is no glory, there will be no cheers, no political capital for the Members who vote for this measure, but I commend it to you on principal, solely in the interest of justice.

With the assurance that there will be no radical departure from our present procedure I might say again that it is often that a co-sponsor has to indicate that there was really a misunderstanding when his bill was defeated on final passage, because the ink is still wet on a decision of the Supreme Court of Pennsylvania that wages are attachable for the payment of orders in desertion and nonsupport cases. I refer those Members who might be interested to the opinion in the case of Commonwealth ex rel Deutsch vs. Deutsch, decided by the Supreme Court of Pennsylvania on Monday, April 26. I might state that the very thoughts that we express here tonight in connection with this bill are those upon which the Supreme Court of Pennsylvania based its decision. In point of fact the bill does no more than to make uniform the present provisions of the law and to codify them to make all of the provisions precise and complete, to make them unequivocal, and in the case of all concerned in order to make them practicable. I ask every Member of the House to support this measure.

Mr. BROWN. Mr. Speaker, I would like to interrogate the gentleman from Elk, Mr. Sorg.

The SPEAKER. Will the gentleman from Elk permit himself to be interrogated?

Mr. SORG. I shall, Mr. Speaker.

Mr. BROWN. Mr. Speaker, has the gentleman had an opportunity to peruse the recent decision of the Supreme Court which invalidates the attachment of wages for non-support?

Mr. SORG. Mr. Speaker, the copy of the opinion is not yet available in the office of the Prothonotary of the Supreme Court here in Harrisburg, but I did call the office of the Supreme Court Prothonotary in Pittsburgh and had him read the opinion to me, having in mind certain points that I thought would be the subject of interrogation.

Mr. BROWN. Mr. Speaker, may I ask the gentleman whether or not the court in the opinion decided that wages not earned could be attached or whether the decision referred to wages already earned?

Mr. SORG. Mr. Speaker, the opinion did not refer to wages already earned or wages earned in the future. It leaves the matter entirely open. That is precisely the point on which there is still necessity for the bill in my opinion.

Mr. BROWN. In other words you feel that the decision prospectively will cover that point?

Mr. SORG. That is right.

Mr. BROWN. Mr. Speaker, has the gentleman any authority to give us that wages earned in the future could be attached in view of the Supreme Court's decision which invalidated wages that have already been earned.

Mr. SORG. Mr. Speaker, did the gentleman refer to wages already earned or to wages to be earned in the future?

Mr. BROWN. Does the gentleman have any authority to give for the validity of the act as to wages not yet earned?

Mr. SORG. No, Mr. Speaker, I have no authority. The only authority as to wages earned in the future would be this provision if enacted into law.

Mr. BROWN. Mr. Speaker, does the gentleman think it would not be best for him to hold his act for a while to see what that decision actually holds. I believe that I talked to the gentleman on Monday about the Supreme Court decision and I would vote for the act, but I feel that we ought to know fully what the Supreme Court decision holds.

Mr. SORG. The opinion is in print and having in mind the specific question that the gentleman from Allegheny, Mr. Brown, and I discussed on Monday I paid particular attention to the opinion and to the language of the Supreme Court in regard to that specific question, and I can assure the gentleman that he will not find it treated or discussed in the opinion directly or indirectly.

Mr. BROWN. I thank the gentleman.

Mr. Speaker I am reluctant to oppose this act but I feel that we are on dangerous ground. The Supreme Court of Pennsylvania decided that wages already earned could be attached. However, House Bill 510, looking to the future, says that wages to be earned in the future can be attached, and I feel that we ought to have an opportunity to study carefully the opinion of the Supreme Court and other authorities in other states to find out whether or not we have the right to pass such a bill. Of course, the gentleman will not have time to have that study. That is the unfortunate thing about this bill. I don't know how we can hold it any longer, because if he wants to get it passed I recognize the fact that it must go to the Senate, but inasmuch as we will be meeting four days this week, I wonder whether the gentleman would not be willing to hold the bill until we have an opportunity to consult the authorities. I think it is almost universally accepted that the Supreme Court would declare the attachment of wages unconstitutional, and the great majority of lawyers in Pennsylvania were wrong that time. However, if we find any authorities that wages earned in the future can be attached we will have no hesitancy in voting for this bill.

Mr. SORG. Mr. Speaker, if it were not for the fact that the bill provides for the attachment of future wages, I would have no concern about its being dropped from the calendar. I respectfully submit that the only way that can be determined as to whether or not future wages are attachable under a statute so providing is to have the statute and have the statute tested. I know of no provision of the Constitution that would declare the statute invalid, and it is specifically for that reason I am reluctant to have the bill dropped at the present time because even on behalf of those who have been making objections to the bill. I might say that the orderly procedure set up for the attachment of wages in the future is more necessary to them than for others concerned. In view of the fact that wages already earned are the only ones subject to attachment, we are subject to the cumbersome procedure of issuing a writ of attachment every payday and serving the papers on the employer, making the wage earner not only liable for the attachment itself but also for the attorney's fee and everything else in-

volved. I regret the point brought up by the gentleman from Allegheny suggesting delaying the matter and I ask if the Members can see fit to go along with the bill they do so at the present time.

Mr. TAHL. Mr. Speaker, I would like to interrogate the gentleman from Elk, Mr. Sorg.

The SPEAKER. Will the gentleman from Elk permit himself to be interrogated?

Mr. SORG. I shall, Mr. Speaker.

Mr. TAHL. Mr. Speaker, not under this bill if an attachment were issued and even if future wages were attached would it in actual fact amount to very little because the writ would have to have a return day and after the return day th' could not attach any wages earned subsequent to that?

Mr. SORG. No, Mr. Speaker, I feel that a writ of attachment is valid only for the period of the term of the court and in most instances that is about three months.

Mr. TAHL. Mr. Speaker, what about in cases where the return days are monthly return days?

Mr. SORG. It is my understanding, Mr. Speaker, that counsel in past occasions having had the option of using intermediate return days for certain regular return days of the court.

Mr. HUNTLEY. Mr. Speaker, there is some question as to the advisability of giving a court power to attach wages of a guilty employe. Experience proves there is an occasional father who would rather go to jail than comply with a court order to support his wife during which time his children suffer. The Courts of Quarter Session already have the power to put the culprit in jail. However this bill allows the court to become his friend. The court can say to the prisoner, "John Doe, I can sentence you to jail but while you are in jail you are not earning any wages. Putting you in jail will not feed or clothe your helpless children. I therefore will not sentence you to jail but instead I will attach a portion of your wages." What can the prisoner say? As he has no way of escape there is only one answer, "Thank you Judge, I will come across". These neglected children become a charge on the public. Why should the public take care of the children of a court defying father who is receiving high wages, enjoying plenty to eat and fine clothes to wear and a comfortable bed in which to sleep? Why should he be allowed all the luxuries of life while his children are starving? This bill is not an attachment law to grab anybody's wages. There will be no need for attachment. This bill will not interfere with any law-abiding citizen. It will catch a very few willful and vicious outlaws and it will do it in a peaceful and humane way. This bill will do away with the necessity of attaching wages. In fact this bill will prove to be a non-attachment law.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—107

Alspach,	Ewing,	Imbrie,	Nowak,
Barton,	Figlock,	Irvin,	O'Dare,
Bentzel,	Fleming,	James,	Readinger,
Bonawitz,	Foor,	Jones,	Reagan,
Boorse,	Fox,	Kennedy,	Reilly,
Bower,	Freed,	Kitchen,	Riley,
Boyd,	Fullerton,	Kline,	Rose, W. E.,
Bretherick,	Garber,	Kowalski,	Rowley,
Brice,	Gardner,	Krepps,	Salus,
Brunner, C. H.,	Gates,	Krise,	Sarge,
Brunner, P. A.,	Gillan,	Laughner,	Serrill,
Burns,	Greenwood,	Leisey,	Smith,
Calvin,	Gross,	Leydic,	Sollenberger,
Campbell,	Gyger,	Lichtenwalter,	Sorg,
Chervenak,	Haberlen,	Longo,	Tahl,
Cohen,	Hall,	Madigan,	Thrasher,
Coleman,	Hannon,	McAtee,	Van Allsburg,
Cook,	Hare,	McKinney,	Wachhaus,
Cooper,	Haudenshield,	McMillen,	Wagner, K. H.,
Costa,	Helm,	Menna,	Wagner, P. L.,
Coulson,	Hewitt,	Miller,	Wallin,
Dague,	Hocke,	Mintess,	Weiss,
Dalrymple,	Hoffman,	Mock,	Winner,
Depuy,	Holmes,	Moore,	Worley,
Dix,	Hoopes,	Moser,	Fiss,
Elder,	Hunter, W. M.,	Muir,	Speaker.
Ely,	Huntley,	Murray,	

NAYS—69

Auker,	Hamilton,	Mooney,	Stockham,
Baker,	Harris,	Moran,	Stonier,
Barrett,	Heatherington,	O'Connor,	Tate,
Boory,	Herman,	O'Neill,	Taylor,
Brigerman,	Hersch,	Owens,	Tiemann,
Brown,	Hunter, B. F.,	Pettit,	Trent,
Chudoff,	Kirley,	Polaski,	Trout,
Cordier,	Kolankiewicz,	Powers,	Turbett,
Corrigan,	Lane,	Reese, D. P.,	Verona,
Croop,	Leonard,	Reese, R. E.,	Walton,
Dennison,	Livingstone,	Regan,	Watkins,
Duffy,	Lovett,	Reynolds,	Welsh,
Erb,	Lyons,	Robertson,	Wood, L. H.,
Flack,	Mahany,	Schuster,	Wood, N.,
Goodwin,	Maxwell,	Simons,	Wright,
Gorman,	McClester,	Snider,	Yeakel,
Grant,	McSurdy,	Stank,	Yester,
Green,			

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

BILLS PASSED OVER

There being no objection

Senate Bill No. 347, Printer's No. 301;

Senate Bill No. 211, Printer's No. 302;

Senate Bill No. 48, Printer's No. 342; and

Senate Bill No. 49, Printer's No. 164

were passed over at the request of The SPEAKER.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 839, as follows:

An Act authorizing the Commonwealth to negotiate temporary emergency loans to defray the current and other expenses of the State government during the two fiscal years beginning the first day of June one thousand nine hundred forty-three evidenced by tax anticipation notes secured by and payable from current revenues levied assessed collectible and accruing during such two fiscal years defining the powers and duties of the Governor the Auditor General and the State Treasurer in relation thereto providing for the payment of interest on and the repayment of such loans and making an appropriation

Whereas The present session of the General Assembly has provided revenues of the Commonwealth amounting to at least three hundred forty million dollars ($340,000,000) for general purposes for the biennial fiscal period beginning June first one thousand nine hundred forty-three and

Whereas Such revenues though levied and assessed will not be available in large part for the current and

other expenses of the State government until the later parts of the two fiscal years respectively of the said biennial fiscal period and the collectible revenues will not be sufficient to defray the current and other expenses of the State government during the earlier parts of such fiscal years respectively and

Whereas In order that the obligations of the Commonwealth may be met promptly and in order that the State government might not fail through lack of funds it is necessary temporarily to obtain funds to defray the current and other expenses of the State government during the fiscal period aforesaid until the revenues that are subsequently accruing to the State Treasury during said fiscal period are available for this purpose

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The Governor the Auditor General and the State Treasurer on behalf of the Commonwealth of Pennsylvania are hereby authorized and directed during the two fiscal years beginning the first day of June one thousand nine hundred forty-three from time to time to borrow on the credit of the current revenues of the Commonwealth of Pennsylvania such sum or sums of money not exceeding in the aggregate the sum of one hundred twenty million dollars ($120,000,000) as may be necessary to defray the current and other expenses of the State government during such fiscal years

Section 2 (a) Such loans shall be evidenced by notes of the Commonwealth of Pennsylvania All of said notes shall mature not later than the thirty-first day of May one thousand nine hundred forty-five Such notes are hereby declared to be tax anticipation notes Such notes or renewals thereof shall be issued from time to time for such total amounts in such sums and subject to such terms and conditions rates of interest not in excess of four and one-half per centum (4½) per annum and time of payment of interest as the Governor Auditor General and State Treasurer shall determine and direct

(b) All notes issued under the authority of this act shall bear either the signatures of the Governor the Auditor General and the State Treasurer or the facsimile signatures of the Governor the Auditor General and the State Treasurer in which latter event such notes shall be countersigned by two officers of the Philadelphia National Bank (Loan and Transfer Agent of the Commonwealth) All such notes shall bear a facsimile of the great seal of the Commonwealth

(c) All notes issued under the authority of this act shall have the qualities and incidents of negotiable instruments under the Negotiable Instruments Law of the Commonwealth

(d) The current revenues of the biennial fiscal period beginning the first day of June one thousand nine hundred forty-three are pledged for the payment of principal and interest of such notes which shall be payable in lawful money of the United States All notes issued under the provisions of this act shall be exempt from taxation for State and local purposes

Section 3 The proceeds derived from the negotiation of loans under the provisions of this act shall be paid into the General Fund of the State Treasury and shall be used for the payment of appropriations made from such fund to defray the current and other expenses of the State government for the biennial fiscal period beginning the first day of June one thousand nine hundred forty-three

Section 4 Any loans negotiated under the provisions of this act shall be secured by the current revenues levied and assessed for revenue purposes of every kind or character accruing to the General Fund of the State Treasury during the two fiscal years beginning June first one thousand nine hundred forty-three and shall be paid out of such revenues and so much of such revenues as may be necessary for the payment of the principal and interest of such loans are hereby specifically appropriated The Department of Revenue shall allocate such revenues to said payments

Section 5 The provisions of this act are severable and if any of its provisions are held unconstitutional the decision so holding shall not be construed to impair any other provision of this act It is hereby declared as the legislative intent that this act would have been adopted had such unconstitutional provision not been included therein

Section 6 This act shall become effective immediately upon its final enactment

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. READINGER. Mr. Speaker, I would like to interrogate the gentleman from Cambria, Mr. Rose.

The SPEAKER. Will the gentleman from Cambria permit himself to be interrogated?

Mr. WALTER E. ROSE. I shall, Mr. Speaker.

Mr. READINGER. Mr. Speaker, will the gentleman inform me in what manner the limitation of one hundred twenty million dollars was arrived at which is specified in this bill?

Mr. WALTER E. ROSE. I would say in setting a limit, the top and maximum to which tax anticipation notes may be issued, it is sound policy, sound planning and sound legislation to pick a figure which is safely high enough that possible future loss of income will not involve the Governor and the Administration. The amount is almost an arbitrary figure, yet, we have figured the estimated revenues for a year, having in mind the thought that the principal income is held up for the next seven or eight or possibly nine months, and we have added a few more months to play safe to take care of any emergency that might arise and arrived at that figure of $120,000,000.

Mr. READINGER. Mr. Speaker, is it not true that the Commonwealth will complete its present biennium without a deficit?

Mr. WALTER E. ROSE. Mr. Speaker, according to the present figures that is correct.

Mr. READINGER. Mr. Speaker, is it not also true that the use of tax anticipation notes began about 1934 or 1935, when the tremendous burden of relief made it necessary for the Commonwealth to get income in addition to the tax income of that biennium?

Mr. WALTER E. ROSE. I would say that the gentleman is correct, Mr. Speaker.

Mr. READINGER. Mr. Speaker, is the gentleman familiar with the act of 1933 which permits transfers from special funds to the general fund?

Mr. WALTER E. ROSE. Mr. Speaker, yes, in a general sort of way. I have not examined it recently.

Mr. READINGER. Mr. Speaker, would the gentleman say that during the biennium of 1943 to 1945 the Commonwealth could transfer from the Highways Fund, for example or any other special fund, funds which are not being used at the time, to be used for general purposes, provided they are returned during the biennium?

Mr. WALTER E. ROSE. Provided there is enough money in that special fund. Provided, further that the transfer would not in any way embarrass the conduct of that Department.

Mr. READINGER. Mr. Speaker, does the gentleman contend that during the present biennium there will not be sufficient funds in the Highway Department, for example,

to meet any purposes of the general fund, against which we are appropriating in this biennium?

Mr. WALTER E. ROSE. Mr. Speaker, I make no such contention.

Mr. READINGER. Mr. Speaker, is the gentleman aware of the fact that the Highway program has been practically curtailed completely for the duration of the war, due to the fact that we cannot get the materials?

Mr. WALTER E. ROSE. That is substantially correct, Mr. Speaker.

Mr. READINGER. Mr. Speaker, does the gentleman still believe that we should pass a bill authorizing the Commonwealth to borrow up to $120,000,000 in tax anticipation notes during the next biennium?

Mr. WALTER E. ROSE. Mr. Speaker, hoping all the time, of course, that it will never become necessary, but if it ever becomes necessary I still feel it is sound legislation to pass this particular bill, yes.

Mr. READINGER. Mr. Speaker, will the gentleman agree with the item in section 2, page 3 of the bill, that the Commonwealth should be authorized to pay up to four and one-half per cent on the tax anticipation notes?

Mr. WALTER E. ROSE. The section of the bill which the gentleman has before him does not say that the Commonwealth shall pay four and one-half per cent. It is a maximum estimate, it is a safe amount to cover any possible contingency which may arise. Naturally if the money can be borrowed for less, it will be.

Mr. READINGER. I appreciate that, Mr. Speaker, but my question was, does the gentleman believe we should authorize the Commonwealth to pay up to that amount of interest?

Mr. WALTER E. ROSE. Mr. Speaker, having in mind that we are providing for unforeseen contingencies, and it might for some reason not now apparent become necessary to pay up to that amount, I say that it is wise to put it in in that manner, yes.

Mr. READINGER. Mr. Speaker, I am not rising to oppose the passage of this bill. We may need to borrow some money in tax anticipation notes, but I simply raise these questions to indicate to the Commonwealth that there should be no careless transferring of these funds at a time when we not only do not have a deficit, but at a time when the special funds, like the highway fund, will have a great amount of money in them, which the Commonwealth may use during the biennium without harming the purposes of any of those funds. During the period when the Commonwealth was in the depths of depression, when relief was consuming millions of dollars, there was a real need for this type of financing, but what happened at that time has ended. It is because this bill is so worded that we shall not pay in excess of a certain amount of interest that I am willing to go along with this bill. I want these things on the record, so that the Commonwealth officials may know that the Legislature does not want to see any borrowing which is not absolutely necessary.

Mr. LOVETT. Mr. Speaker, I feel that we should not go along with this piece of legislation due to the fact that there are still measures that we will vote upon in which the revenue of this state will be reduced to the special privileged class, and if we have to borrow money and pay interest upon that money borrowed at a later date, we will come back and ask the poor class of people, the least able to pay taxes, to pay the interest which we will be compelled to pay for borrowing this money. I therefore think that we should at this time not pass this kind of legislation, when we are willing to allow the special privileged of the state of Pennsylvania to receive tax reductions, when they are making more money than they have ever made in the last ten years.

Mr. WALTER E. ROSE. Mr. Speaker, I desire to interrogate the gentleman from Westmoreland, Mr. Lovett.

The SPEAKER. Will the gentleman from Westmoreland permit himself to be interrogated?

Mr. LOVETT. I shall, Mr. Speaker.

Mr. WALTER E. ROSE. Mr. Speaker, I would like to inquire of the gentleman from Westmoreland what pending legislation he makes reference to.

Mr. LOVETT. Mr. Speaker, there is legislation that I feel has not passed the Senate of Pennsylvania which we have passed in this House. Just the other night we passed a piece of legislation which deprives the Department of Revenue by the words of the sponsor of the bill of at least $110,000 and I do not think that that piece of legislation has as yet passed the Senate.

Mr. WALTER E. ROSE. I thank the gentleman.

Mr. Speaker, taking the arguments in chronological order, I would like to first answer the remarks of the gentleman from Berks, Mr. Readinger, by pointing out that one of the advantages of the issuance of tax anticipation notes over the transfer from special funds is that it requires an act to transfer special funds, and to do that it is necessary for the Legislature to be in session. The argument that it would be safe to rely on the transfer from special funds completely misses the purpose of this act. I should point out that the only reason that the tax anticipation notes are a desirable feature is that the tax money as planned by the Legislature is sufficient to cover the expenditures but it is not presently and immediately available. There is a small amount of collections from now until next February, possibly March. That is the first time that we begin to get the bulk of our tax money, and in the meantime we may have embarrassed the administration of the state's finances in having to hold off the payment of bills and delaying the transferring until such time as we get that income. We might further seriously embarrass the administration of relief. This plan is merely to float a bond issue as required from time to time, to cover the time period until those taxes are available to us. The bids are of course competitive, and I think the gentleman from Berks need have no fear that there will be any careless borrowing. No administration, Republican or Democrat, is anxious to borrow money when it is not necessary and lay themselves open to a charge that they are careless in borrowing. Certainly we are not going to borrow unless it is absolutely necessary.

Let me say in conclusion, in reply to the gentleman from Westmoreland, Mr. Lovett, the tax reduction he is talking about falls in the same class as those that have already been mentioned, and that is that those reductions as mentioned by him do not affect our maintenance. Regardless of whether they are in a reduced form or in their old form they would not yield revenue immediately. This bill is merely an insurance against financial embarrassment of the administration in the finances of the state and in the administration of relief until the

money due under the tax measures becomes available to us for use.

Mr. COHEN. Mr. Speaker, I would like to interrogate the gentleman from Cambria, Mr. Rose.

The SPEAKER. Will the gentleman from Cambria permit himself to be interrogated?

Mr. WALTER E. ROSE. I shall, Mr. Speaker.

Mr. COHEN. Mr. Speaker, will the gentleman point out to me where under this act these bills for these notes are to be competitive?

Mr. WALTER E. ROSE. Mr. Speaker, nowhere in the act or in the bill is it provided that they must be competitive. That is a matter of practice, it is a matter of economy and they have always done so. We are proud to say that we have had our tax borrowing rate down well below one percent.

Mr. COHEN. Mr. Speaker, does not the gentleman believe that the proper legislative enactment is to provide specifically that there shall be competitive bidding, just so somebody will not get the crazy idea into its head that it could pay a high rate of interest and do somebody a favor.

Mr. WALTER E. ROSE. I might say to the gentleman, Mr. Speaker, that that provision has never been in the act, even when the Democrats were in the majority and passed the acts. It certainly did not occur to me that anybody in the Republican administration would borrow money at a higher rate of interest than necessary to get it.

Mr. COHEN. I thank the gentleman.

Mr. Speaker, this bill, to my mind represents some crazy financing. I suggest to the gentleman that there probably should be some provision for competitive bidding in this act, and I say that in view of the fact that this bill provides that the Governor must secure the approval and consent of the two Democratic officials, the Auditor General and the State Treasurer. Despite that fact I still think that sound legislation from this House demands that there should be competitive bidding on these notes because there is a limitation of four and one-half percent and because money in the market is cheap. I think that competitive bidding would give us a cheap rate of interest on our money.

This bill, as I pointed out the other night in connection with the Republican theory of finance that we had in the National Government some years ago, and is coming up again today, is to spend money in interest to banks and bankers when you don't have to, to reduce taxes when you are making a lot of money and to scrape for taxes when you are not making much.

The gentleman has brought up something that I would like to comment on briefly. I notice in the press today where high officials of the state have indicated that the one cent emergency gasoline tax is being held up in the hope that conditions will make it unnecessary to levy that tax, but giving the right to the Governor to veto. It has been our contention all the time that that tax was not necessary and should not have been enacted. I would say for the record again that at the end of this biennium we are going to have about thirty million dollars cash in the bank and I think that is well on the way to solving our fiscal problems when the new revenues roll in. I wouldn't like to make an accusation, but I would like to state that there is one other provision in this bill which grieves me very much. On page 4 of the bill, lines 3, 4 and 5, "All notes issued under the provisions of this act shall be exempt from taxation for state and local purposes." It is just another way of giving a lot of people a lot of money in tax exempt securities, the old Republican idea of giving a lot of money to the special privileged few. I think there is enough wrong with this bill that there should be certain amendments put in in the Senate if we pass it here. I think sound business, sound common sense would dictate that. In addition, tax anticipation notes were issued at a time when we did not have enough money to meet our obligations for relief expenditures, but our relief expenditures today are probably one-third of what they were at that time. This is merely a subterfuge to help out some of the fat cats to enable them to get some tax free investments for their money. I think there is enough wrong with this bill to have it opposed very seriously by all the Members of the House.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—126

Alspach,	Fullerton,	Laughner,	Rowley,
Auker,	Garber,	Lee,	Royer,
Barton,	Gardner,	Leisey,	Salus,
Bonawitz,	Gates,	Leydic,	Sarge,
Boorse,	Gillan,	Lichtenwalter,	Serrill,
Bower,	Goodling,	Livingstone,	Simons,
Boyd,	Gorman,	Lyons,	Smith,
Bretherick,	Greenwood,	Madigan,	Sollenberger,
Brice,	Gross,	Mahany,	Sorg,
Brunner, C. H.,	Gyger,	McAtee,	Stockham,
Campbell,	Hall,	McClester,	Stonier,
Cook,	Hannon,	McKinney,	Tahl,
Cooper,	Hare,	McMillen,	Taylor,
Cordier,	Haudenshield,	McSurdy,	Thrasher,
Costa,	Helm,	Menna,	Tiemann,
Coulson,	Hewitt,	Miller,	Trout,
Dague,	Hocke,	Mintess,	Turbett,
Dalrymple,	Hoffman,	Moore,	Van Allsburg,
Denman,	Holmes,	Moser,	Wachhaus,
Dennison,	Hoopes,	Muir,	Wagner, K. H.,
Depuy,	Hunter, W. M.,	Murray,	Wagner, P. L.,
Dix,	Huntley,	Nowak,	Wallin,
Elder,	Imbrie,	O'Dare,	Walton,
Ely,	Irvin,	Readinger,	Watkins,
Erb,	James,	Reagan,	Winner,
Ewing,	Jones,	Reese, D. P.,	Wood, L. H.,
Figlock,	Kennedy,	Reilly,	Wood, N.,
Flack	Kitchen,	Riley,	Worley,
Fleming,	Kline,	Robertson,	Yeakel,
Foor,	Kowalski,	Root,	Fiss,
Fox,	Krepps,	Rose, W. E.,	Speaker.
Freed,	Krise,		

NAYS—70

Baker,	Finnerty,	Longo,	Regan,
Barrett,	Flynn,	Lovett,	Reynolds,
Bentley,	Goodwin,	Maxwell,	Rose, S.
Bentzel,	Grant,	Mihm,	Sarraf,
Boory,	Green,	Mock,	Scanlon,
Brigerman,	Haberlen,	Mooney,	Schuster,
Brown,	Hamilton,	Moran,	Skale,
Brunner, P. A.,	Harris,	Munley,	Snider,
Burns,	Heatherington,	O'Brien,	Stank,
Chudoff,	Herman,	O'Connor,	Tate,
Cohen,	Hersch,	O'Neill,	Thompson,
Coleman,	Hoggard,	Owens,	Trent,
Corrigan,	Hunter, B. F.,	Petrosky,	Verona,
Croop,	Kirley,	Pettit,	Weiss,
Cullen,	Kolankiewicz,	Polaski,	Welsh,
Dillon,	Lane,	Powers,	Wright,
Duffy,	Leonard,	Reese, R. E.,	Yester,
Elliott,	Levy,		

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

BILLS PASSED OVER

There being no objection
House Bill No. 486, Printer's No. 591 and
Senate Bill No. 177, Printer's No. 237,
were passed over at the request of The SPEAKER.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 77, as follows:

An Act to amend section eighteen and to further amend section twenty-two of the act approved the twenty-ninth day of April one thousand nine hundred thirty-seven (P. L. 487) entitled "An act to provide for the permanent personal registration of electors in boroughs towns and townships as a condition of their right to vote at elections and primaries and their enrollment as members of political parties as a further condition of their right to vote at primaries prescribing certain procedure for the conduct of elections and primaries and the challenge and proof of qualifications of electors requiring the county commissioners of the various counties to act as a registration commission therefor and prescribing the powers and duties of citizens parties political bodies registration commissions commissioners registrars inspectors of registration and other appointees of registration commissions county election boards election officers municipal officers departments and bureaus police officers courts judges prothonotaries sheriffs county commissioners peace officers county treasurers county controllers registrars of vital statistics certain public utility corporations real estate brokers rental agents and boards of school directors and imposing penalties" permitting registrations before justices of the peace or aldermen

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section eighteen of the act approved the twenty-ninth day of April one thousand nine hundred thirty-seven (P. L. 487) entitled "An act to provide for the permanent personal registration of electors in boroughs towns and townships as a condition of their right to vote at elections and primaries and their enrollment as members of political parties as a further condition of their right to vote at primaries prescribing certain procedure for the conduct of elections and primaries and the challenge and proof of qualifications of electors requiring the county commissioners of the various counties to act as a registration commission therefor and prescribing the powers and duties of citizens parties political bodies registration commissions commissioners registrars inspectors of registration and other appointees of registration commissions county election boards election officers municipal officers departments and bureaus police officers court judges prothonotaries sheriffs county commissioners peace officers county treasurers county controllers registrars of vital statistics certain public utility corporations real estate brokers rental agents and boards of school directors and imposing penalties" is hereby amended to read as follows

Section 18 Manner of Registration

(a) Every person claiming the right to be registered as an elector must appear in person before the commission a commissioner a registrar or a clerk at the office of the commission or at such other place as the commission shall have designated or before a justice of the peace or alderman of any city borough town or township of the county in which he offers to register and answer the questions required to be asked in accordance with this act Blank registration cards shall be furnished by the commission to justices of the peace and aldermen upon application therefor

(b) He shall first be sworn or affirmed to the truth of the statements which he is about to make and informed that any wilful false statement will constitute perjury and will be punishable as such He then shall be asked to state the facts required herein and his answers together with other information herein required shall be recorded in his presence by the registrar commissioner or clerk or the justice of the peace or alderman in permanent writing or typewriting in duplicate in the proper spaces on the registration cards as follows

(c) (1) the surname of the applicant (2) his Christian name or names (3) his occupation (4) the street or road and number if any of his residence (5) if his residence is a portion only of the house the location or number of the room or rooms apartment flat or floor which he occupies (6) the date his residence in the district began (7) his residence address when he last registered and the year of such registration (8) the sex of the applicant (9) the color of the applicant (10) the state or territory of the United States or foreign country where he was born (11) the date when place where and the court by which naturalized and number of the naturalization certificate (12) if not naturalized personally the name of father mother or husband through whom naturalized (13) whether he is unable by reason of illiteracy to read the names on the ballot or on the voting machine labels (14) whether he has a physical disability which will render him unable to see or mark the ballot or operate the voting machine or to enter the voting compartment or voting machine booth without assistance and if so his declaration of that fact and his statement of the exact nature of such disability (15) the designation of the political party of the elector for the purpose of voting at primaries (16) the affidavit of registration which shall be signed by the elector attested by the signature of the registrar or clerk or justice of the peace or alderman and dated by him (17) his height in feet and inches (18) the color of his hair (19) the color of his eyes and (20) the date of his birth Each registration card shall also have a sufficient number of spaces thereon for the insertion of (21) the borough town township ward and election district if any in which the elector resides and to which he may from time to time remove together with his street address in each borough town or township and the other data required to be given upon such removal (22) the date of each election and primary at which the elector votes the number and letter if any of the stub of the ballot issued to him or his number in the order of admission to the voting machines and (23) the signature or initials of the election officer who enters the record of voting on the card

(d) The applicant shall subscribe by oath or affirmation to the registration affidavit on both copies of the registration card This card will hereafter be referred to in this act as the registration card or registration affidavit When filed alphabetically for the county the registration cards will be known as the General Registers when filed by election districts as the District Registers

(e) If the applicant shall allege inability to sign his name the registrar or clerk or justice of the peace or alderman shall require him to present the affidavits subscribed in person before a registrar commissioner or clerk or justice of the peace or alderman of two electors who are personally acquainted with the applicant and who know his qualifications as an elector Each of said two electors shall state in his affidavit the applicant's residence his own residence his knowledge of the statements made by the applicant under oath or affirmation in applying for registration and his belief that they are true Upon the filing thereof the applicant shall be permitted to subscribe to his oath or affirmation by making his mark except that if the applicant's inability to sign his name is not due to some apparent physical infirmity he shall first also be required to make and file with the registrar or clerk or justice of the peace or alderman an affidavit of his inability to sign his name Every affidavit required because of an applicant's inability to sign his name shall be filed with the duplicate registration affidavit of the person whose registration it affects and shall be returned therewith to the office of the registration commission

(f) When the registration of an elector has been completed the registrar commissioner or clerk shall deliver

to the registered elector a written or printed statement signed by such registrar commissioner or clerk setting for the name and address of the elector giving borough town or township and his ward and district if any the fact of registration designation of party enrollment the date thereof and the serial number of his registration card If the application was made before a justice of the peace or alderman the registration cards shall be transmitted by the justice of the peace or alderman to the office of the commission If they appear to be in proper form to entitle the applicant to registration the clerk in said office shall mail to the registered elector the written or printed registration statement herein provided for

(g) Any person employed in the service of this Commonwealth or in the service of the Federal Government and required thereby to be absent from any borough town or township wherein he reside when entering such employment his wife or her husband shall be registered as of the district wherein he or she shall have resided immediately prior to entering such service and be enrolled as a member of the political party he or she designates without declaring a residence by streets and number All persons employed by this Commonwealth who register in this manner shall produce a certificate from the Auditor General under the seal of his office setting forth that said person or the husband or wife of said person is actually employed in the service of this Commonwealth and also setting forth the nature of such employment and the time when such person first entered such employment

All persons employed by the Federal Government who register in this manner shall produce a certificate from the head of the proper department or chief of the proper division or bureau under the seal of his office setting forth that said person or the husband or wife of said person is actually employed in the service of the United States and also setting forth the nature of such employment and the time when such person first entered such employment

The commission shall retain such certificates and shall cause to be noted on the registration card of each person so registered the fact that such person is an employe of this Commonwealth or of the Federal Government as the case may be

At least once every two years the commission shall verify the employment of all persons thus registered at either the office of the Auditor General of this Commonwealth or at the office of the department division or bureau of the Federal Government in whose employ such person is alleged to be If any such person is found to be no longer an employe of this Commonwealth or of the Federal Government his registration card shall be removed from the district register until such time as said person appears at the office of the commission and declares the street or road and number if any of his residence in the borough town or township

Section 2 Section twenty-two of said act as amended by section four of the act approved the first day of August one thousand nine hundred forty-one (P. L. 664) is hereby further amended to read as follows

Section 22 Incomplete or Rejected Applications to Be Recorded The registrar commissioner or clerk shall record on registration cards the surname Christian name or names and street and number of residence of each person who applies for registration whether or not the application is accepted Whenever the applicant is rejected after a portion of the record has been filled in or whenever an application made before a justice of the peace or alderman is rejected the registration card or cards shall be marked "Applicant Rejected" and the registrar commissioner or clerk shall note thereon the reason for the rejection and shall sign his name thereto The registrar commissioner or clerk shall forthwith personally notify the applicant if his application for registration is rejected Provided however That if the registration card was received by mail from a person in military service or if the application was made before a justice of the peace or alderman notice of rejection shall be by mail All such cards shall be returned to the commission and shall be preserved for a period of two years.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken.

Messrs. Moran, Lane and Heatherington asked for a verification of the roll.

The roll was verified and was as follows:

YEAS—49

Barton,	Grant,	Madigan,	Powers,
Bentzel,	Haberlen,	Mahany,	Readinger,
Brice,	Hamilton,	Maxwell,	Salus,
Brunner, P. A.,	Harris,	McMillen,	Tate,
Campbell,	Helm,	Menna,	Thompson,
Chervenak,	Hewitt,	Mintess,	Trent,
Chudoff,	Hoffman,	Moser,	Wagner, K. H.,
Cohen,	Holmes,	Murray,	Wallin,
Coleman,	Jones,	O'Brien,	Walton,
Cordier,	Kennedy,	O'Dare,	Weiss,
Costa,	Kolankiewicz,	Petrosky,	Worley,
Dennison,	Longo,	Polaski,	Fiss,
Freed,			Speaker.

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Alspach,	Green,	McSurdy,	Schuster,
Baker,	Gyger,	Miller,	Serrill,
Barrett,	Heatherington,	Mock,	Simons,
Bentley,	Hersch,	Moore,	Smith,
Bonawitz,	Hoggard,	Moran,	Snider,
Boory,	Hunter, B. F.,	Muir,	Stank,
Bower,	Hunter, W. M.,	Nowak,	Stockham,
Bretherick,	Huntley,	O'Connor,	Stonier,
Brown,	Imbrie,	O'Neill,	Taylor,
Burns,	Irvin,	Owens,	Thrasher,
Denman,	James,	Pettit,	Trout,
Depuy,	Kirley,	Reagan,	Wachhaus,
Duffy,	Kline,	Reese, D. P.,	Wagner, P. L.,
Elliott,	Kowalski,	Reese, R. E.,	Watkins,
Ely,	Lane,	Regan,	Welsh,
Figlock,	Leisey,	Reynolds,	Winner,
Flack,	Leonard,	Riley,	Wood, L. H.,
Foor,	Livingstone,	Robertson,	Wood, N.,
Fox,	Lovett,	Rose, W. E.,	Wright,
Garber,	Lyons,	Rowley,	Yeakel,
Goodwin,	McClester,	Royer,	Yester,
Gorman,	McKinney,	Sarraf,	

Less than the majority required by the Constitution having voted in the affirmative, the question was determined in the negative and the bill falls.

The SPEAKER. The Chair requests the gentleman from Forest, Mr. Serrill, to preside.

MR. SERRILL IN THE CHAIR.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 486, as follows:

An Act to amend the act approved the fifth day of May one thousand nine hundred thirty-three (P. L. 457) entitled "An act relating to the business of building and loan associations providing for the organization and voluntary dissolution of such associations defining the rights powers duties liabilities and immunities of such associations and of their officers directors shareholders solicitors and other employes prohibiting the transaction of business in this Commonwealth by foreign building and loan associations conferring powers and imposing duties upon the courts recorders of deeds and certain State departments commissions and officers establishing limitations of actions imposing penalties and repealing certain acts and parts of acts" further defining the rights powers duties liabilities and immunities of building and loan associations and their shareholders and creditors

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section two of the act approved the fifth day of May one thousand nine hundred thirty-three (P. L. 457) entitled "An act relating to the business of building and loan associations providing for the organization and voluntary dissolution of such associations defining the rights powers duties liabilities and immunities of such associations and of their officers directors shareholders solicitors and other employes prohibiting the transaction of business in this Commonwealth by foreign building and loan associations conferring powers and imposing duties upon the courts recorders of deeds and certain State departments commissions and officers establishing limitations of actions imposing penalties and repealing certain acts and parts of acts" as last amended by the act approved the twenty-fourth day of June one thousand nine hundred thirty-nine (P. L. 740) is hereby further amended to read as follows

Section 2 Definitions A The following terms shall be construed in this act to have the following meanings except in those instances where the context clearly indicates otherwise

"Articles" includes the original articles of incorporation any or all amendments thereto articles of merger or consolidation and also what have heretofore been designated by law as certificates of incorporation or charters

"Assets" includes all the property and rights of every kind of the association

"Association" includes any building and loan association or savings and loan association organized under this act or heretofore organized under or by virtue of any other law of this Commonwealth

"Authorized Capital" means the sum of the par value of the shares authorized to be issued by an association

"Corporation" means a corporation or a joint stock association organized under the laws of this Commonwealth of the United States or of any other state territory foreign country or dependency

"Department" means the Department of Banking of this Commonwealth

"Incorporator" means a signer of the original articles of incorporation

"Mortgage Loans" means loans which are secured pursuant to the provisions of this act by the bond of the borrower by a mortgage on real property and by [installment shares or direct reduction loan] shares

"Participation Value" means the aggregate of payments made by a shareholder on account of shares plus dividends credited thereto less withdrawal payments thereon and less such amounts as shall have been credited on account of the principal of any loan pursuant to the provisions of this act

"Person" means an individual or an unincorporated association including a partnership a limited partnership or any other form of unincorporated enterprise owned by two or more individuals

"Shares" means the units into which the shareholders' rights to participate in the control of a building and loan association are divided

"Share Certificate" means a written instrument signed by the proper corporate officers as required by this act and evidencing the fact that the corporation or person therein named is the registered owner of the shares therein described it also includes the term "certificate of stock" as used in existing laws

"Share Loans" means loans which are secured pursuant to the provisions of this act by the note of the borrower and by [prepaid] full-paid optional payment or installment shares

"Shareholder" means a registered owner of shares in a building and loan association

"Subscriber" means one who subscribes for shares in a building and loan association whether before or after incorporation

"Written" includes printed typewritten engraved lithographed teletyped cabled radiogramed photographed photostated telephotographed or other form of recorded or transmitted message

B The singular shall be construed to include the plural The masculine shall be construed to include the feminine and the neuter and conversely the neuter shall be construed to include the masculine and the feminine

Section 2 Section two hundred three and subsection A of section three hundred thirteen of said act as amended by the act approved the second day of July one thousand nine hundred thirty-five (P. L. 574) are hereby further amended to read as follows

Section 203 Place of Business [Change of Place of Business A] An association shall not hold any of the regular meetings of its directors grant any loans or transact any business except at the place of business designated in its by-laws but the collection of dues interest premiums and fines by any corporation or person authorized by the association to make such collection at any place other than the place of business of the association and the holding of shareholders' meetings shall not be construed to be the transaction of business within the meaning of this section In the event that the place of business designated in the by-laws becomes unavailable the directors may specify another place within the city borough or township as a temporary place of business

[B An association may change its place of business to any place within the city borough or township named in its articles in the manner provided in its by-laws An association upon changing its place of business shall forthwith give notice of such change to the Department of Banking]

Section 313 By-Laws Adoption Amendment or Repeal Approval by Department A Except as herein otherwise provided the shareholders shall have the power to make alter amend and repeal the by-laws of an association The authority to make by-laws may be expressly vested by the articles in the board of directors subject to the power of the shareholders to change or repeal such by-laws but the board of directors shall not make or alter any by-laws fixing their qualifications classification term of office or compensation [any by-laws regulating the proportion of the profits of the association or the rate of interest paid to a withdrawing shareholder] or any by-laws authorizing the board of directors without action by the shareholders of the association to approve a plan of merger Unless the articles or by-laws otherwise provide the by-laws shall be adopted altered amended and repealed by a majority vote of the board of directors or of the shareholders entitled to vote thereon as the case may be at any regular or special meeting duly convened after notice to the shareholders or directors of that purpose

Section 3 Subsection C of section five hundred nine of said act is hereby repealed

Section 4 Section six hundred one of said act is hereby amended by adding at the end thereof a new subsection to read as follows

Section 601 Authorized Capital Par Value of Shares and Change Therein

* * * * *

D At any meeting of the shareholders the number of shares held by each shareholder shall be determined by dividing the participation value of his shares by the par value of one share except that a direct reduction mortgage loan borrower shall by virtue of his being such a borrower be the holder of one direct reduction loan share.

Section 5 Section six hundred two of said act is hereby amended to read as follows

Section 602 Issuances of Installment Shares Series A [The] Installment shares of an association may be issued in a single series they may be issued in any number of series or they may be issued non-serially at such times and in such manner as shall be [stated in the articles or by-laws of the association] determined by the board of directors Except as otherwise specifically provided in the articles or by-laws of an association the number of

installment shares which it may issue in a single series shall be unlimited

B Except as otherwise specifically provided in the articles or by-laws of an association the issuance of installment shares of a new series shall operate to close the prior series and the association shall not thereafter [issue] accept any subscription for any share in such prior series

[C Except as otherwise specifically provided in the articles or by-laws of an association shares which have been withdrawn whether voluntarily or involuntarily or shares which have been cancelled whether because of failure to pay dues installments fines premiums or for any other reason shall not after the holders of such shares have received full payment or credit due them on such shares be reissued nor new shares issued in their stead]

Section 6 Section six hundred four of said act as amended by the act approved the second day of July one thousand nine hundred thirty-five (P. L. 574) is hereby further amended to read as follows

Section 604 Membership or Withdrawal Fees Other Charges An association shall not levy upon any shareholder or upon any corporation or person intending to become a shareholder [a withdrawal] any fee or any other charge not specifically permitted by this act

An association may levy upon any [shareholder] holder of installment shares or upon any corporation or person intending to become a [shareholder] holder of installment shares a membership fee which shall not exceed one-eighth of one per centum of the par value of each installment share [issued or to be issued to] subscribed to by such shareholder corporation or person All membership fees so paid shall be credited to the general profit account of the association and shall not be credited as dues in the passbook or other receipt issued to the shareholder

Upon the voluntary withdrawal before maturity of installment shares an association may charge such withdrawal fee at the by-laws may provide not exceeding one per centum of the participation value of such shares

Section 7 Section six hundred five six hundred seven six hundred twelve six hundred thirteen six hundred fifteen six hundred sixteen and six hundred seventeen as amended or last amended by the act approved the fifteenth day of March one thousand nine hundred thirty-seven (P. L. 63) are hereby further amended to read as follows

Section 605 Payments for Installment Optional Payment Direct Reduction Loan and Full-paid [and Prepaid] Shares An association may issue shares under any or all of the following plans of payment

(1) Shares the par value of which is to be paid in part by equal periodical [payments in cash at such times and in such amounts as shall be established by the articles or by-laws] installments payable at least once each month and in part by accrual of earnings on such shares The periodical installments contracted to be paid by a holder of such shares during any one year shall not exceed thirteen per centum of the aggregate par value of all such shares subscribed for by such shareholder Such periodical payments shall be known as dues and such shares shall be known as installment shares

(2) Shares the par value of which has been paid by a single cash payment at the time of their issuance Such shares shall be known as full-paid shares

[(3) Shares the par value of which has been paid in part by a single cash payment at the time of their issuance and in part by accrual of earnings on such shares Such shares shall be known as prepaid shares]

(4) Shares the par value of which is to be paid in part by payments in cash at such times and in such amounts as the holder may from time to time elect and in part by accrual of earnings on such shares Such shares shall be known as optional payment shares Holders of optional payment shares shall not be subject to fines for failure to make payments on account of such shares

(5) Shares to be known as direct reduction loan shares and to be issued only to borrowers contracting to repay mortgage loans by a direct reduction method The dues or periodical installments on such shares shall fluctuate as required by the loan contract and such shares shall not participate in the profits of the association nor be subject to losses

Section 607 Share Certificates Issuance and Preservation A Every association shall furnish to each holder of record of an installment optional payment or direct reduction loan share a copy of the by-laws of the association and of all amendments thereto and a receipt by pass book or otherwise for all dues premiums fines or other payments made to the association by him but an association shall not be required to issue a share certificate to any holder of an installment optional payment or direct reduction loan share

B Every association shall furnish to each holder of record of [a prepaid or] a full-paid share a copy of the by-laws of the association and of all amendments thereto and a share certificate upon which the name of the association shall be printed and which shall state

(1) That the association is incorporated under the laws of this Commonwealth

(2) The name of the registered holder of the shares represented thereby

(3) The date of issuance of the shares

(4) The type of shares which the certificate represents [that is whether they are prepaid or full-paid]

(5) The number of shares which the certificate represents

(6) The par value of each share represented [and in the case of prepaid shares the amount of the single cash payment made on each share by the shareholder]

C Every share certificate shall be signed by the president or vice-president and the secretary or treasurer or by such officers as the by-laws may provide and sealed with the corporate seal In case any officer who has signed any share certificate shall have ceased to be such officer because of death resignation or otherwise before the certificate is issued it may be issued with the same effect as if the officer had not ceased to be such at the date of its issue

D Share certificates shall bear printed consecutive numbers and shall be issued from a bound share certificate book containing a stub for each certificate Each stub shall bear the same number as the share certificate which was attached to it the name and address of the person in whose name the share certificate is issued the number of shares represented by the certificate and the date of the issuance of the certificate The president or vice-president and the secretary or treasurer or such officers as the by-laws provide shall certify on each stub that the information contained thereon is correct and in accordance with the share certificate bearing the same number

E Upon the withdrawal of [prepaid or] full-paid shares and upon payment by the association the certificate representing such shares shall be surrendered to the association and preserved by it indefinitely Likewise any share certificate for which the association has issued a substitute certificate or which for any other reason has been surrendered to the association shall be preserved by it indefinitely

Section 612 Voluntary Withdrawals A Any shareholder may upon giving written notice to the association withdraw any shares whether full-paid [prepaid] optional payment or installment which are not pledged to the association as security for a mortgage loan granted by it The secretary or other officer designated by the by-laws of the association shall endorse on the written notice of an intention to withdraw required by this section the date of its receipt by the association and shall record such notice and the date of its receipt by the association in a book to be used solely for the recording of notices of withdrawals

B The association shall pay to a shareholder who has withdrawn his shares the [amount paid to the association

by him on] participation value of such shares less all fines or other indebtedness or charges due by him [plus such proportion of the earnings of the association or such rate of dividends as may be prescribed by the by-laws of the association minus the losses properly apportionable to such shares but the board of directors may by general rule or regulation and with the prior written consent of the department change such proportion of earnings or such rate of dividends] and in the case of installment shares less the withdrawal fee authorized by this act The amount payable to a shareholder who has withdrawn his shares shall be known as the withdrawal value of his shares

[C Any shareholder may upon giving written notice to the association withdraw amounts paid or credited on account of optional payment shares or non-serial installment shares without reducing the number of shares owned by him The term withdrawn shares in any other section of this act shall be construed to include such a withdrawal of amounts paid or credited on account of optional payment shares or non-serial installment shares]

D Except as herein otherwise specifically provided a withdrawal shall become effective thirty days after presentation by the shareholder of the written notice required by this section at a meeting of the association or if not presented by him at a meeting then thirty days after the first meeting of the association held after the receipt of such notice at the place of business of the association

Section 613 Involuntary Withdrawal of [Prepaid] Optional Payment or Installment Shares A An association may at or before maturity compel withdrawal of [prepaid] optional payment or installment shares which are not pledged to the association as security for mortgage loans granted by it but it shall not have the power to compel withdrawal of [any prepaid] any optional payment or any installment share as the case may be unless it shall have on hand sufficient funds to pay such withdrawals immediately and until [all prepaid] all optional payment or all installment shares respectively issued prior to the date of issuance of such share have first been voluntarily or involuntarily withdrawn In the case of installment shares issued in series such compulsory withdrawal shall be pro rata among the shares of the same series

[B The association shall pay on each prepaid share thus involuntarily withdrawn the full amount of the cash payment made thereon by the shareholder at the time of the issuance of such share plus the full portion of the accumulated earnings of such association properly apportionable to such share]

C The association shall pay on each installment or optional payment share thus involuntarily withdrawn the full amount of the dues paid thereon by the shareholder plus the full portion of the accumulated earnings of such association properly apportionable to such share

Section 615 Matured Shares A [An installment optional payment or prepaid share] Installment shares shall be declared matured by the board of directors of an association whenever [in the case of a prepaid share the cash payment made thereon by the shareholder at the time of the issuance of such share or in the case of an installment or optional payment share] the dues paid thereon by the shareholder plus the [full portion of the accumulated earnings of such association properly apportionable to such prepaid optional payment or installment share as the case may be after deducting the reserve for contingent losses created pursuant to the provisions of this act equal the par value of the share] dividends credited thereto equal the aggregate par value of the installment shares subscribed to by such shareholder Notice of such maturity shall forthwith be given to the holder of such [share] shares and at the option of the holder thereof such shares shall either be converted into full-paid shares or into optional payment shares or be listed for payment as withdrawn shares If the shareholder does not elect one of the options within thirty days after maturity such shares shall immediately be converted at the option of the association into optional payment shares or full-paid shares or be listed for payment as withdrawn shares

B If the shares thus declared matured have not been pledged to the association as security for a loan the association shall before making payment or converting such shares deduct an amount equal to any delinquent fines or other charges due it by such shareholder

C If the shares thus declared matured have been pledged to the association as security for a loan which is secured also by a mortgage upon real property then the mortgage shall be forthwith satisfied upon the payment of any delinquent fines or other charges due the association and upon the payment of a fee not in excess of three dollars and in addition thereto a fee of ten cents per mile if the place of business of the association is not located in the county where the mortgage is to be satisfied

D If the shares thus declared matured have been pledged to the association pursuant to a loan upon which the sole security is such shares the note shall be forthwith cancelled and the amount of the loan together with the amount of any delinquent fines or other charges due the association shall be deducted from the [matured] participation value of such shares The balance shall be payable to such shareholder in the same manner as provided by this act in the case of shares which have been declared matured which are not pledged to the association as security for a loan

[E The holder of a share which has been declared matured pursuant to the provisions of this section shall be entitled to cash dividends upon any unpaid portion of the par value thereof at the rate of four per centum per annum from the date of the declaration of maturity but the rate of such dividends shall not in any event exceed the rate of earnings apportioned during such period to installment optional payment or prepaid shares which have not been declared matured]

Section 616 Order of Payment and Funds to be Used to Pay [Matured or] Withdrawn Shares Power to Sue A Withdrawn [or matured] shares shall be paid in the order in which the withdrawals become effective [or the maturities are declared] but withdrawals which become effective [or maturities which are declared] upon the same day shall be paid on a pro rata basis However the board of directors may at any time [either] authorize payment of [withdrawn shares on a pro rata basis or with the consent of the department fix a maximum amount to be paid periodically on such shares The action of the board of directors in authorizing payment to be made on a pro rata basis or in fixing a maximum amount to be paid periodically shall also apply to unpaid withdrawals which became effective prior to the rate on which such action was taken by the board of directors] withdrawals not exceeding one hundred dollars to any one shareholder in any one month in any order

B At least two-thirds of the funds in the treasury of an association shall be applied to the payment of [matured or] withdrawn shares whenever such amount is necessary for this purpose but the association shall first deduct such amount as shall be necessary to pay current expenses and [interest or] dividends on full-paid shares to protect or preserve the asests of the association and to make proper provisions for meeting such obligations as it may reasonably be expected to be compelled to pay [Whenever two-thirds of the funds in the treasury other than such amounts as are required by this section to be deducted are insufficient to pay in full all matured or withdrawn shares such funds shall be applied to the payment of withdrawn and matured shares in proportion to the total amount of unpaid claims in each class]

C Whenever funds are not available in the manner hereinbefore provided to pay any [matured or] withdrawn share upon which payment has been due for a period in excess of six months eighty per centum of the funds in the treasury other than such amount as are required

by this section to be deducted shall be applied to the payment of [matured or] withdrawn shares [whenever eighty per centum of the funds in the treasury other than such amounts as are required by this section to be deducted are insufficient to pay in full matured or withdrawn shares such funds shall be applied to the payment of withdrawn and matured shares in proportion to the total amount of unpaid claims in each class]

D Whenever [matured or] withdrawn shares have not been paid by an association for a period of six months after the maturities have been declared or the withdrawals have become effective owing to the fact that the funds in the treasury which under this act are to be applied to the payment of such shares are insufficient to pay them in full so much of the bonds or other obligations of the United States of the Commonwealth of Pennsylvania of the Federal Home Loan Bank Board [or] of a Federal Home Loan Bank of the Federal Savings and Loan Insurance Corporation owned by the association as shall be necessary to pay such [matured or] withdrawn shares shall be sold and the proceeds paid into the treasury of the association to be used to pay such shares unless the department shall give written permission to the association to hold such bonds or other obligations for a longer period of time

E For the purposes of this section the words "funds in the treasury" shall be construed to include all moneys received by the association from any source whatsoever except money borrowed from the Federal Home Loan Bank

F The holders of [matured or] withdrawn shares shall not have the power to sue for the amount due them by virtue of [such maturity or] such withdrawal until such time as under the provisions of this section [such matured or] such withdrawn shares should have been paid

Section 617 Fines A Any association may impose fines upon its shareholders for failure to pay dues on installment shares interest [or premiums] except interest on direct reduction mortgage loans or fines but a fine shall not exceed one-half of one per centum per month of the amount of the dues interest or [premiums] fines which are in arrears for the period during which they have been in such arrears [Such fines may be deducted from or charged against the earnings of the association properly apportionable to the shares in the association on account of which such defaults are made but fines for a longer period than six months shall not under any circumstances be deducted from or charged against the dues paid by the shareholders upon such shares]

B An association shall not impose fines upon the shares of a deceased shareholder for the defaults incurred after his death unless his legal representative makes a payment upon such shares in which case fines may be levied against such shares for all defaults after the date of such payment

C Fines levied pursuant to the provisions of this act shall not be deemed usurious

Section 8 Section six hundred eighteen and subsections A and D of section eight hundred two as last amended by the act approved the twenty-fourth day of June one thousand nine hundred thirty-nine (P. L. 740) are hereby further amended to read as follows

Section 618 [Restriction on Dividends on Full-Paid Shares' Undivided Profits A The rate of cash dividend paid on full-paid shares during any year shall not exceed the rate of earnings apportioned during such year to installment optional payment or prepaid shares of the association] Dividends on Shares Undivided Profits A The rate of cash dividend paid on full-paid shares during any dividend period shall not exceed the rate of dividends credited during such period to optional payment shares of the association and the rate of dividends credited to optional payment shares during any dividend period shall not exceed the rate of dividends credited during such period to installment shares

B An association may retain earnings in an undivided profit account to be used at the discretion of the board of directors for the purpose of paying additional dividends Provided That the total undivided profits on hand at any one time shall not exceed [five] seven per centum of the [amount paid in by shareholders on account of shares] participation value of all outstanding shares of the association

C The books of each association shall be closed at least semi-annually and as much oftener as the board of directors may determine and the net profits for the period determined and transferred to the undivided profit account Dividends shall be declared at least semi-annually by resolution of the board of directors out of the undivided profits after appropriate transfers to the reserve for contingent losses For the purpose of maturing installment shares special dividends may be declared between regular dividend dates to installment shares nearly matured and special dividends may also be declared betweeen regular dividend dates to installment optional payment and full-paid shares in the case of withdrawal between dividend dates Such special dividends shall not be declared unless justified by the earnings for the current period and shall not in any event exceed the rate of the last regular dividend on the same type of shares

D Dividends on full-paid shares shall be paid promptly in cash Dividends on all other classes of shares including dividends or earnings credited or apportioned to such shares on the effective date of this act shall be credited on account of the shares and shall become part of and be included in the share liability of the association the same as though actually paid in by the shareholders on account of shares

E All shares of the same type standing on the books of an association at the close of a dividend period including shares for which notices of withdrawal have been given but which have not been paid shall participate with all other shares of the same type equally in dividends pro rata to the average amount including previously credited dividends standing to the credit of each share during the dividend period however the board of directors may fix a date in each month for determining the date of investment of share payments in which event such share payments received by the association on or before such determination date shall receive dividends as though invested for the entire month and such share payments received subsequent to such determination date shall receive dividends as though invested during the next succeeding month Provided however That the board of directors may permit investments of one hundred dollars or more to receive dividends calculated from the date of actual receipt by the association in any event And provided further That in the case of installment shares upon which fines are charged for arrearages all payments of dues may for dividend purposes be considered as having been paid when due

Section 802 Power to Borrow Money Issuance of Notes Pledging of Collateral A An Association may by resolution of its board of directors borrow money at a rate of interest not exceeding six per centum per annum to a total amount not exceeding fifty per centum of the [amount paid in by shareholders on account] participation value of shares which have not been pledged to the association as security for mortgage loans or which have not on the date of such borrowing been matured or for which notice of withdrawal has not on such date been given Provided That the amount of all existing share loans shall be deducted in determining the [amount paid in by shareholders on account] participation value of shares

* * * * *

D An association shall not grant any mortgage loan if the amount of borrowed money owed by it to [any corporation or person] corporations or persons except the Federal Home Loan Bank or any other agency or instrumentality of the United States Government other than national banks exceeds [ten] fifteen per centum of the [amount paid in by shareholders on account] participation value of shares which have not been pledged to the association as security for mortgage loans or which have not been matured or for which notice of withdrawal has not been given [but this] The amount of all existing share loans shall be deducted in determining the participation value of shares This provision shall not be construed to affect the right of an asso-

ciation to readjust or otherwise refinance any mortgage loan which it has granted

Section 9 Section eight hundred three of said act as amended by the act approved the fifteenth day of March one thousand nine hundred thirty-seven (P. L. 63) is hereby further amended to read as follows

Section 803. Authorized Investments A Except as otherwise specifically provided in this act an association shall not make any investments except as follows

(1) Bonds or other interest-bearing obligations of the United States or those for the payment of the principal and interest on which the faith and credit of the United States is pledged

(2) Bonds or debentures issued by a Federal Home Loan Bank or consolidated debentures issued by the Federal Home Loan Bank Board under the provisions of the Federal Home Loan Bank Act approved the twenty-second day of July one thousand nine hundred thirty-two its amendments and supplements

(2.1) Bonds or interest-bearing debentures issued by the Federal Savings and Loan Insurance Corporation under the provisions of Title IV of the National Housing Act approved the twenty-seventh day of June one thousand nine hundred thirty-four its amendments and supplements

(3) Bonds or other interest-bearing obligations of the Commonwealth of Pennsylvania or those for the payment of principal and interest on which the faith and credit of this Commonwealth is pledged

B An association shall not at any one time without the written approval of the department have more than twenty-five per centum of the amount paid in by its shareholders on account of shares invested in the bonds debentures or other interest-bearing obligations authorized by this section as investments for associations

Section 10. Subsection A of section eight hundred five of said act is hereby amended to read as follows

Section 805 Limitation on Building Owned or Leased Furniture and Fixtures Therein A The cost of the real property inculding the building or buildings thereon which an association owns and occupies for the transaction of its business or partly so occupies and partly leases to others together with the cost of furniture and fixtures therein which belong to the association shall not at any time exceed in the aggregate five per centum of the [amount paid in by its shareholdrs on account] participation value of its outstanding shares However an association shall not purchase any real property or erect any building for its occupancy in the transaction of its business without the prior written approval of the department

Section 11 Subsections A and B of section eight hundred eight and subsections A and B of section nine hundred three as amended or last amended by the act approved the fifteenth day of March one thousand nine hundred thirty-seven (P. L. 63) are hereby further amended to read as follows

Section 808 Segregation of Dues Upon Order of Department A Whenever it shall appear to the department that the affairs of an association are in such condition that the action hereinafter provided in this section is justified the department may by written order issued in the manner provided by law direct that all payments made thereafter on account of shares which have not been transferred and pledged to the association as security for loans shall be segregated from the other assets of the association and that the association shall not grant any further loans make any payments on account of withdrawn or matured shares or allow any credit for the value of any shares on account of the principal of any loan until such order is revoked in writing by the department Such order of the department shall be known as an order of segregation Such segregated moneys shall either be kept on deposit in a depository selected in the manner provided by this act or invested in the bonds designated by this act as authorized investments for associations The money so segregated and the bonds in which such moneys are invested shall be known as the segregated fund

If an association at any time after an order of segregation has become effective has no liability except to its shareholders arising from the ownership of shares it may with the written consent of the department transfer to the segregated fund a portion or all of any cash which it may have on hand and bonds if any designated by this act as authorized investments Cash and bonds so transferred shall become a part of the segregated fund the same as though paid into the segregated fund by the shareholders whose shares are not pledged to the association as security for loans in proportion to the [amounts paid in on account] participation value of their shares on the date that the order of segregation was issued Such segregated fund shall not be subject to any attachment issued on a judgment obtained by any creditor or shareholder of the association

During the period of segregation the segregated fund shall be available exclusively for the benefit of the shareholders who made such payments or for whose benefit the transfer of cash and bonds was made and may be withdrawn during such period of segregation upon thirty days' written notice

B All dues paid in during the period of segregation by shareholders whose shares are pledged to the association as security for loans shall be known as segregated credits and shall be applied as credits against the principal of any loans so secured which are repaid during the period of segregation

When any transfer of cash and bonds is made to the segregated fund the shareholders whose shares are pledged to the association as security for loans shall be entitled to segregated credits which shall bear the same relation to the [amounts paid in by them on account] participation value of their shares prior to the effective date of the order of segregation as the amount of cash and bonds so transferred bears to the total [amount paid in on account] participation value of shares prior to the effective date of the order of segregation by shareholders whose shares are not pledged as security for loans

If at any time during the period of segregation the segregated credits on shares pledged for a loan exceed the amount of the loan for which such shares are pledged all payments made by the borrower thereafter shall be segregated in the same manner as payments made by shareholders whose shares have not been pledged to the association as security for loans

Section 903 Security for Mortgage Loans A An association shall grant mortgage loans to its shareholders or to any person intending to become a shareholder upon the following security only

[(1) The bond of the borrower secured by the transfer and pledge to the association of installment shares in such association which belong to the borrower and which have a par value at least equal to the amount of the loan and further secured by a mortgage upon real property which belongs to the borrower such mortgage being for at least the full amount of the loan A loan secured in this manner shall be known as a share-mortgage loan and the mortgage securing such loan as a share mortgage]

(2) The bond of the borrower secured by the transfer and pledge to the association of one direct reduction loan [shares] share in such association which [belong] belongs to the borrower [and which have a par value at least equal to the amount of the loan] and further secured by a mortgage upon real property which belongs to the borrower such mortgage being for at least the full amount of the loan Provided That an association may accept and hold additional collateral of any kind if the loan meets all of the requirements of this act and could have been legally made without the additional collateral A loan secured in this manner shall be known as a direct reduction mortgage loan and the mortgage securing such loan as a direct reduction mortgage

[(3) The bond of the borrower secured by a mortgage upon real property which belongs to the borrower such mortgage being for an amount not to exceed one-half of the amount of the loan such portion of the loan to be known as the straight-mortgage portion of the loan and a bond for the remainder of the loan secured

by the transfer and pledge to the association of installment shares in such association which belong to the borrower and which have a par value at least equal to the amount of such remainder of the loan and further secured by a mortgage upon such real property for an amount equal to such remainder of such loan such remainder of such loan to be known as the share-mortgage portion of the loan A loan secured by both a straight-mortgage and a share-mortgage in this manner shall be known as a split-mortgage loan A split-mortgage loan may also be in the form of a single bond and mortgage which meets all the requirements of this section

The straight-mortgage portion of a split-mortgage loan shall not be secured by shares and an association shall not charge fines upon such portion of the loan

An association shall not demand payment of the straight-mortgage portion of a split-mortgage loan except in case of a default by the borrower in the terms of the loan until the share-mortgage portion of such loan has been repaid in full by the maturing of the shares assigned or pledged as security therefor or by any other method Upon such payment of the share-mortgage portion of a split-mortgage loan an association shall either demand and enforce payment of the straight-mortgage portion of the loan or convert such loan to a share-mortgage loan or to a direct reduction mortgage loan upon the transfer and pledge to the association of installment shares or direct reduction loan shares in such association which belong to the borrower and which have a par value at least equal to the amount of such loan]

B An association shall not grant any mortgage loan unless the mortgage securing such loan (1) is a first lien upon unemcumbered improved real property the improvement being a dwelling for not more than four families which is used or to be used in whole or in part for residential purposes or upon real property upon which such a building is in the process of construction situated anywhere within the Commonwealth or where it is not a first lien upon such property every equal or prior lien is owned by the association and (2) does not together with any other lien held by such association upon such property exceed eighty per centum of the fair market value of such real property plus the [amount paid to the association prior to or] withdrawal value upon the day of the granting of such loan [upon] of shares to be assigned or pledged to the association by the borrower as security for such loan Provided however that shares of the association owned by any shareholder may be assigned or pledged as additional collateral security for the mortgage loan and in such event the mortgage loan granted upon such property may be increased by the withdrawal value of the additional pledged shares to an amount not to exceed a maximum total mortgage loan of ninety per centum of the fair market value of such real property and the association may release this additional collateral whenever the mortgage loan meets all of the requirements of this act and could be legally made at the time of release without the requirement of additional collateral An association shall not take any lien upon real property as security for a mortgage loan if such lien is equal to any lien owned by any other corporation or person

The provisions of this subsection shall not be construed to apply to a purchase money mortgage taken by an association upon real property owned by it nor to the readjustment or refinancing in any other manner of a mortgage loan owed to the association upon the effective date of this act

[Notwithstanding the provisions of this subsection an association may prior to the first day of June one thousand nine hundred thirty-five grant a loan upon improved real property encumbered by a mortgage not owned by the association provided that the prior encumbrance not owned by the association does not exceed forty per centum of the fair market value of such real property and that it will not together with the mortgage securing such loan exceed sixty per centum of the fair market value of such real property]

Section 12 Section nine hundred six of the said act is hereby amended to read as follows

Section 906 Reduction and Extension of Mortgage Loans by Application of [Withdrawal] Participation Value A borrower may with the consent of the association have the [withdrawal] participation value of installment shares which have been pledged as security for a mortgage loan credited on account of the principal of such mortgage loan provided that he pledges or assigns to the association in lieu of the shares so withdrawn or applied [other shares in the association of an aggregate par value of not less than the amount to which such loan is reduced] one direct reduction loan share and converts the unpaid balance of the loan into a direct reduction mortgage loan

Section 13 Sections nine hundred seven and nine hundred ten and subsections A and B of section nine hundred eleven of said act as amended or last amended by the act approved the fifteenth day of March one thousand nine hundred thirty-seven (P. L. 63) are hereby further amended to read as follows

Section 907 [Interest Reduction Loans and] Direct Reduction Mortgage Loans [A A borrower with the consent of the association may have the periodical installments of dues on his shares credited on account of the principal of the mortgage loan at such times as shall be provided in the mortgage and also in its accompanying bond or other obligation if any and the interest and the premium if any thereon shall be computed on the balance of the principal of the loan in each case when the dues have been so credited The borrower in such case may agree that the subsequent dues on his shares shall become automatically increased by the amount of the reduction of interest and of premium if any in each case when the dues have been so credited so that the total of each monthly installment of dues and interest and premium if any shall remain the same until the loan has been paid in full but the right to have the dues on the shares credited on account of the principal of the loan as well as the agreement if any that the dues on the shares shall become automatically increased as herein provided shall be set forth in the mortgage and also in its accompanying bond or other obligation if any

The borrower shall have the right with the consent of the association when the dues so credited on account of the principal of the loan shall equal the par value of one or more shares to have the number of shares reduced to such number that their aggregate par value shall not be less than the reduced amount or balance of the principal of the loan still remaining unpaid The periodical installments of dues on the shares thus reduced as well as the interest on the reduced principal of the loan and premium thereon if any shall be payable after the date of such reduction the same as if the shares had been originally issued in such reduced number as of such date and such loan made for such reduced amount

When the dues on the shares are credited on account of the principal of the loan as herein provided such shares shall not participate in the profits of the association nor be subject to losses When the loan has been paid in full by the crediting of the dues thereon as herein provided the borrower shall be entitled to have his mortgage satisfied upon the payment of a fee not exceeding three dollars and in addition thereto a fee of ten cents per mile if the place of business of the association is not located in the county where the mortgage is to be satisfied]

[B Direct reduction mortgage loans secured by the transfer and pledge of direct reduction loan shares shall be repaid by the monthly application and credit of the dues paid on such shares on account of the principal of the mortgage loan Such loans shall be known as direct reduction mortgage loans] A mortgage loan secured by the transfer and pledge of one direct reduction loan share shall be repaid by the monthly application and credit of the dues paid on such share on account of the principal of the mortgage loan The interest or interest and premium shall be computed monthly on the

unpaid balance of the principal of the loan and such interest or interest and premium if not paid [may] shall be added to the unpaid principal together with any and all payments or advances made by the association for taxes water rents assessments insurance premiums or other charges or advances permitted by law Payments made by the borrower shall be applied first to the interest or interest and premium due the association and the remainder of the monthly payment shall be credited on account of dues on the direct reduction loan [shares] share The subsequent periodical dues on the direct reduction loan [shares] share shall become automatically increased by the amount of the reduction of interest or interest and premium when the dues have been so credited to the principal of the loan so that the total of each monthly installment of dues and interest or dues interest and premium shall remain the same until the loan has been paid in full When the loan has been repaid in full by the crediting of the dues thereon as herein provided the borrower shall be entitled to have his mortgage satisfied upon the payment of a fee not exceeding three dollars and in addition thereto a fee of ten cents per mile if the place of business of the association is not located in the county where the mortgage is to be satisfied

[C The borrower shall have the right with the consent of the association to have the number of direct reduction loan shares reduced to such number that their aggregate par value shall not be less than the reduced amount or balance of the principal of the loan still remaining unpaid The periodical installments of dues on the shares thus reduced as well as the interest or interest and premium on the reduced principal of the loan shall be payable after the date of such reduction the same as if the shares had been originally issued in such reduced number as of such date and such loan made for such reduced amount]

[D A borrower may with the consent of the association convert a share-mortgage loan into a direct reduction mortgage loan or convert a direct reduction mortgage loan into a share-mortgage loan]

Section 910 Security for Share Loans An association may grant share loans to any of its shareholders upon the following security only The note of the borrower secured by [the transfer] an assignment as collateral and pledge to the association of installment optional payment or full-paid [or prepaid] shares which have not previously been transferred or pledged to anyone other than the association the [amount paid in on account] withdrawal value of such shares prior to or at the time of the granting of any loan upon the security of such shares shall be at least equal to the total amount of all loans granted thereon

Section 911 Repayment of Loans before Maturity A A borrower shall have the right to repay a loan to an association at any time [before the maturity of the shares securing such loan] unless the by-laws of an association provide that such repayment can be made only at a regular meeting of the board of directors of such association

B When a borrower repays a loan other than a direct reduction mortgage loan to an association [before the maturity of the shares securing such loan] he may

(1) Pay the amount of the principal of the loan in cash and have the shares securing such loan [retransferred] reassigned to him by the association or

(2) In the case of a share mortgage loan apply the [withdrawal] participation value of the installment shares securing such loan against the principal of such loan and pay the balance in cash or

(3) In the case of a share loan take credit for the withdrawal value of the shares securing such loan up to the amount of the principal of the loan and as to any balance remaining either acquire the rights of a withdrawing shareholder or have the reduced number of shares reassigned to him by the association

Section 14 Subsection B of section nine hundred twelve and subsection A of section one thousand one hundred six of said act are hereby amended to read as follows

Section 912 Demand by Association of Payment of Mortgage or Share loans

* * * * *

B Except as otherwise provided in this section an association which is not in the possession of the Secretary of Banking as receiver or of a liquidating trustee or liquidating trustees shall not except upon a default by the borrower have the power to demand payment of any share mortgage loan secured by installment shares or of any share loan secured by installment shares until the installment shares transferred and pledged to it as security for the loan have matured

Section 1106 Notice to Creditors and Shareholders A After the Department of State has [transmitted to the association] filed the [copy of the] certificate of election to dissolve the liquidating trustee or trustees as the case may be shall forthwith give notice to all corporations or persons who appear upon the books or other records of the association as or who are otherwise known to the liquidating trustee or trustees to be creditors or shareholders of the association Such notice shall be sent to or given at the address which appears upon the books or other records of the association for the particular corporation or person or if no address appears there then to the last known address of such corporation or person

The notice to each shareholder shall state the amount which the books or other records of the association show to be due to such shareholder It shall also state that unless such shareholder shall present his claim under oath or affirmation within three months from the date of the giving of such notice the amount shown to be due by the books of the association will be conclusively presumed to be correct

The notice to each creditor other than a shareholder shall inform such creditor that he must present his claim under oath or affirmation within three months from the date of the giving of such notice or else be barred from claiming an amount exceeding the amount shown to be due him on the books or other records of the association and that he must present his claim under oath or affirmation within six months from the date of the giving of the notice or else be forever barred from sharing in any distribution of the assets of the association

Section 15 Section one thousand one hundred twelve of said act as last amended by the act approved the fifteenth day of March one thousand nine hundred thirty-seven (P. L. 63) is hereby further amended to read as follows

Section 1112 Order of Preference in Distribution A The following shall be the order followed by the liquidating trustee or trustees as the case may be in the distribution pursuant to the provisions of this act of the assets of any association which is being liquidated in pursuance of a plan of voluntary dissolution

First Any reasonable expense incurred by the liquidating trustee or trustees as the case may be in the management liquidation or distribution of the assets and affairs of the association any fee or other debt owing to the department for examinations or other services rendered or penalties incurred any other claim of the Commonwealth of Pennsylvania and any other claim which is given a preference by law

Second Any claim of a creditor of the association other than the claim of a shareholder arising from his ownership of shares

Third Any claim of a shareholder whether or not reduced to a judgment arising from his ownership of shares whether such shares be installment optional payment full-paid prepaid matured or any other type and whether or not notice of withdrawal of such shares has been given to the association The amount of the claim arising from each share shall be the [amount actually paid in on account] participation value of such share less any amount lawfully deductible therefrom by the association [except in the case of the lawfully and properly matured share in which case the amount of the claim shall be the actual par value of the share less any payment received on account thereof from the association and less any other amount lawfully deductible therefrom by the association]

B Every claim enumerated above shall have the same rank and priority as every other claim in the same numbered paragraph regardless of the order in which such claims are enumerated

C All claims provided for in this section shall be construed to refer only to claims presented to the liquidating trustee or trustees in the manner provided in this act and approved by him or them in accordance with the plan of dissolution

Section 16 The provisions of this act shall become effective on the first day of July one thousand nine hundred forty-four

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. PAUL L. WAGNER. Mr. Speaker, inasmuch as this bill is some forty-three pages in length, I am just a little bit doubtful as to whether each Member of the House has carefully studied it and formated an opinion about its contents. I am certainly not going to read the bill at length nor am I going to make a speech that even approaches forty-three pages in size but I feel that it might be well, inasmuch as a lot of stories have been passed around more or less inaccurate, to summarize what this bill does.

Mr. Speaker, if we were to give this bill a name, we might call it the "People's Bill," because it is a bill that apparently both sides of the House have been looking for. It gives the little fellow a break and gives the small man protection. There are three questions that ought to be answered to the satisfaction of everybody here before anybody votes on the bill. First what does it do? Second, why do we need it, and the third is, who is asking for it?

What this bill does primarily is to establish in building and loan practice what is known as a direct reduction loan to capitalize deferred income only on building and loan investments. At the present time when a man borrows money on a sinking fund basis he starts out intending to buy a home and he finds out many a time that he might as well have played the stock market. This bill would provide that the state chartered building and loan associations would reduce a man's loan every time he paid something on the principal. If he borrows $5,000 and pays $50 on it, he no longer owes that, yet under the sinking fund provision in effect at the present time a man has often borrowed $5,000 for a home and he thought he had paid $4,000 back and he finds that he still owes $5,000 and very often he loses his home. There may be some building and loan associations, and there are some building and loan solicitors and there may be some building and loan secretaries who do not particularly like this bill because of the way they do business, but I have not as yet seen anybody who has received a letter from the little fellow or who puts his money into a building and loan association in which the stockholder has the privilege of paying his money two or three times according to the legal provisions who is against it.

We put money into the building and loan associations year after year and they issue statements that they have earned anywhere from six and a half to seven and a half per cent, but we do not get it. That statement may be made honestly, and maybe after twelve or thirteen years you will get those dividends, but circumstances may prove to be such that after they have accumulated for six or seven or eight years they are recaptured by the officers and directors of the building and loan association. That is what this bill does.

Why do we need the bill? Somebody said that the building and loan associations have been very successful in Pennsylvania for the past one hundred years and that we should not disturb such a very beautiful, delightful and happy situation. I say to you tonight, Members of the House, that since 1939 the building and loan associations of Pennsylvania have lost more than $1,300,000 and the total assets have decreased more than $1,100,000,000. If that state of affairs continues there will be no building and loan association in a matter of time. The only objection I find and the only objection that appears to have any logic at all about this bill is the fact that it seems to be favorable to the Federal building and loan associations. That is exactly opposite to the truth. What this bill does is to make it possible for your building and loan association and my building and loan association in which I am a director, makes it possible for us to compete on the same kind of basis as the Federal building and loans have set up. All the time that the assets of our state chartered building and loan associations have been falling off a million dollars, all that time the membership has shrunk over two-thirds in the past twelve years. The membership in the Federal chartered building and loan associations has risen almost one thousand per cent in the state of Pennsylvania. That does not hurt the Pennsylvania state chartered building and loan associations. It is going to save them if we have the sagacity and the foresight to look after the interests of the little fellow and if we are going to protect his rights.

Finally, Mr. Speaker, who is for this bill. That is a fair question. I say it is not the Wagner bill, it is not the Haudenshield bill. I do not claim it is an administration bill, it is neither a Republican nor a Democratic bill. It is a bill for the benefit of the little fellow who has to do business with the building and loans. The Department of Banking has been working on this proposition for the past six or eight years. They want it, they say we need it. In other words, the people who are for this bill, and will you mark this, and then I shall cease to ask for your indulgence, the great Commonwealth of Pennsylvania, including the man who is in charge of building and loans for the past thirty years, the experts in whose hands and in whose trust and in whose care and under whose supervision we have entrusted the building and loan investigations of Pennsylvania they say we want this bill, they say we need this bill if building and loans in the state of Pennsylvania are to continue to exist, and if the owners of the building and loans are to be protected from inevitable loss of their money.

Mr. LOVETT. Mr. Speaker, I rise to support this bill because I feel that this is another means of protecting our state rights. If I understand the gentleman correctly, he said that the Federal building and loans are doing a much larger share of business in the state of Pennsylvania because the Federal building and loan law protects the interests of the little fellow. Unless

we as members of the Legislature are going to be big enough and stand up and vote for legislation that is right, regardless of the selfishness of individuals, then I say to you we will lose our state rights. But when we are big enough to stand up and vote for legislation to protect the organizations within our state and make them financially sound, then we will protect the organizations of our state and we shall have state rights. I ask the Members of the House to vote for this piece of legislation.

Mr. ALSPACH. Mr. Speaker, I think it will take me about twenty-five or thirty seconds to express what I am going to say in support of this bill. The heads of one of the large building and loans in our city who are opposing this bill very strenuously have been pestering me to use my influence to vote against the bill. They came up here to the public hearing held here a few weeks ago. A few days ago I got a letter from which I am going to read two or three sentences:

> "Last week we attended a very interesting hearing on House Bill No. 486, being the bill amending the present building and loan code. After hearing the discussion and talks with a number of those present and interested in the bill, we have come to the conclusion that House Bill No. 486 should be passed."

Mr. Speaker, I felt that this bill was a mistake, but after attending the hearing and giving considerable thought to the matter I am convinced that it is the best solution to correct the defects in our present code and to protect the stockholders particularly in cases of insolvency of associations. I think this bill is very, very meritorious and I solicit your support.

Mr. COHEN. Mr. Speaker, the people who would want this bill are investors and people who are trying to buy a home. May I say that today I am solicitor of a building and loan association in Philadelphia. It is not a very big one, it is run rather conservatively, it makes a rather nice profit for its investors. Its policy has been directed towards the benefit of the man who is thinking of owning his own home. Directors of this association are using this association not for their own individual profit. They consider it a sort of a little bit of a social obligation which they have as mature business men to help those who seek funds to purchase their homes.

May I say, Mr. Speaker, that this association requests and urges and asks that everyone support a piece of legislation of this sort because they feel it will give them an added measure of real protection to the man who must come to borrow to keep the roof over his head.

Mr. WILLIAM M. HUNTER. Mr. Speaker and Members of the House, I regard the present House Bill 486 as being almost entirely in the interest of the borrower and prejudicial to the interests of the investor. For years building associations have been strong largely because of shareholders, both borrowers and non-borrowers participate on the same basis.

In providing that all loans must be made upon direct reduction basis we in effect are proposing to guarantee to the borrower that his shares will mature under any circumstances in a fixed time, usually 139 months, and the necessary result of this is that under any conditions the saving shareholder must carry his shares for a much longer period, probably one or even two years.

In addition, the effect of this bill guarantees that in case the association must liquidate the borrowing member will not share to any extent in the losses and such losses will be imposed entirely upon the investor. It seems to me that this will make it extremely difficult to interest investors in shares. Without the investor there will be no funds for the borrower.

I believe that the best results will be obtained by having the law remain as it now is, namely, that associations at their option can grant direct reduction loans or installment share loans. With honest management such a plan will work well. Under any law, results will be poor where mismanagement exists.

It is true that many associations have been compelled to liquidate with losses to the members. I feel that in almost every instance the failure was due either to mismanagement or to unwise second mortgage loans. Had the associations limited themselves to first mortgage loans as now required by law most of the failures would never have occurred.

I feel sure, also, that the record of first mortgage associations will compare very favorably with experience of banks and other types of financial institutions and that on the whole the investor in first mortgage associations has fared much better both as to principal and income than has the investor in banks.

I am opposed to any present changes in the building association laws. As long as building associations adhered to their original principles they prospered. By this I mean that building associations were originally organized to aid home buyers. It is my information that very few first mortgage associations in the state became insolvent. I know that in the city of Chester no first mortgage association suffered very serious trouble.

At the present time the Chester associations are maturing generally in about 144 months. This means a profit or income to the shareholder at the rate of six and one-half per cent interest yearly on simple interest basis and five and one-half per cent yearly compounded semi-annually. I am sure that all of us will agree that this is a very handsome income and is far better than the income being obtained from any federel association, generally two and one-half to three and one-half per cent. I believe that the almost sure result of the proposed changes as set forth in House Bill 486 will lead to our associations very generally becoming federalized.

If this is done control of the associations will be handed over by the state to the federal government and I believe this would be very unwise. The federal associations as yet have not faced a depression and we do not know how they will come through experiences such as have faced State associations during the last fifteen years. It seems to me that those associations who have survived the troubles since 1929 have proven themselvese sound and they should be maintained in their present healthy form.

In my opinion the obligation to capitalize profits will lead associations to creating very large reserves at the expense of the shareholder and this will increase the time of maturity to a period of 13 or even 14 years. If this should happen the saving or investing member will not be attracted by the shares and hence there will be no funds

which can be loaned to the man who wants to purchase a home.

I am opposed to the proposed House Bill 486 which would make direct reduction loans obligatory. In other words, this is a "must" Bill. I feel that each association should have the right as now to lend on mortgages as it prefers, on a direct reduction basis or on the State installment share plan.

The associations in Chester are today operating upon a very sound and profitable basis and are finding no great difficulty in procuring applications. Most of them are offering to buyers the right to take loans in the old saving share form or under the new direct reduction plan.

I also believe that the provisions which will permit members to withdraw at any time and obtain full book value less only nominal withdrawal fee will encourage cancellations. These will be harmful to the withdrawing member who thereby loses the benefits of a sound saving plan and also will decrease the ability of the associations to lend moneys probably at a time most necessary.

In addition, I believe that any immediate change in building association laws and particularly of the kind proposed in House Bill No. 486 will cause trouble and confusion and it seems to me that under any conditions changes should be gradual rather than on the wholesale basis set forth in the present bill.

I believe that we can do the most good for the building associations in Pennsylvania in encouraging them to operate more closely along the original ideas of those who started the building association movement in Pennsylvania, concentrating on the lending of funds to the individual home buyer and avoiding any exploitation of the associations by those selfishly interested in the sale of properties.

I believe that we should encourage the regular methodical payment of fixed sums each month instead of encouraging the hit or miss idea of paying as you please which in practice means that very few payments will be made in comparison with those which are made under the old fashioned plan of a mixed amount on a fixed day each month.

I received a communication from the Pennsylvania Building and Loan League, which is one of the proponents of this bill, setting forth the number of members and so on that have been lost in the last twelve or fifteen years, and also as to the amount of money that has been lost. There is no question of the number of building and loans that have failed in the last ten years, and most of these building and loans have lost through mismanagement, second mortgage loans and even third mortgage loans. I know in the last World War—I am in the real estate business—and I know there were lots of building and loan associations which were organized and made loans even on third mortgages. They would borrow all the money possible from banks and a second building and loan, and then they would turn round to a third building and loan and get another loan. Naturally when the depression came in 1929, or the crisis, those building and loan associations had to fail. There was no other reason for it. I don't care what kind of an organization you take, whether it is a bank, a mercantile establishment or a big organization, they can have all the capital they want, but if they don't manage that organization properly, they certainly will fail sooner or later. I know it has been said that they are afraid of the encroachment of the Federal building and loans and the old state associations. The comparison as I see it between the two organizations, the banks were unable to handle small loans on long terms so the Federal saving and loans were organized about six years ago to fill this need. The state building and loan associations were organized over one hundred years ago to help the man who wanted to buy a home. There is no danger of the Federals putting state associations out of business if they remain on the plan they are working under, but compulsory direct reducing mortgages and capitalization of dividends will certainly put them out of business if we have another depression like the last one and the members start drawing their savings out at the full book value.

Mr. Speaker, I would ask the Members of the House to consider this matter thoroughly and vote this bill down.

Mr. WALTON. Mr. Speaker, Mr. Hunter from Delaware has covered the ground very well. All I would like to say is that I happen to be one of the men who has opposed this bill right along and I am still opposing it. I am a member of this committee and I have letters from members of organizations, little fellows.

I belong to a building and loan association that has been in existence for twenty-five years. Although I come from the largest city in the state it is made up of sections all throughout the city and the people who live in my district, the biggest part of them wouldn't own their homes today if it had not been for the building and loan associations along the same lines as the small ones in existence today. They are coming back. I'll admit that they had a setback during the depression, but they are coming back and they are here today, and I don't see any reason for this Legislature up here to legislate them out of business. I ask the Members to vote against House Bill 486.

On the question recurring.

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken.

Messrs. Lovett, Baker and Stank asked for a verification of the roll.

The roll was verified and was as follows:

YEAS—103

Alspach,	Goodling,	Leydic,	Robertson,
Auker,	Goodwin,	Lichtenwalter,	Rose, W. E.,
Bentzel,	Grant,	Livingstone,	Rowley,
Boorse,	Green,	Longo,	Royer,
Boory,	Greenwood,	Lovett,	Salus,
Bower,	Gross,	Mahany,	Serrill,
Brigerman,	Hall,	Maxwell,	Snider,
Brown,	Hamilton,	McSurdy,	Sollenberger,
Brunner, P. A.,	Hannon,	Miller,	Stank,
Campbell,	Hare,	Mintess,	Stonier,
Chervenak,	Haudenshield,	Mock,	Taylor,
Chudoff,	Heatherington,	Mooney,	Thompson,
Cohen,	Helm,	Moran,	Thrasher,
Coleman,	Herman,	Murray,	Trent,
Cordier,	Hewitt,	Nowak,	Trout,
Denman,	Hocke,	O'Connor,	Turbett,
Dennison,	Hoffman,	O'Dare,	Wachhaus,
Depuy,	Hoggard,	O'Neill,	Wagner, K. H.,
Duffy,	Holmes,	Owens,	Wagner, P. L.,
Elliott,	Hunter, B. F.,	Pettit,	Weiss,
Ely,	Huntley	Polaski,	Winner,
Figlock,	Irvin,	Powers,	Wood, L. H.,
Fleming,	Jones,	Readinger,	Wood, N.,
Foor,	Kennedy,	Reagan,	Wright,
Garber,	Kowalski,	Reese, D. P.,	Fiss,
Gillan,	Krepps,	Regan,	Speaker.

NAYS—46

Baker,	Gorman,	Leonard,	Riley,
Barrett,	Gyger,	Lyons,	Schuster,
Barton,	Hersch,	McClester,	Stockham,
Bretherick,	Hoopes,	McKinney,	Tate,
Brice,	Hunter, W. M.,	Menna,	Tiemann,
Brunner, C. H.,	Imbrie,	Moore,	Wallin,
Burns,	James,	Muir,	Walton,
Cook,	Kirley,	O'Brien,	Welsh,
Costa,	Kline,	Petrosky,	Worley,
Dix,	Kolankiewicz,	Reese, R. E.,	Yeakel,
Erb,	Lane,	Reynolds,	Yester,
Freed,	Leisey,		

Less than the majority required by the Constitution having voted in the affirmative, the question was determined in the negative and the bill falls.

THE SPEAKER (Ira T. Fiss) IN THE CHAIR

The SPEAKER. The Chair thanks the gentleman from Forest, Mr. Serrill, for presiding.

BILLS PASSED OVER

There being no objection

House Bill No. 79, Printer's No. 385;

House Bill No. 904, Printer's No. 485; and

House Bill No. 933, Printer's No. 487

were passed over at the request of The SPEAKER.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1097, as follows:

An Act to further amend section twenty-one of the act approved the first day of June one thousand eight hundred eighty-nine (P. L. 420) entitled "A further supplement to an act entitled 'An act to provide revenue by taxation' approved the seventh day of June Anno Domini one thousand eight hundred and seventy-nine" by establishing a manufacturing exemption with regard to the capital stock tax and the franchise tax on domestic and foreign corporations joint-stock associations limited partnerships and companies

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 That section twenty-one of the act approved the first day of June one thousand eight hundred eighty-nine (P. L. 420 entitled "A further supplement to an act entitled 'An act to provide revenue by taxation' approved the seventh day of June Anno Domini one thousand eight hundred and seventy-nine" as last amended by the act approved the eighth day of April one thousand nine hundred thirty-seven (P. L. 239) is hereby further amended to read as follows

Section 21 (a) That every domestic corporation other than corporations of the first class nonprofit corporation and cooperative agricultural associations not having capital stock and not conducted for profit and every joint-stock association limited partnership and company whatsoever from which a report is required under the twentieth section hereof shall be subject to and pay into the treasury of the Commonwealth annually through the Department of Revenue a tax at the rate of five mills upon each dollar of the actual value of its whole capital stock of all kinds including common special and preferred as ascertained in the manner prescribed in said twentieth section Provided That nothing herein contained shall apply to the taxation of capital stock of corporations limited partnerships and joint-stock associations organized for manufacturing purposes which is invested in and actually and exclusively employed in carrying on manufacturing within the State excepting companies engaged in the distilling of liquors and such as enjoy and exercise the right of eminent domain but every corporation limited partnership or joint-stock association organized for the purpose of manufacturing shall pay the State tax of five mills herein provided upon such proportion of its capital stock if any as may be invested in any property or business not strictly incident or appurtenant to the manufacturing business in addition to the local taxes assessed upon its property in the district where located it being the object of this proviso to relieve from State taxation only so much of the capital stock as is invested purely in the manufacturing plant and business

(b) Every foreign corporation joint-stock association limited partnership and company whatsoever from which a report is required under the twentieth section hereof shall be subject to and pay into the treasury of the Commonwealth annually through the Department of Revenue a franchise tax at the rate of five mills upon a taxable value to be determined in the following manner The actual value of its whole capital stock of all kinds including common special and preferred shall be ascertained in the manner prescribed in the twentieth section of this act and shall then be divided into three equal parts

(1) Of one-third such portion shall be attributed to business carried on within the Commonwealth as shall be found by multiplying said third by a fraction whose numerator is the value of the taxpayer's tangible property not actually and exclusively used in manufacturing situated within the Commonwealth and whose denominator is the value of all the taxpayer's tangible property wherever situated

(2) Of another third such portion shall be attributed to business carried on within the Commonwealth as shall be found by multiplying said third by a fraction whose numerator is the expenditures of the taxpayer for wages salaries commissions or other compensation to its employes not exclusively engaged in manufacturing in this Commonwealth and assignable to this Commonwealth as hereinafter provided and whose denominator is the total expenditures of the taxpayer for wages salaries commissions or other compensation to all its employes

(3) Of the remaining third such portion shall be attributed to business carried on within the Commonwealth as shall be found by multiplying said third by a fraction whose numerator is the amount of the taxpayer's gross receipts from business not strictly incident or appurtenant to manufacturing in this Commonwealth assignable to this Commonwealth as hereinafter provided and whose denominator is the amount of the taxpayer's gross receipts from all its business

The sum of the amounts determined in accordance with the foregoing three rules shall be the taxable value In a case where only two of the foregoing three rules are applicable the remaining third equal part of the value of the entire capital stock shall be divided into two equal parts each of which shall be apportioned in accordance with one of the remaining two rules If only one of the three rules is applicable that part of the entire capital stock attributed to business carried on within the Commonwealth shall be determined solely by that rule

The amount assignable to this Commonwealth of expenditures of the taxpayer for wages salaries commissions or other compensation to its employes shall be such expenditures for the taxable year as represent the wages salaries commissions or other compensation of employes not chiefly situated at connected with or sent out from premises for the transaction of business owned or rented by the taxpayer outside the Commonwealth

The amount of the taxpayer's gross receipts from business assignable to this Commonwealth shall be the amount of its gross receipts for the taxable year from (1) sales fees and commissions except those negotiated or effected in behalf of the taxpayer by agents or agencies chiefly situated at connected with or sent out from premises for the transaction of business owned or rented by the taxpayer outside the Commonwealth (2) rentals or royalties from property situated or from the use of patents within this Commonwealth and (3) dividends and interest except such dividends and interest attributable to the business conducted on premises owned or rented by the taxpayer

outside the Commonwealth If a taxpayer maintains an office warehouse or other place of business in a state other than this Commonwealth for the purpose of reducing its tax under this subsection the Department of Revenue shall in determining the amount of its gross receipts from business assignable to this Commonwealth include therein the gross receipts attributed by the taxpayer to the business conducted at such place of business in another state

A rule shall not be deemed to be inapplicable merely because all the tangible property or the expenditures of a taxpayer for wages salaries commissions or other compensation or the gross receipts of the taxpayer are found to be situated incurred or received without the Commonwealth

(c) It shall be the duty of the treasurer or other officers having charge of any such corporation joint-stock association or limited partnership upon which a tax is imposed by this section to transmit the amount of said tax to the Treasury of the Commonwealth within the time prescribed by law Provided That for the purposes of this act interest in limited partnerships or joint-stock associations shall be deemed to be capital stock and taxable accordingly Provided further That corporations limited partnerships and joint-stock associations liable to a tax under this section shall not be required to pay any further tax on the mortgages bonds and other securities owned by them and in which the whole body of stockholders or members as such have the entire equitable interest in remainder but corporations limited partnerships and joint-stock associations owning or holding such securities as trustees executors administrators guardians or in any other manner than for the whole body of stockholders or members thereof as sole equitable owners in remainder shall return and pay the tax imposed by this act upon all securities so owned or held by them as in the case of individuals Provided further That the tax of five mills imposed by this section on reports filed for the calendar years one thousand nine hundred and thirty-five and one thousand nine hundred and thirty-six and for each calendar year thereafter or for the fiscal years beginning in the calendar years one thousand nine hundred and thirty-five and one thousand nine hundred and thirty-six and for each fiscal year thereafter shall apply to the taxation of the capital stock of corporations limited partnerships and joint-stock associations organized for laundering and for the processing and curing of meats their products and by-products [and for manufacturing purposes] excepting companies engaged in the distilling of liquors Provided further That in case of fire and marine insurance companies the tax imposed by this section shall be at the rate of five mills upon each dollar of the actual value of the whole capital stock Provided That nothing in this act shall be so construed as to apply to building and loan associations chartered by the State of Pennsylvania

Section 2 (a) This act shall become effective on the first day of January one thousand nine hundred forty-five unless hostilities of the present war have not ceased by that time in which event this act shall become effective on the first day of the first calendar year beginning after the date of the cessation of hostilities in the present war As used in this section the term "date of cessation of hostilities in the present war" means the date on which hostilities in the present war between the United States and the governments of Germany Japan and Italy cease as fixed by proclamation of the President of the United States or by concurrent resolution of the two Houses of Congress whichever date is earlier or in case hostilities between the United States and such governments do not cease at the same time then such date fixed as aforesaid when hostilities latest in point of time cease with any of such countries

(b) The provisions of this act and the exemption granted thereby shall have no applicability whatsoever with respect to the capital stock tax or franchise tax covered by reports filed for any calendar year prior to the effective date of this act or any fiscal year beginning in any such calendar year but such taxes for such calendar or fiscal years shall continue to be collected under the law as it existed prior to the changes effected by this act Nothing herein contained shall be taken or construed to relieve any taxpayer whatsoever from the payment of any capital stock tax or franchise tax interest or penalty due or owing to the Commonwealth under the law in force at the time this act becomes effective

(c) The provisions of this act and the exemption granted thereby shall apply only to reports filed for the calendar year this act becomes effective or for any fiscal year beginning in such calendar year and for each calendar or fiscal year thereafter

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. COHEN. Mr. Speaker, I would like to interrogate the gentleman from Montgomery, Mr. Winner.

The SPEAKER. Will the gentleman from Montgomery permit himself to be interrogated?

Mr. WINNER. I will, Mr. Speaker.

Mr. COHEN. Mr. Speaker, would the gentleman explain the purpose of the bill, not the provisions, but the purpose?

Mr. WINNER. Mr. Speaker, in answer to the gentleman from Philadelphia, Mr. Cohen, I would say that this bill is another one of our post-war planning bills and has to do with the reinstatement of the manufacturer's exemption upon that portion of their capital stock which is used for manufacturing purposes only.

I might further state that this bill when enacted into law would in no way affect the revenues for the present biennium unless the war would be over by January 1, 1945, as the effective date of the act is the first day of January, 1945, unless hostilities have ceased by that time, in which event this act would become effective on the first day of the calendar year after the cessation of hostilities. This act will enable manufacturers to know in some degree what to expect in the way of taxation on their capital stock. In my opinion this would mean an incentive for manufacturers to locate in the state of Pennsylvania and carry through the period of time to take care of the slack which will come upon employment after the war is over.

Mr. COHEN. Mr. Speaker, is the gentleman prepared to give us a definition of what will mark the end of hostilities?

Mr. WINNER. Upon the declaration of the President of the United States, the Commander-in-Chief.

Mr. COHEN. And would that have to do with any of the belligerent nations or any combination of belligerent nations, or just nations that are belligerent to the United States?

Mr. WINNER. Any nations with which we are at war, Mr. Speaker.

Mr. COHEN. Is the gentleman able to tell me how much revenue is brought in by this act at the present time, in the present biennium?

Mr. WINNER. Not at this time, Mr. Speaker, it is not complete.

Mr. COHEN. Is the gentleman familiar with the estimated revenue from this tax in the present biennium?

Mr. WINNER. I am, Mr. Speaker.

Mr. COHEN. Will the gentleman tell us what that estimated revenue is?

Mr WINNER. I can get the figures, Mr. Speaker. I do not have them in mind.

Mr. COHEN. I will wait for them, Mr. Speaker.

Mr. WINNER. It amounts to forty-eight million dollars on the domestic capital stock and sixteen million dollars on the foreign capital stock tax.

Mr. COSEN. And does this bill affect both foreign and domestic corporations?

Mr. WINNER. Only that portion of their capital which will be used in manufacturing in Pennsylvania, Mr. Speaker.

Mr. COHEN. May I ask if the gentleman has any idea of what proportion of their assets are involved in manufacturing processes?

Mr. WINNER. No, I have no accurate account of that.

Mr. COHEN. Is the gentleman familiar with the fact that today the Governor signed the administrative post war planning bill?

Mr. WINNER. I am, Mr. Speaker.

Mr. COHEN. Is the gentleman familiar with any provision in the bill which has to do with post war planning or the tax question, Mr. Speaker?

Mr. WINNER. No, not in that field, Mr. Speaker.

Mr. COHEN. Does the gentleman have any information that this commission that has been created has given thought to a program or a possible program for post war manufacturers?

Mr. WINNER. Not that I know of, Mr. Speaker.

Mr. COHEN. Mr. Speaker, here we go again. We are going through a rather peculiar era. We cannot find money for school teachers, we can find money for public utilities. We worry about having a surplus for this biennium; we deny that we have any; we are hopeful that we are going to make out all right in the next biennium, but in order to insure that we are not going to get caught short we are going to borrow two hundred million dollars, and in this bill, the Legislature is going to say that we are going to set a tax policy for the Commonwealth. It looks as if the Democrats are going to win the state next time and control the House and maybe the Senate, because if the Republican party was not afraid of that they would certainly not put through a foolish piece of legislation of this sort, not only foolish but absurd, not only absurd but ridiculous, not only ridiculous—I had hoped if Dave Sarge were here he might have some more adjectives. But, this is going too far.

Post war planning, Mr. Speaker, for manufacturers, is not planning for anybody else. I haven't been able in this session to find out what we are planning for after the present war, but we are sitting down now and saying we are very sure what we are going to have for the manufacturers in 1945, when the war is over. No one knows what money we are going to have then, but the manufacturers seem to know what to expect from the Republicans in the post war planning.

Mr. Speaker, it is ridiculous for us to sit here today and worry about what is doing to happen in the post war era, and today say that we are not going to have certain revenue, when we don't know what projects we are going to sponsor. I cannot think that the majority party believes in spending through the post war planning commission two hundred thousand dollars for blueprints and ideas and visualizing, and at the same time say that we are going to cut down anticipated revenue before we know what the all-over revenue picture may be in the next Session or the next four years. I would ask at least in all sincerity of the Members on the other side if they are going to vote "aye" on this bill to smile when they are voting. At least let us know that they have a sense of humor when doing it, because privately some of the opinions I have heard from the other side, it will take an awfully broad smile in order to get over the pangs of voting for a bill of this sort.

I have always heard that the manufacturers in Pennsylvania are astute and good business men, and I have hopes that the business men have some post war plans of their own. Maybe they are getting busy today by getting some reduction of taxes arranged for in advance. We have no idea what our school problem is going to be in the next biennium; we have no idea what our relief problem is going to be; we have no idea what our road program is going to be. The man who can tell me that he has a blueprint and can tell what it is going to cost ought to be in Washington in the White House, and I will stump the country for him. There is not a man in this House that can look that far ahead and say that he can give tax exemptions that will be effective four years from now.

This bill is so ridiculous that I can't get steamed up about it. It's a joke, but I am sincere in saying one thing, that the pattern is the same, take care of the big boys, take care of the fat cats up our alley; they are howling and howling; they are having a swell time, and I hope they don't fall off the fence.

Mr. LICHENWALTER. Mr. Speaker, I think the importance of manufacturing in Pennsylvania is considerably greater than the importance of the same branch of any economic activity for the nation as a whole. Before the war Pennsylvania manufacturing accounted for about forty percent as against about twenty-eight percent for the nation. I say that our state policy which encourages Pennsylvania's factories to remain in Pennsylvania, which endeavors to induce manufacturers to come into Pennsylvania, and settle here and build plants and expand plants in Pennsylvania, which means more employment for our workers, is certainly a good sound policy, because after all more employment for the workers of Pennsylvania means that it is going to keep in Pennsylvania the standard of living that Pennsylvania have been accustomed to. It will not jeopardize the level of the living standard of Pennsylvania. Every activity in a community such as the storekeeper, public services, demands for the products of the farms depends upon the employment of the worker in the factories of Pennsylvania. Let us encourage them to expand and to grow, and to expand and grow in Pennsylvania. Let us have the good sense, if you please, to encourage business in Pennsylvania in order to maintain the high standard of living enjoyed in this Commonwealth. Let us not make the mistake that was made, I believe, in the Session of 1935 and again in 1937 and 1938 when business definitely threatened to leave Pennsylvania because of the tax situation. Many states in the Union have adopted manufacturers exemption plans such as we are trying to enact in Pennsylvania, and I say that an encouraging attitude of any state administtration towards business means much to the welfare of the entire state.

We know that many states after the conclusion of this war and states today are accumulating surplus moneys

in their treasuries so that they will be able to induce industries to locate in those particular states. We have seen even in the past few years where many of our southern states have invited industries to come in, industries that have left Pennsylvania because of a program of taxation whereby they would be exempt from tax anywhere from two to eight years.

If we are going to keep our workers in Pennsylvania in the factories and in the mills, certainly we must encourage industry and business to remain in Pennsylvania, to expand in Pennsylvania in the post war period. There will be a period in which we will have to re-tool these various industries, when there will be great expense upon the manufacturer and upon industry in Pennsylvania, and it will be at such a time that industry because of a program in other states, a program that would to them seem a great deal more fair in the matter of taxation than what we have in Pennsylvania would be inclined to leave this Commonwealth and establish businesses in the other states.

Certainly we are in a competitive field with many of the states in the Union on this program of taxation upon industry and business. I think it is well worth while that at that particular period we give encouragement to industry and the manufacturers of Pennsylvania, definitely to equip our workers in the mills of Pennsylvania and to provide for them the wages so necessary in every community to maintain our standards of living. Yes, I say that we must make a choice. It is a matter of preference before us as Members of this House whether we want to create ghost towns, closed factories and lower the standards of living, increase unemployment in Pennsylvania, which means increased relief rolls, hundreds of millions of dollars probably in new taxes to take care of those on relief, and many other things that we know must come if we do not encourage business and industry in Pennsylvania. So I say that it is up to us to make the choice, and I certainly hope that our answer to these particular problems in question will be an affirmative vote for this bill.

Mr. COHEN. Mr. Speaker, I would expect, with the solicitude that the gentleman from Lehigh has for the manufacturing corporations, and deleting that portion from his statement dealing with the past, and assuming that he had made the statement from that point on, I would have changed my mind, but, Mr. Speaker, the industrial history of Pennsylvania will prove from studies made in the past several years that industrial Pennsylvania began its decline twenty-five years ago. It didn't begin in 1934 or 1938 or 1940. I well remember back in 1936 or 1937 or 1938 when certain industries in Pennsylvania, notably the industry which is today getting the major share of the advertising of beautiful Pennsylvania to the world, threatened to leave and go into New Jersey if taxes were not reduced, because they were going to be driven out of business. Their taxes were not reduced, Mr. Speaker, and they are still doing business at the same old stand.

I don't know whether this idea is coming from the Department of Commerce or not. If it came from them we ought to wipe them from the books. I don't know whether the Department of Commerce would subscribe to this sort of provision, because it cannot be tenable from any viewpoint. It is just the same old gag, Mr. Speaker, to take care of the fat cats and let the "chops" fall where they may.

I say to you, Mr. Speaker, that future sessions of this legislature are going to sit here in a muddle and are going to regret the day that House Bill 1097 was ever passed.

I hope, with every other Member of this House, that the tax program of Pennsylvania can be put in such shape that we can reduce this tax or any other tax, but let me ask the gentleman a question, is he willing to agree today to a post war plan for the benefit of the little tax payer to do away with the two cent emergency cigarette tax, or to do away with the emergency one cent gasoline tax? Is he prepared today to have a post war program to encourage little people to come to Pennsylvania to keep the wheels of industry moving; to guarantee that they will never have a sales tax in Pennsylvania? When the gentleman is honestly willing and ready to agree to a program of that sort, then I am prepared to say that we will have a post war program for the manufacturers and the fat cats of Pennsylvania.

Mr. LOVETT. Mr. Speaker, I desire to interrogate the gentleman from Lehigh, Mr. Lichtenwalter.

The SPEAKER. Will the gentleman from Lehigh permit himself to be interrogated?

Mr. LICHTENWALTER. I shall, Mr. Speaker.

Mr. LOVETT. Mr. Speaker, if I understood the gentleman right he said there were many factories which left Pennsylvania during the Earle administration; is that correct?

Mr. LICHTENWALTER. I said there were factories, Mr. Speaker, which threatened to leave the Commonwealth of Pennsylvania. I believe that many businesses also definitely closed in Pennsylvania because of the tax program.

Mr. LOVETT. Did I understand the gentleman to say, Mr. Speaker, that there were some of our manufacturers who went into the southern states?

Mr. LICHTENWALTER. That is correct, Mr. Speaker.

Mr. LOVETT. Would the gentleman give the membership of this House the benefit of the knowledge of the names of those particular factories that left Pennsylvania and went into the south, Mr. Speaker?

Mr. LICHTENWALTER. I am informed, Mr. Speaker, and the gentleman I believe will agree, that if he will read the tax report he can probably get that information.

Mr. LOVETT. Mr. Speaker, may I answer the gentleman and say that I have read the Dent tax report, and I never saw anything about any business that left Pennsylvania and went into the southern states.

Mr. LICHTENWALTER. I would suggest to the gentleman to again take the time to read the report, and he will certainly see the reason why business threatened and why certain businesses did leave Pennsylvania.

Mr. LOVETT. May I ask the gentleman, Mr. Speaker, if he has the tax report at hand?

Mr. LICHTENWALTER. I do not have it here, Mr. Speaker.

Mr. LOVETT. May I ask the gentleman if it would be too much trouble for him to enlighten the new members of this House? I am sure they didn't read it and I think they should know if such a thing happened in the state of Pennsylvania? I would like it if the gentleman would get the report and read it to the Members of this House, those particular factories that left Pennsylvania.

Mr. LICHTENWALTER. It is available, Mr. Speaker, in the library and available to any of the new Members

that care to read that report. Besides, Mr. Speaker, I think the statement that I made is a matter of common knowledge to the people of Pennsylvania and even to the gentleman from Westmoreland.

Mr. LOVETT. Does the gentleman refuse to fulfill the request, Mr. Speaker?

Mr. LICHTENWALTER. I do, Mr. Speaker.

Mr. LOVETT. Mr. Speaker, I have listened to the old story about the manufacturers leaving the state of Pennsylvania. I live in an industrial area. There were not any of our manufacturers who left the state of Pennsylvania. I never heard of any of them threatening to leave the state of Pennsylvania, and I want to say to the gentleman from Lehigh and the Members of this House that if you think you are going to reduce taxes on industry in the state of Pennsylvania in order to have industry come into the state of Pennsylvania when you now cannot find money to pay your school teachers a decent wage, I don't think there is anything else I need to say. I think you gentlemen know that this is certainly not the right kind of legislation.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—108

Alspach,	Gardner,	Krepps,	Rose, W. E.,
Barton,	Gillan,	Laughner,	Rowley,
Bonawitz,	Goodling,	Leisey,	Royer,
Boorse,	Gorman,	Leydic,	Salus,
Bower,	Greenwood,	Lichtenwalter,	Serrill,
Bretherick,	Gross,	Livingstone,	Simons,
Brice,	Gyger,	Lyons,	Smith,
Brunner, C. H.,	Hall,	Madigan,	Sollenberger,
Campbell,	Hannon,	Mahany,	Stockham,
Cook,	Hare,	McClester,	Stonier,
Cooper,	Haudenshield,	McKinney,	Taylor,
Cordier,	Helm,	McMillen,	Thrasher,
Costa,	Hewitt,	McSurdy,	Tiemann,
Coulson,	Hocke,	Menna,	Trout,
Denman,	Hoffman,	Miller,	Turbett,
Dennison,	Holmes,	Mintess,	Wachhaus,
Depuy,	Hoopes,	Mock,	Wagner, K. H.,
Elder,	Hunter, W. M.,	Moore,	Wagner, P. L.,
Ely,	Huntley,	Moser,	Wallin,
Erb,	Imbrie,	Muir,	Walton,
Figlock,	Irvin,	Murray,	Watkins,
Flack,	James,	Nowak,	Winner,
Fleming,	Jones,	O'Dare,	Wood, L. H.,
Foor,	Kennedy,	Reagan,	Wood, N.,
Fox,	Kitchen,	Reese, D. P.,	Worley,
Freed,	Kline,	Riley,	Yeakel,
Garber,	Kowalski,	Robertson,	Fiss,
			Speaker.

NAYS—53

Baker,	Grant,	Longo,	Reese, R. E.,
Barrett,	Green,	Lovett,	Regan,
Boory,	Haberlen,	Maxwell,	Reynolds,
Brigerman,	Hamilton,	Mooney,	Snider,
Brown,	Heatherington,	Moran,	Stank,
Brunner, P. A.,	Herman,	O'Connor,	Tate,
Burns,	Hersch,	O'Neill,	Thompson,
Chervenak,	Hoggard,	Owens,	Trent,
Chudoff,	Hunter, B. F.,	Petrosky,	Verona,
Cohen,	Kirley,	Pettit,	Weiss,
Corr,	Kolankiewicz,	Polaski,	Welsh,
Duffy,	Lane,	Powers,	Wright,
Elliott,	Leonard,	Readinger,	Yester,
Goodwin,			

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

SENATE MESSAGE

TIME OF NEXT MEETING

The Clerk of the Senate being introduced presented an extract from the Journal of the Senate, which was read as follows:

In the Senate, April 28, 1943.

Resolved (if the House of Representatives concur), That when the Senate adjourns this week, it reconvene on Monday afternoon, May 3, 1943, at three o'clock, and when the House of Representatives adjourns this week, it reconvene on Monday afternoon, May 3, 1943 at three o'clock.

Ordered, That the Clerk present the same to the House of Representatives for its concurrence.

On the question,

Will the House concur in the resolution of the Senate?

It was concurred in.

Ordered, That the Clerk inform the Senate accordingly.

LEAVE OF ABSENCE

By unanimous consent leave of absence was granted as follows:

Mr. VAN ALLSBURG for himself for tonight and tomorrow.

CONGRATULATORY RESOLUTION

Mr. LICHTENWALTER offered a resolution which was twice read as follows:

In the House of Representatives, April 28, 1943.

If the success of the dinner served to the members, officers and employes of this House last night at the Penn Harris Hotel by the Chief Clerk of this House could be attributed to the wisdom of the members in electing Bill Habbyshaw to that position, then indeed is this a House of Wisdom.

The food was good, the entertainment was really entertaining and the attendance was all that could be expected with no admission fee charged.

Although it had been promised that no speeches would intrude upon the enjoyment of the evening, Ex-Speaker Turner took over and did not intrude. He was good.

Our host, of course, was there and skillfully directed the entertainment; therefore be it

Resolved, That the Members of this House for themselves and for the officers and employes of the House extend to the Chief Clerk of the House its thanks for the entertainment, for the dinner and for the opportunity to be with him and his guests. It was an enjoyable affair and one that will live long in our memories as a night to be remembered; and be it further

Resolved, That the Secretary of this House shall have a copy of this resolution prepared and transmitted to the Chief Clerk as evidence of our appreciation and as a reminder of what he should do at the close of the Session of 1945 if we should be here again.

On the question,

Will the House adopt the resolution?

Mr. COHEN. Mr. Speaker, in support of the resolution may I say that I was awfully tempted last night to try to make a purely democratic affair out of the dinner, and for two reasons. For one real reason, that it served a real purpose having in mind about a month or so ago the St. Patrick's dinner that left us all in more or less a state of flux for a day or so. I was going to have the

menu read at length, but I decided then that I would not inflict that upon the Members. However the gentleman came to our rescue, Ellwood Turner; he was there at length, and he gave us a good show.

I want to say seriously, Mr. Speaker, in all my years up here and the many affairs I have attended, without being one whit less appreciative and thankful to the gentlemen in the past for other dinners that have been held, I want to say that the dinner held last night was one of the swellest I have ever attended, one of the nicest and loveliest affairs that it has ever been my good fortune to attend, and my good friend, the Chief Clerk, although he lives in Dauphin County didn't have enough dancing partners for some of the boys.

On the question recurring,

Will the House adopt the resolution?

It was unanimously adopted.

The SPEAKER. The Chair recognizes the Chief Clerk.

The CHIEF CLERK (William E. Habbyshaw). Mr. Speaker, I want you all to feel that you made the party, not the Chief Clerk. You were a good bunch of congenial fellows. I heartily concur in what Mr. Cohen has said with respect to other banquets, never was the group of Members and employes so orderly and attentive. After all, that is what makes the success of a party, not the Chief Clerk. Thank you.

REPORT FROM COMMITTEE

Mr. LYONS from the Committee on Dairy Industries, reported as committed, Senate Bill No. 539, entitled:

An Act to further amend section eight hundred one of the act, approved the twenty-eighth day of April, one thousand nine hundred thirty-seven (P. L. 417), entitled "An act relating to milk and the products thereof; creating a Milk Control Commission; establishing its jurisdiction, powers and duties; regulating the production, transportation, manufacturing; processing, storage, distribution, delivery and sale of milk and certain products thereof; providing for the licensing of milk dealers and the payment of fees therefor; requiring milk dealers to file bonds to secure payment for milk to producers and certain milk dealers; authorizing the holding of hearings and the issuance of subpoenas by the commission; conferring jurisdiction upon courts to punish contempts and to prohibit violations of this act and of rules, regulations and orders of the commission; authorizing the commission to adopt rules, regulations and orders, and to enter into interstate and Federal compacts; requiring persons who weigh, measure, sample or test milk to procure permits or certificates, to take examinations, to pay fees therefor, to furnish certain notices, records and statements, and to use certain methods of weighing, measuring, sampling and testing; authorizing the commission to examine the business, papers and premises of milk dealers and producers, requiring the keeping of records and the filing of reports by milk dealers, and permitting, with limitations, the use of information obtained thereby; authorizing the commission to fix prices for milk and certain milk products subject to the approval of the Governor, and conferring certain powers upon the Governor with respect thereto; providing for appeals to the courts from decisions of the commission, and for the burden of proof upon such appeals; prescribing penalties, fines and imprisonment for violations of this act and rules, regulations and orders of the commission; defining perjury; defining remedies; repealing legislation supplied and superseded by this act, and saving rights, duties and proceedings thereunder; and making appropriations," by requiring further hearings on proposed orders and eliminating the requirement of the Governor's approval for certain orders of the commission and any amendments or revisions thereof fixing or changing the price of milk.

SENATE MESSAGE

The Clerk of the Senate, Mr. Comerer being introduced, presented the following extracts from the Journal of the Senate:

For Concurrence: Senate Bills Nos. 417, 433, 99, 572, 575, 602, 613, 615.

SENATE BILL No. 177 MADE A SPECIAL ORDER

Mr. LICHTENWALTER. Mr. Speaker, I move that Senate Bill No. 177, Printer's No. 237, entitled:

An Act to amend section three hundred one of the act approved the fifth day of December, one thousand nine hundred and thirty-six (1937 P. L. 2897), entitled "An act establishing a system of unemployment compensation to be administered by the Department of Labor and Industry and its existing and newly created agencies with personnel (with certain exceptions) selected on a civil service basis requiring employers to keep records and make reports and certain employers to pay contributions based on payrolls to provide moneys for the payment of compensation to certain unemployed persons providing procedure and administrative details for the determination payment and collection of such contributions and the payment of such compensation providing for cooperation with the Federal Government and its agencies creating certain special funds in the custody of the State Treasurer and prescribing penalties," providing for the payment of contributions by employers in accordance with an experience rating system and providing for and regulating such experience rating system and the terms and procedure to effectuate the same.

on page 18 of today's calendar, bill on third reading be made a special order of business on Monday, May 3, 1943, at 4 p. m.

The motion was agreed to.

COMMITTEE MEETINGS

There will be meetings of the Committees on

Agriculture, Thursday, April 29, 10 a. m. Room 331.

Labor, Thursday, April 29, at 11:30 a. m. Room 323.

Public Utilities, Thursday, April 29, at 10:30 a. m. Room 323.

ADJOURNMENT

Mr. ELLIOTT. Mr. Speaker, I move that this House do now adjourn until Thursday, April 29, 1943, at 1 p. m.

The motion was agreed to, and (at 1:11 a. m.) the House adjourned.

COMMONWEALTH OF PENNSYLVANIA

Legislative Journal.

Session 1943. 135th of the General Assembly.

Vol. 27. HARRISBURG, PA., THURSDAY, APRIL 29, 1943. No. 51.

SENATE

THURSDAY, APRIL 29, 1943

The Senate met at 2:00 o'clock, p. m., Eastern War Time. The PRESIDENT (Lieutenant-Governor John C. Bell, Jr.) in the Chair.

PRAYER

In the absence of the Chaplain, prayer was offered by the gentleman from Berks, Senator Ruth.

Almighty God, Our Heavenly Father, as we come to Thee today, our hearts are filled with gratitude because Thou hast given us the opportunity to serve. In this world where there is trial and conflict may we find some peaceful happy moments, may we feel that Thou hast sent us here to serve our fellow men as Thou didst serve them when Thou was here on earth, and may we spend our days in the spirit and attitude of the poet who said:

"Let me live in a house by the side of the road
Where the race of men go by;
The men who are good and the men who are bad
As good and as bad as I.
I would not sit in the scorner's seat
Nor hurl the cynic's ban.
Let me live in a house by the side of the road
And be a friend to man." Amen.

JOURNAL APPROVED

The PRESIDENT. A quorum of the Senate being present the Clerk will read the Journal of the preceding session.

The Clerk proceeded to read the Journal of the preceding session, when, on motion of Mr. HEYBURN and Mr. SCARLETT the further reading was dispensed with, and the Journal was approved.

LEAVE OF ABSENCE

Mr. Wade asked and obtained leave of absence for Mr. EDMONDS, on account of illness.

He also asked and obtained leave of absence for Mr. ZIESENHEIM, on account of service in the United States Army.

He also asked and obtained leave of absence for Mr. THOMAS B. WILSON.

Mr. Gourley asked and obtained leave of absence for Mr. DENT, on account of illness.

He also asked and obtained leave of absence for Mr. MUNDY, on account of his medical profession.

He also asked and obtained leave of absence for Mr. LANIUS, on account of illness.

NOMINATIONS BY THE GOVERNOR

The Secretary to the Governor being introduced, presented communication in writing from His Excellency, the Governor of the Commonwealth, which was read as follows, and referred to the Committee on Executive Nominations.

FARVIEW STATE HOSPITAL BOARD OF TRUSTEES

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, April 29, 1943.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for appointment as members of the Board of Trustees of Farview State Hospital, for terms of four years, and until their successors are qualified:

Derwood A. Wolfe, Laanna, (P. O.) Wayne County, to to fill a vacancy.

R. LeRoy Dengler, R. D., Mount Pocono, Monroe County, to fill a vacancy.

EDWARD MARTIN.

HOUSE MESSAGES

AMENDMENT TO HOUSE BILL No. 549 RECALLED FROM THE GOVERNOR.

The Clerk of the House of Representatives being introduced, presented for concurrence bill of the House of Representatives, as follows:

House Bill No. 549, entitled:

An Act to further amend sections three hundred one and three hundred three of the act, approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 343), entitled "Fiscal Code," by authorizing the Treasury Department, with the approval of the Governor, to invest State deposits in short-term obligations of the United States government and to dispose of the same.

Said bill having been recalled from the Governor for amendment, the votes had on final passage and third reading were reconsidered in the House and the bill amended, in which amendments the concurrence of the Senate is requested.

RULE 21 SUSPENDED

Mr. HEYBURN. Mr. President, I move that Rule 21 which requires amendment bills to be noted on the Calendar, be in this case dispensed with, and that the Senate proceed to the consideration of the amendments made by the House of Representatives to the foregoing bill.

Mr. WALKER. Mr. President, I second the motion.

The motion was agreed to.

SENATE CONCURS IN HOUSE AMENDMENTS TO HOUSE BILL No. 549 RECALLED FROM THE GOVERNOR

Mr. HEYBURN. Mr. President, I move that the Senate concur in the amendments made by the House to House Bill No. 549.

Mr. FARRELL. Mr. President, I second the motion.

On the question,

Will the Senate concur in the amendments made by the House?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—40.

Barr,	DiSilvestro,	Jaspan,	Stiefel,
Becker,	Ealy,	Jones,	Tallman,
Bowers,	Farrell,	Kephart,	Thomas,
Carr,	Geltz,	Letzler,	Tyler,
Chapman,	Gourley,	Mallery,	Wade,
Coleman,	Haluska,	McGinnis,	Walker,
Cox,	Heyburn,	McQuiddy,	Watkins,
Crider,	Holland,	Ruth,	Wilson, H. I.,
Crowe,	Homsher,	Scarlett,	Woodring,
Deitrick,	James,	Snowden,	Woodward,

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

HOUSE BILLS FOR CONCURRENCE

He also presented for concurrence bills of the House, as follows:

House Bill No. 5, entitled:

An Act making an appropriation to The Glen Mills Schools situated in Delaware County, Pennsylvania.

Which was committed to the Committee on Appropriations.

House Bill No. 81, entitled:

An Act making an appropriation to the Elwyn Training School at Elwyn in the County of Delaware, Commonwealth of Pennsylvania, and prescribing certain conditions upon which the appropriation will be available to the school.

Which was committed to the Committee on Appropriations.

House Bill No. 106, entitled:

An Act making an appropriation to the Trustees of the Hahnemann Medical College and Hospital of Philadelphia, Pennsylvania.

Which was committed to the Committee on Appropriations.

House Bill No. 177, entitled:

An Act making an appropriation to the State Veterans' Commission for certain expenses of the commission and for the assistance of needy Pennsylvania veterans of any war or their dependents.

Which was committed to the Committee on Appropriations.

House Bill No. 179, entitled:

An Act making an appropriation to the Johnson Industrial School of Scranton, Pennsylvania.

Which was committed to the Committee on Appropriations.

House Bill No. 191, entitled:

An Act making an appropriation to the Pennsylvania State College for expenditure by the School of Mineral Industries thereof under the Supervision of the Department of Mines for the purpose of developing new uses and markets for anthracite and bituminous coal.

Which was committed to the Committee on Appropriations.

House Bill No. 277, entitled:

An Act making an appropriation for the purpose of maintaining the public roads and improving and replacing bridges thereon through the Cornplanted Indian Reservation in Elk Township, Warren County, Pennsylvania.

Which was committed to the Committee on Appropriations.

House Bill No. 278, entitled:

An Act making an appropriation for the maintenance, repair, and improvement of the Port of Philadelphia.

Which was committed to the Committee on Appropriations.

House Bill No. 307, entitled:

An Act making an appropriation to the Department of Forests and Waters to be used for the acquisition of land within the limits of the "Bucktail State Park"; and prescribing the uses to be made of such land.

Which was committed to the Committee on Appropriations.

House Bill No. 327, entitled:

An Act making an appropriation to the several fire companies of the City of Harrisburg, Pennsylvania.

Which was committed to the Committee on Appropriations.

House Bill No. 341, entitled:

An Act abating the penalties and interest on certain unpaid delinquent county city borough town township school district poor district and county institution district taxes and on municipal liens and providing for the publication at the cost of the county of a notice of the provisions of this act

Which was committed to the Committee on State Government.

House Bill No. 415, entitled:

An Act making an appropriation to the Department of Property and Supplies for the acquisition of lands and the erection of new buildings and service systems, and the alteration and extension of existing buildings and service systems for the use of the Soldiers' Orphan School at Scotland, Pennsylvania.

Which was committed to the Committee on Appropriations.

House Bill No. 445, entitled:

An Act making an appropriation to the Pennsylvania Historical Commission for the preservation, restoration and rebuilding of certain structures at the Ephrata Cloisters.

Which was committed to the Committee on Appropriations.

House Bill No. 446, entitled:

An Act making an appropriation to the Department of Property and Supplies to be used with the advice and cooperation of the Pennsylvania Historical Commission for securing plans and specifications for the complete restoration, rebuilding, construction, improvement and development of the Ephrata Cloisters, and for the expenses of necessary archeological investigations relative thereto.

Which was committed to the Committee on Appropriations.

House Bill No. 493, entitled:

An Act making an appropriation to the Department of Forests and Waters for the use of the Pennsylvania State Park and Harbor Commission of Erie, and for the joint use of the Federal Government and the Department of Forests and Waters of the Commonwealth of Pennsylvania.

Which was committed to the Committee on Appropriations.

House Bill No. 510, entitled:

An Act to amend sections seven hundred thirty-one and seven hundred thirty-three of the act, approved the twenty-fourth day of June, one thousand nine hundred thirty-nine (P. L. 872), entitled "The Penal Code" authorizing the courts to issue writs of execution and attachment against the property, money and wages of defendants in separation and non-support cases, and the attachment of wages in desertion and non-support cases.

Which was committed to the Committee on Judiciary Special.

House Bill No. 526, entitled:

An Act making an appropriation to the Pennsylvania Department of Highways.

Which was committed to the Committee on Appropriations.

House Bill No. 531, entitled:

An Act making an appropriation to the Pennsylvania State College to advance the tobacco interest of this Commonwealth.

Which was committed to the Committee on Appropriations.

House Bill No. 532, entitled:

An Act making appropriations for aid to free public nonsectarian county libraries, and for the purchase and transportation of books.

Which was committed to the Committee on Appropriations.

House Bill No. 627, entitled:

An Act making an appropriation to the Department of Public Instruction for the use of the Pennsylvania Historical Commission for the purpose of completing restoration and preparing for public use as a museum, the property at Ambridge, Beaver County, Pennsylvania, formerly owned and occupied by the Harmony Society, and known as "Old Economy."

Which was committed to the Committee on Appropriations.

House Bill No. 671, entitled.

A Further Supplement to the act approved the first day of April, one thousand eight hundred and sixty-three (P. L. 213), entitled "An act to accept the grant of Public Lands, by the United States, to the several states, for the endowment of Agricultural Colleges," making an appropriation for carrying the same into effect.

Which was committed to the Committee on State Government.

House Bill No. 839, entitled:

An Act authorizing the Commonwealth to negotiate temporary emergency loans to defray the current and other expenses of the State government during the two fiscal years beginning the first day of June one thousand nine hundred forty-three evidenced by tax anticipation notes secured by and payable from current revenues levied assessed collectible and accruing during such two fiscal years defining the powers and duties of the Governor the Auditor General and the State Treasurer in relation thereto providing for the payment of interest on and the repayment of such loans and making an appropriation

Which was committed to the Committee on State Government.

House Bill No. 923, entitled:

An Act making an appropriation to the Cresson Volunteer Fire Company for the protection of State property.

Which was committed to the Committee on Appropriations.

House Bill No. 936, entitled:

An Act to further amend the first paragraph of section five hundred three of the act, approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 343), entitled "Fiscal Code," by requiring cash payment of certain refunds due from the Commonwealth, and making an appropriation to the Board of Finance and Revenue for such purposes.

Which was committed to the Committee on State Government.

House Bill No. 945, entitled:

An Act lapsing all unexpended or unencumbered balances of appropriations from all funds made by the General Assembly at its session of one thousand nine hundred and thirty-five, and prior sessions, and at its regular sessions of one thousand nine hundred and thirty-seven, and one thousand nine hundred and thirty-nine, and the Special Sessions of one thousand nine hundred and thirty-six and one thousand nine hundred and thirty-eight.

Which was committed to the Committee on Appropriations.

House Bill No. 946, entitled:

An Act making an appropriation to the Women's Medical College of Pennsylvania located at East Falls, Philadelphia, Pennsylvania.

Which was committed to the Committee on Appropriations.

House Bill No. 947, entitled:

An Act making an appropriation to the Pennsylvania Museum and School of Industrial Art, Philadelphia.

Which was committed to the Committee on Appropriations.

House Bill No. 949, entitled:

An Act making an appropriation to the Department of Public Assistance and providing for certain allocations therefrom for the purposes of carrying out the Public Assistance Law for the two fiscal years beginning June first, one thousand nine hundred forty-three, and for the payment of assistance and expenses accrued or incurred prior to and remaining unpaid on May thirty-first, one thousand nine hundred forty-three.

Which was committed to the Committee on Appropriations.

House Bill No. 951, entitled:

An Act making an appropriation to the Board of Trustees of the Philadelphia Museum, Philadelphia.

Which was committed to the Committee on Appropriations.

House Bill No. 954, entitled:

An Act making an appropriation to the Downingtown Industrial and Agricultural School, Downingtown, Pennsylvania.

Which was committed to the Committee on Appropriations.

House Bill No. 955, entitled:

An Act making an appropriation from the Motor License Fund to the Department of Property and Supplies for the payment of the costs incurred by that Department in acting as purchasing agent for the Department of Highways.

Which was committed to the Committee on Appropriations.

House Bill No. 957, entitled:

An Act making an appropriation to the Trustees of Temple University at Philadelphia, Pennsylvania.

Which was committed to the Committee on Appropriations.

House Bill No. 960, entitled:

An Act making an appropriation to the Trustees of the University of Pennsylvania.

Which was committed to the Committee on Appropriations.

House Bill No. 961, entitled:

An Act making an appropriation to the National Farm School at Doylestown, Pennsylvania.

Which was committed to the Committee on Appropriations.

House Bill No. 964, entitled:

An Act making an appropriation to Sleighton Farm School for Girls situate in Delaware County, Pennsylvania.

Which was committed to the Committee on Appropriations.

House Bill No. 968, entitled:

An Act making an appropriation to aid certain school districts.

Which was committed to the Committee on Appropriations.

House Bill No. 973, entitled:

An Act making an appropriation to the Trustees of the University of Pittsburgh for the general maintenance of and the purchase of apparatus and equipment for the University of Pittsburgh and for the maintenance of teaching facilities in hospitals for students in the School of Medicine.

Which was committed to the Committee on Appropriations.

House Bill No. 974, entitled:

An Act making an appropriation to the Trustees of the College of Lincoln University, Chester County.

Which was committed to the Committee on Appropriations.

House Bill No. 975, entitled:

An Act making an appropriation to the Department of Forests and Waters for the use of the Valley Forge Park Commission in payment of lands acquired by condemnation.

Which was committed to the Committee on Appropriations.

House Bill No. 976, entitled:

An Act making an appropriation to the Moore Institute of Art, Science and Industry, formerly Philadelphia School of Design for Women at Philadelphia, Pennsylvania.

Which was committed to the Committee on Appropriations.

House Bill No. 1006, entitled:

An Act authorizing and directing the Department of Highways to erect and construct a free bridge over the Ohio river at a point in the Borough of Aliquippa, in the vicinity of Franklin Avenue and to provide the necessary approaches thereto, and making an appropriation.

Which was committed to the Committee on Highways.

House Bill No. 1029, entitled:

Making an appropriation to the Trustees of the Pennsylvania State College for the use of the School of Agriculture for the purpose of conducting research and investigation of problems affecting livestock and agricultural products.

Which was committed to the Committee on Appropriations.

House Bill No. 1030, entitled:

An Act making an appropriation to the Jefferson Medical College, of Philadelphia, Pennsylvania, for medical education.

Which was committed to the Committee on Appropriations.

House Bill No. 1064, entitled:

An Act to amend the act, approved the ninth day of

April, one thousand nine hundred twenty-nine (P. L. 343), entitled "Fiscal Code," by providing for the manner of payment of escheators' fees, informants' commissions, and other lawful charges due from moneys escheated to the Commonwealth, and escheatable moneys paid to the Commonwealth without escheat; designating the funds to which such moneys shall be credited; and making an appropriation.

Which was committed to the Committee on Judiciary General.

House Bill No. 1074, entitled:

An Act authorizing the Department of Property and Supplies, with the approval of the Governor and the Board of Trustees of Allentown State Hospital, to acquire a certain tract of land for the use of said hospital, and making an appropriation therefor.

Which was committed to the Committee on State Government.

House Bill No. 1088, entitled:

An Act to amend sections one and two of the act, approved the seventh day of August, one thousand nine hundred forty-one (P. L. 887), entitled "An act authorizing the Department of Property and Supplies, with the approval of the Governor and the Department of Welfare, to acquire certain land adjacent to and for the use of the Scranton State Hospital, providing for the improvement and use thereof, authorizing the City of Scranton to pay the costs of such improvements in whole or in part, and making an appropriation," further providing as to the improvement and use of the land acquired under authority of said act.

Which was committed to the Committee on State Government.

House Bill No. 1097, entitled:

An Act to further amend section twenty-one of the act, approved the first day of June, one thousand eight hundred eighty-nine (P. L. 420), entitled "A further supplement to an act, entitled 'An act to provide revenue by taxation,' approved the seventh day of June, Anno Domini one thousand eight hundred and seventy-nine," by establishing a manufacturing exemption with regard to the capital stock tax and the franchise tax on domestic and foreign corporations, joint-stock associations, limited partnerships and companies.

Which was committed to the Committee on State Government.

House Bill No. 1098, entitled:

An Act making an appropriation to the Pennsylvania Historical Commission to cover the expenses of restoring and refurnishing the Daniel Boone Homestead.

Which was committed to the Committee on Appropriations.

House Bill No. 1101, entitled:

An Act to provide for the ordinary expenses of the Executive, Legislative and Judicial Departments of the Commonwealth, interest on the public debt, and the support of the public schools for two years beginning June first, one thousand nine hundred and forty-three, and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending May thirty-first, one thousand nine hundred and forty-three.

Which was committed to the Committee on Appropriations.

House Bill No. 1105, entitled:

An Act making an appropriation to the Department of Property and Supplies for the restoration, improvement and equipment of the Pottsgrove Mansion in the borough of Pottstown on the advice and subject to the approval of the Pennsylvania Historical Commission.

Which was committed to the Committee on Appropriations.

House Bill No. 1106, entitled:

An Act making an appropriation to the Department of Welfare for the maintenance of certain homes.

Which was committed to the Committee on Appropriations.

House Bill No. 1107, entitled:

An Act making an appropriation to the Department of Welfare for the maintenance of certain hospitals.

Which was committed to the Committee on Appropriations.

House Bill No. 1109, entitled:

An Act making an appropriation to the Department of Revenue for the payment of claims for legal services.

Which was committed to the Committee on Appropriations.

HOUSE CONCURS IN SENATE RESOLUTION

TIME OF NEXT MEETING

He also informed the Senate that the House has concurred in resolution from the Senate as follows:

In the Senate, April 28, 1943.

Resolved (if the House of Representatives concur), That when the Senate adjourns this week, it reconvene on Monday afternoon, May 3, 1943, at three o'clock, and when the House of Representatives adjourns this week, it reconvene on Monday afternoon, May 3, 1943, at three o'clock.

He also presented an extract from the Journal of the House of Representatives, which was twice read, considered and agreed to:

THANKS EXTENDED TO SPEAKERS ON BICENTENNIAL PROGRAM

In the House of Representatives, April 20, 1943.

The success of the celebration of the bicentennial of the birth of Thomas Jefferson held on Wednesday, April 14th, in the Hall of the House of Representatives at a joint session of the Senate and House of Representatives, was due to those who appeared on the program.

That it was a success, is attested by the things that have been said about it since the termination of the meeting.

His Excellency, the Governor, again assumed his new role as State creator, and again delighted his audience with the charm and sincerity of his delivery, and the interesting nature of his discourse, and Dr. Robert L. Johnson, President of Temple University, brought to his audience a new conception of the third President of the United States.

These addresses, however, were the parts of the arranged program that were expected to be worth hearing, and it was that expectation which accounted for the large number of persons attending. It is needless to say that no one was disappointed.

It was, however, the speeches made by the two school boys of the Commonwealth, James M. Cammon, a junior

at the West View High School, and Francis E. Zabkar, a student at Pennsylvania State College, that surprised and amazed and delighted every person fortunate enough to have attended the celebration.

Each held his audience by the substance of his discourse and the skill of his delivery, and won the applause and commendation of every one in attendance; therefore be it

Resolved (if the Senate concurs), That this General Assembly is most grateful to His Excellency, the Governor, to Dr. Johnson, and to the young men who contributed so much to the success of the celebration, and to them it hereby extends its thanks, and its assurance of deep appreciation of their contribution; and be it further

Resolved, That, in evidence of that gratitude and appreciation, the Chief Clerk of the House is hereby directed to send a copy of this resolution to His Excellency, the Governor, to Dr. Robert L. Johnson, and also to James M. Gammon and Francis E. Zabkar.

Ordered, That the Clerk inform the House of Representatives accordingly.

RESOLUTION RECALLING FROM THE GOVERNOR HOUSE BILL No. 390

He also presented extract from the Journal of the House of Representatives, which was twice read as follows, considered and agreed to:

In the House of Representatives, April 28, 1943.

Resolved (if the Senate concur), That House Bill No. 390, Printer's No. 428, entitled:

An Act to further amend section three of the act approved the eleventh day of May one thousand nine hundred twenty-one (P. L. 522) entitled as amended "Dog Law of 1921" by providing for the issuing of free licenses for seeing-eye dogs.

be recalled from the Governor for the purpose of further consideration.

Ordered, That the Clerk inform the House of Representatives accordingly.

BILLS SIGNED

The PRESIDENT (Lieutenant-Governor John C. Bell, Jr.) announced that the Chief Clerk having reported that the following bills had passed both houses of the General Assembly and the same being correct, the titles were publicly read as follows:

Senate Bill No. 37, entitled:

An Act to amend section five hundred forty of the act, approved the twenty-third day of June, one thousand nine hundred and thirty-one (P. L. 932), entitled "An act relating to cities of hte third class; and amending, revising and consolidating the law relating thereto," further regulating the adjustment of indebtedness where part of a township is annexed to a city of the third class.

Senate Bill No. 39, entitled:

An Act to amend section seven hundred seventeen of the act, approved the fourth day of May, one thousand nine hundred and twenty-seven (P. L. 519), entitled "An act concerning boroughs, and revising, amending, and consolidating the law relating to boroughs," further regulating the adjustment of liabilities and property where part of a township is annexed to a borough.

Senate Bill No. 112, entitled:

An Act providing for the retention on the several permanent personal registration lists of electors of the names of persons who are members of any branch of the armed forces of the United States or of any uniformed organization of women officially connected therewith providing for proof of such membership prescribing penalties for making false statements in connection therewith prohibiting cancellation of registration for failure to vote during this period and suspending inconsistent laws during the effective period of the act.

Senate Bill No. 133, entitled:

An Act to further amend subsection (c) of section two hundred two of the act, approved the seventeenth day of May, one thousand nine hundred and twenty-one (P. L. 682), entitled "An act relating to insurance; amending, revising, and consolidating the law; providing for the incorporation of insurance companies, and the regulation, supervision, and protection of home and foreign insurance companies, Lloyds associations, reciprocal and inter-insurance exchanges, and fire insurance rating bureaus, and the regulation and supervision of insurance carried by such companies, associations, and exchanges, including insurance carried by the State Workmen's Insurance Fund; providing penalties; and repealing existing laws," by authorizing casualty companies to insure against loss and damage to certain machinery and equipment of mines while located underground, and to underground passageways, gangways, airways, drifts, slopes, shafts, overcasts, and stoppings of mining operations.

Whereupon,

The PRESIDENT (Lieutenant-Governor John C. Bell, Jr.) in the presence of the Senate signed the same.

PERMISSION TO ADDRESS SENATE

Mr. JASPAN asked and obtained unanimous consent to address the Senate.

Mr. JASPAN. Mr. President, I have prepared a statement, with regard to the drinking water situation in the city of Philadelphia, and I make this statement in behalf of Senator Stiefel, Senator DiSilvestro and myself.

Mr. President, it is highly important to the population of Philadelphia and neighboring counties that immediate action be taken to purify the river from which we obtain our drinking water. Time and again action has been promised but nothing has been done. Judge Ladner has pressed for action. The newspapers of Philadelphia have launched a campaign to give Philadelphia and the surrounding counties pure water. An inflamed citizenry has pressed for action, but aparently the interests of the industrialists transcend the health of the people.

Our people have been drinking impurities for years, thereby jeopardizing their health. Mr. President, I am inclined to think that we are going to be here for at least six more legislative days and I am going to insist that the bill I am about to introduce designed to correct the situation be taken up immediately by the Committee to which it will be referred and reported out favorably.

Our present Governor, Edward Martin, made a pre-election pledge to correct the existing situation.

May I ask, Governor Martin, does this pledge mean anything? If so, use your good offices to bring about the passage of this important bill.

BILL INTRODUCED AND REFERRED

Mr. JASPAN. Mr. President, I ask unanimous consent to introduce a bill at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Messrs. JASPAN, STIEFEL and DiSILVESTRO read in their places and presented to the Chair Senate Bill No. 632, entitled:

An Act to amend section three hundred ten of the act, approved the twenty-second day of June, one thousand nine hundred thirty-seven (P. L. 1987), entitled "An act to preserve and improve the purity of the waters of the Commonwealth for the protection of public health, animal and aquatic life, and for industrial consumption, and recreation; empowering and directing the creation of indebtedness or the issuing of non-debt revenue bonds by political subdivisions to provide works to abate pollution; providing protection of water supply; providing for the jurisdiction of courts, magistrates, aldermen and justices of the peace in the enforcement thereof; and providing additional remedies for abating pollution of waters; imposing certain penalties; and repealing certain acts," by including the drainage of silt in the provisions of article three thereof, and suspending the enforcement of the act in certain cases.

Which was committed to the Committee on Public Health.

PERMISSION TO ADDRESS SENATE

Mr. WATKINS. Mr. President, in view of the remarks made by the gentleman from Philadelphia, Senator Jaspan, prior to introducing a bill, I ask unanimous consent to make a statement in reply.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. WATKINS. I have heard a lot and have read a lot in the press of Philadelphia lately with regard to the silt situation in the Schuylkill river and I think it is about time that something be said by someone from the anthracite counties of Pennsylvania, which give employment to 90,000 citizens of this Commonwealth, one of the great industries of Pennsylvania, and in defense of that industry.

Any engineer that knows anything about mining coal will testify to the fact that it is impossible to keep silt out of running streams in the anthracite areas of Pennsylvania. Hundreds of thousands of dollars are spent yearly by the anthracite producing companies in order to keep as much silt as possible out of the streams. When you realize that this discoloration of water comes from a fine silt that will go through a two hundred mesh, you have some idea of how almost impossible it is, in fact practically impossible to keep it out.

Discoloration of the water itself is caused by floating particles which do not settle in settling tanks which are prepared and cover acres of land in order to keep most of the solids out. This discoloration then discolors everything else that goes down the Schuylkill river to Philadelphia. It is not only silt that makes the water impure, by the time the Schuylkill river gets down to Philadelphia; the Schuylkill river, from the Schuylkill region down to Philadelphia, is an open sewer, with every borough along the line dumping its sewage into the river, and all you have to do is to take a ride along the Schuylkill river and see all the factories that dump materials into the Schuylkill river. We feel that some of our silt helps clarify the waters of the Schuylkill; it is well known that silt itself is purchased in large quantities for the purpose of purifying the water.

It is the sewage situation that really causes the trouble in Philadelphia and Philadelphia is one of the largest contributors to its own trouble.

A city as large as Philadelphia should be ashamed of itself to talk about water supply from an industrial stream like the Schuylkill river. Why, Mr. President, over a period of the last hundred years silt has been going into the Schuylkill river from the anthracite region to Philadelphia. Why has not the city of Philadelphia constructed reservoirs in areas where they could get pure water, like other progressive large cities, cities like New York, Pittsburgh and other cities in the United States that have taken care of their water supply in that way?

This is an industrial state in which we live, and the people in Philadelphia should realize that the streams in an industrial state must be used for industry. Ninety thousand people depend for their livelihood upon the coal business, and of those ninety thousand people, many thousands of them are every day and every week shoppers in the city of Philadelphia, contributing to the coffers of the merchants of Philadelphia.

Let me say, too, that large quantities of the income of the anthracite producing counties go into the pockets of Philadelphians; many of your hospitals and one of your colleges is entirely supported by the income from anthracite coal.

It is about time that you realized that we in the anthracite region have to live too. In the last twelve years prior to this war we have seen the worst depression in the anthracite region that was ever seen by any section of the country. Evry other section of the country got aid from some one, but never the anthracite region, and now that we are about to get back on our feet and begin to work again, the first thing we find is the gentlemen from Philadelphia and the newspapers attempting and trying to put another burden upon the backs of the operators and to again put the men of the anthracite region back on relief.

It is very fine to talk about pure streams, but it is more important to keep the people of this Commonwealth at work. I might paraphrase the words of the Queen of France, who, when they asked for bread said, "give them cake." We ask for jobs and they say, "purify the streams, let the miners eat fish," and so I say to you in answer to the gentleman from Philadelphia, I am sorry to have to impose myself upon the time of the Senate; I would not have done so had not the gentleman from Philadelphia, Senator Jaspan, made the remarks he did when he introduced the bill.

If this bill does come out of committee, in behalf of the anthracite people and the anthracite counties of Pennsylvania, in behalf of one of the greatest industries of the state of Pennsylvania, I ask the members of this Senate to vote against that bill, if it does come out of committee.

PERMISSION TO ADDRESS SENATE

Mr. STIEFEL asked and obtained unanimous consent to address the Senate.

Mr. STIEFEL. Mr. President, not to impose upon the time of the Senate because of the lateness of the hour, I will reserve my remarks and my reply to the gentleman from Schuylkill, Senator Watkins, until Monday, with permission of the Chair, at which time I will make a statement.

PERMISSION TO ADDRESS SENATE

Mr. JASPAN asked and obtained unanimous consent to address the Senate.

Mr. JASPAN. Mr. President, I will make a very brief statement in response to the statement of my friend from Schuylkill, Senator Watkins.

Personally, I have not made a study of the situation. However, I am guided by gentlemen who are very much experienced along those lines, particularly Judge Grover C. Ladner, who has made it his life's study, and he has told me, and others, the reason for the impurities in the water, the fact that we get impure water is because of this silt that is dumped into the Schuylkill river.

Further, and this is a very important factor, I think it is part of our educational system—I do not know whether it has occurred to anybody else in this Senate—but the first thing we ask for is a sound mind, and a healthy body, and where there is not a healthy body there can not possibly be a sound mind, and here we have our school children and our adults drinking impurities as a result of silt that is thrown into the water by that industry, and it is impossible for them to have healthy bodies. Which is more important, the interests of the industrialists or the health of our citizens? I say to you unequivocally the health of our citizens transcends the interests of the industrialists.

BILL SIGNED

The PRESIDENT (Lieutenant-Governor John C. Bell, Jr.), announced that the Chief Clerk having reported that the following bill had passed both houses of the General Assembly and the same being correct, the title was publicly read as follows:

House Bill No. 549, entitled:

An Act to further amend sections three hundred one and three hundred three of the act, approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 343), entitled "Fiscal Code," by authorizing the Treasury Department, with the approval of the Governor, to invest State deposits in short-term obligations of the United States government and to dispose of the same.

Whereupon,

The PRESIDENT (Lieutenant-Governor John C. Bell, Jr.) in the presence of the Senate signed the same.

REPORTS FROM COMMITTEES

Mr WOODWARD, from the Committee on Welfare, Public Assistance and Pensions, reported as committed, House Bill No. 808, entitled:

An Act to provide for certain powers related to the war emergency to the Department of Public Assistance and county boards of assistance providing for assistance to individuals in distress because of enemy action or the danger thereof providing for the expenditure of State funds therefor and for the acceptance of reimbursement from the United States Government of funds so expended.

Mr. FARRELL, from the Committee on Appropriations, reported as committed, House Bill No. 948, entitled:

An Act making an appropriation to the Department of Military Affairs for the maintenance and education of children of certain soldiers, sailors, marines, female field clerks, yeomen (female) and nurses.

He also, from the Committee on Appropriations, reported as committed, House Bill No. 950, entitled:

An Act making an appropriation to the Department of Labor and Industry for the rehabilitation of the deaf and hard of hearing, and for the purpose of matching additional federal funds.

He also, from the Committee on Appropriations, reported as committed, House Bill No. 952, entitled:

An Act making an appropriation from the Banking Department Fund to the State Employes' Retirement Board to meet the obligations of the Commonwealth to the State Employes' Retirement System with respect to State employes receiving compensation from the Banking Department Fund.

BILL RE-REFERRED

Mr. WADE, from the Committee on Welfare, Public Assistance and Pensions, reported as committed, House Bill No. 926, entitled:

An Act creating a commission to make a study of juvenile delinquency directing such commission to make a report and recommendations to the General Assembly conferring certain powers upon such commission including the power to issue subpoenas administer oaths and affirmations retain employes and expend funds and making an appropriation

which was re-referred to the Committee on Appropriations.

He also, from the Committee on Welfare, Public Assistance and Pensions, reported as committed, House Bill No. 468, entitled:

An Act to further amend sections three hundred seven and five hundred one of the act approved the eleventh day of July one thousand nine hundred twenty-three (P. L. 998) entitled "An act for the prevention and treatment of mental diseases mental defect epilepsy and inebriety regulating the admission and commitment of mental patients to hospitals for mental diseases and institutions for mental defectives and epileptics governing the transfer discharge interstate rendition and deportation of mental patients providing for the payment by individuals counties or the Commonwealth of the cost of the admission care and discharge of mental patients and imposing penalties" imposing certain costs on the institution district.

Mr. JAMES, from the Committee on Appropriations, reported as committed, House Bill No. 491, entitled:

An Act making an appropriation to the Department of Highways out of the Motor License Fund, for the purpose of rebuilding county bridges carried away or destroyed by fire, flood or other casualty, and of carrying out the provisions of existing laws relating thereto.

He also, from the Committee on Appropriations, reported as committed, House Bill No. 924, entitled:

An Act making an appropriation to the Department of Forests and Waters for the purpose of reconstructing and maintaining dikes along Darby Creek in Tinicum and Darby Townships Delaware County and in Philadelphia.

He also, from the Committee on Appropriations, reported as committed, House Bill No. 959, entitled:

An Act making an appropriation from the State Workmen's Insurance Fund to the State Employes' Retirement Board to meet the obligations of the Commonwealth to the State Employes' Retirement System with respect to State employes receiving compensation from the State Workmen's Insurance Fund.

Mr. WALKER, from the Committee on Judiciary General, reported as committed, House Bill No. 516, entitled:

An Act to provide protection to estates interests funds and property rights of minors, mental and incompetents and absentees secured or to be secured by individual surety or sureties in court of record or proceedings therein by specifying the requirements of such suretyship the qualifications of such sureties and imposing liens upon the collateral realty involved as well as providing for the revival thereof for execution thereon and for the release discharge or satisfaction thereof.

He also, from the Committee on Judiciary General, reported as committed, House Bill No. 110, entitled:

An Act to authorize counties cities boroughs incorporated towns townships school districts poor districts and county institution districts to file tax and municipal claims not filed within the time specified by law and to file suggestions of nonpayment and averments of default or to sue out writs of scire facias on certain tax or municipal claims and to revive judgments where the lien of such claims or the judgments thereon have been lost and providing for the reinstatement of the liens of such claims and judgments.

Mr. GELTZ, from the Committee on Appropriations, reported as committed, House Bill No. 962, entitled:

An Act making an appropriation of moneys in the Motor License Fund to the Board of Finance and Revenue to meet interest and sinking fund requirements on the State debt.

He also, from the Committee on Appropriations, reported as committed, House Bill No. 963, entitled:

An Act making an appropriation to the Department of Property and Supplies for the payment of rates, rentals and other charges that may become due on leases and other contracts executed by the Pennsylvania State College with The General State Authority for the use and occupancy by such college of the various projects, structures, buildings and facilities of the Authority, or for the services rendered by the Authority or its projects.

He also, from the Committee on Appropriations, reported as committed, House Bill No. 965, entitled:

An Act making an appropriation from the State Stores Fund to the State Employes' Retirement Board to meet the obligations of the Commonwealth to the State Employes' Retirement System with respect to State employes receiving compensation from the State Stores Fund.

Mr. STEVENSON, from the Committee on Appropriations, reported as committed, House Bill No. 931, entitled:

An Act making an appropriation out of the Motor License Fund to the Department of Highways for allocation to and expenditure in the second class township of the Commonwealth for maintenance, construction, reconstruction, resurfacing or improvement of township roads and bridges during the calendar years one thousand nine hundred forty-four and one thousand nine hundred forty-five, permitting the use of the funds for maintenance and repair to township roads and bridge under certain conditions, and providing for the method of payment to townships.

PERMISSION TO ADDRESS SENATE

Mr. CHAPMAN asked and obtained unanimous consent to address the Senate.

Mr. CHAPMAN. Mr. President, in making a report from a committee so important as the Appropriations Committee, I think it might be well to make a few statements relative to the workings of that committee. The expenditure of some six hundred millions of dollars is no small item to the Commonwealth of Pennsylvania and, we, the Committee on Appropriations, want the Senate to know what we have been doing in arriving at what we think a just appropriation, to justify the amounts that the committee has appropriated. We have visited personally every hospital, correctional and penal institution, the mental hospitals, the surgical hospitals, in the different parts of the state. We have a number of times questioned members of various departments of the state government, called them before our committee and arrived at the conclusions by reason of which we report out these bills.

This committee has been working in conjunction with the Appropriations Committee of the House of Representatives and we think that we have done a very good job. I wish the Senate to know that we have called a committee meeting to consider every bill which has been presented to us. No bill has been reported from the Committee of appropriations to this floor without the scrutiny of the Senate Committee on Appropriations.

I wish to thank the whole Senate Committee on Appropriations for its assistance, and especially the members of a sub-committee, the gentleman from Clinton, Senator Stevenson and the gentleman from Philadelphia, Senator Stiefel, who have gone over these bills carefully before they were presented to the whole committee.

Mr. President, I have in my hands bills representing approximately $200,000,000 and I received this afternoon bills representing something like $300,000,000, about which further meetings will be held by the Committee on Appropriations to scrutinize those bills.

Therefore, at this time, I am about to report from the Committee on Appropriations several bills and with the indulgence of the Senate, members of the Committee of Appropriations during the balance of this day will present a number of other bills.

REPORTS FROM COMMITTEES

Mr. CHAPMAN, from the Committee on Appropriations, reported as committed, House Bill No. 977, entitled:

An Act making an appropriation to the Department of Labor and Industry to meet the obligation of the Commonwealth to pay a part of the compensation payable for certain occupational diseases.

He also, from the Committee on Appropriations, reported as committed, House Bill No. 978, entitled:

An Act making an appropriation to the Department of Forests and Waters for the repair or reconstruction of a dam across the Lehigh River at Easton, Northampton County, and dredging in the Lehigh River and the entrance of the Delaware Division Canal.

He also, from the Committee on Appropriations, reported as committed, House Bill No. 970, entitled:

An Act making an appropriation to the Treasury Department out of various funds to pay replacement checks issued in lieu of outstanding checks when presented.

He also, from the Committee on Appropriations, reported as committed, House Bill No. 966, entitled:

An Act making an appropriation from the Fish Fund to the State Employes' Retirement Board to meet the obligations of the Commonwealth to the State Employes' Retirement System with Respect to State employes receiving compensation from the Fish Fund.

He also, from the Committee on Appropriations, reported as committed, House Bill No. 969, entitled:

An Act making an appropriation of moneys in the Motor License Fund to the Board of Finance and Revenue for the payment of the Loan and Transfer Agent of the Commonwealth.

He also, from the Committee on Appropriations, reported as committed, House Bill No. 953, entitled:

An Act making an appropriation from the Motor License Fund to the State Employes' Retirement Board to meet the obligations of the Commonwealth to the State Employes' Retirement System with respect to State employes receiving compensation from the Motor License Fund.

Mr. JASPAN, from the Committee on Appropriations, reported as committed, House Bill No. 971, entitled:

An Act making an appropriation to the General State Authority to defray the costs and expenses of the said Authority in connection with the organization, administration and operation thereof.

He also, from the Committee on Appropriations, reported as committed, House Bill No. 979, entitled:

An Act making an appropriation from the Manufacturing Fund to the State Employes' Retirement Board to meet the obligations of the Commonwealth to the State Employes' Retirement System with respect to State employes receiving compensation from the Manufacturing Fund.

He also, from the Committee on Appropriations, reported as committed, House Bill No. 980, entitled:

An Act making an appropriation from the Game Fund to the State Employes' Retirement Board to meet the obligations of the Commonwealth to the State Employes' Retirement System with respect to State employes receiving compensation from the Game Fund.

Mr. TALLMAN, from the Committee on State Government, reported as committed, Senate Bill No. 619, entitled:

An Act to further amend section four hundred fifty-two of the act, approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 177), entitled, "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments, boards, commissions, and officers thereof, including the boards of trustees of State Normal Schools, or Teachers Colleges; abolishing, creating, reorganizing or authorizing the reorganization of certain administrative departments, boards, and commissions; defining the powers and duties of the Governor and other executive and administrative officers, and of the several administrative departments, boards, commissions, and officers; fixing the salaries of the Governor, Lieutenant-Governor, and certain other executive and administrative officers; providing for the appointment of certain administrative officers, and of all deputies and other assistants and employes in certain departments, boards, and commissions; and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments, boards and commissions shall be determined," as amended, by changing the provision regarding the maximum compensation of the State Civil Service Commission.

He also, from the Committee on State Government, reported as committed, Senate Bill No. 589, entitled:

An Act to further amend section four hundred two of the act, approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 343), entitled "An act relating to the finances of the State government; providing for the settlement, assessment, collection, and lien of taxes, bonus, and all other accounts due the Commonwealth, the collection and recovery of fees and other money or property due or belonging to the Commonwealth, or any agency thereof, including escheated property and the proceeds of its sale, the custody and disbursement or other disposition of funds and securities belonging to or in the possession of the Commonwealth, and the settlement of claims against the Commonwealth, the resettlement of accounts and appeals to the courts, refunds of moneys erroneously paid to the Commonwealth, auditing the accounts of the Commonwealth and all agencies thereof, of all public officers collecting moneys payable to the Commonwealth, or any agency thereof, and all receipts of appropriations from the Commonwealth and imposing penalties; affecting every department, board, commission, and officer of the State government, every political subdivision of the State, and certain officers of such subdivisions, every person, association, and corporation required to pay, assess, or collect taxes, or to make returns or reports under the laws imposing taxes for State purposes or to pay license fees or other moneys to the Commonwealth, or any agency, thereof, every State depository and every debtor or creditor of the Commonwealth" by providing for audit of the Department of the Auditor General and imposing certain duties upon the Governor of the Commonwealth.

BILL INTRODUCED AND REFERRED

Mr. WALKER read in his place and presented to the Chair, Senate Bill No. 633, entitled:

An Act to amend section twenty-one of the act, approved the seventh day of June, one thousand nine hundred seventeen (P. L. 429), entitled, "An act relating to the descent and distribution of the real and personal property of persons dying intestate; and to provide for the recording and registering of the decrees of the orphans' court in connection therewith, and the fees therefor," by providing that the bar of said section may be pleaded by any relative or person concerned whose right in the estate will be defeated or diminished by the allowance of such claim and by the Commonwealth in the furtherance of its right of escheat, but it may not be pleaded by the personal representatives of the estate in order to enable them to retain an estate or portion thereof to which they are not legally entitled, and that the provisions of this amendment be retroactive but any relatives or persons concerned whose claims would be sooner barred by this amendment, may lay legal claim to their respective shares within six months after the passage of this amendment; and further that this amendment shall not have the effect of removing the bar of this section as to any legal claim which may have been barred prior to the passage of this amendment.

Which was committed to the Committee on Judiciary General.

PERMISSION TO ADDRESS SENATE

Mr. STIEFEL asked and obtained unanimous consent to address the Senate.

Mr. STIEFEL. Mr. President, I should like to say just a word in connection with a bill I am about to present. Under the auspices of the Thomas Jefferson Bicentennial Commission there was recently conducted a contest among our high school population and we are very happy to report that more than one thousand essays were entered in that contest, which indicates that the youth of Pennsylvania has been attuned to the activities of that commission.

In view of the fact that the appropriation to this commission will lapse within a month's time before we will be in a position to award prizes to the winning in that

contest, we are constrained to ask for a renewal of this appropriation.

BILLS INTRODUCED AND REFERRED

Messrs. STIEFEL, CHAPMAN and STEVENSON read in their places and presented to the Chair, Senate Bill No. 634, entitled:

An Act to amend section one of the act, approved the thirty-first day of July, one thousand nine hundred forty-one (Appropriation Acts of 1941, P. L. 81), entitled "An act making an appropriation to the Thomas Jefferson Bicentennial Commission of Pennsylvania," by providing that the unexpended balance of the appropriation made by said act shall not lapse until the purposes for which it was made are fully completed, and the affairs of the Thomas Jefferson Bicentennial Commission of Pennsylvania are finally closed.

Which was committed to the Committee on Appropriations.

Mr. WADE read in his place and presented to the Chair, Senate Bill No. 635, entitled:

An Act to amend the act, approved the twenty-second day of June, one thousand nine hundred and thirty-one (P. L. 594), entitled "An act establishing certain township roads as State highways; authorizing their construction, maintenance, and improvement under certain conditions and restrictions; limiting the obligation of the Commonwealth in the construction of certain structures located on such highways; conferring certain powers upon the Department of Highways and local authorities, persons, associations and corporations for sharing the cost of the maintenance and construction of such highways; and making an appropriation to carry out the provisions of said act," by changing certain routes.

Which was committed to the Committee on Highways.

NOMINATIONS BY THE GOVERNOR

NOTARIES PUBLIC

The Secretary to the Governor being introduced, presented in writing from His Excellency, the Governor of the Commonwealth, nominations for appointment as Notaries Public.

CONSIDERATION OF NOTARIES PUBLIC

Mr. WATKINS. Mr. President, I move that the Senate do now proceed to the consideration of nominations for appointment as Notaries Public, sent to the Senate, by His Excellency, the Governor of the Commonwealth, on April 29, 1943.

Mr. LETZLER. Mr. President, I second the motion.

The motion was agreed to.

The nominations were read as follows:

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, April 29, 1943.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for appointment as Notaries Public, for terms of four years to compute from the date of confirmation:

ADAMS COUNTY

Mrs. Anna W. Basehore, Gettysburg.

ALLEGHENY COUNTY

Sante F. De Maria, Pittsburgh, 6206 Broad St.
Miss Mildred E. Galloway, Pittsburgh, 210 Grant St.

LACKAWANNA COUNTY

H. E. Courtright, Scranton.

LEHIGH COUNTY

Miss Patricia K. Herbst, Allentown.

EDWARD MARTIN.

NOMINATIONS FOR NOTARIES PUBLIC

A motion was made by Mr. WATKINS and Mr. LETZLER,

That the Senate do advise and consent to said nominations.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—42

Barr,	Ealy,	Kephart,	Stiefel,
Becker,	Farrell,	Letzler,	Tallman,
Bowers,	Geltz,	Mallery,	Thomas,
Carr,	Gourley,	McGinnis,	Tyler,
Chapman,	Haluska,	McQuiddy,	Wade,
Coleman,	Heyburn,	Ruth,	Walker,
Cox,	Holland,	Scarlett,	Watkins,
Crider,	Homsher,	Shapiro,	Wilson, H. I.,
Crowe,	James,	Snowden,	Woodring,
Deitrick,	Jaspan,	Stevenson,	Woodward,
DiSilvestro,	Jones,		

NAYS—0

Two-thirds of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Governor be informed accordingly.

RESOLUTION

REQUESTING THAT ACTION BE DISPENSED WITH ON CERTAIN BILLS IN THE CONGRESS OF THE UNITED STATES UNTIL THE END OF THE PRESENT WAR

Mr. JONES. Mr. President, I ask unanimous consent to offer a resolution at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. JONES, offered the following resolution which was twice read as follows, and referred to the Committee on Aeronautics.

In the Senate, April 29, 1943.

Whereas, The Congress of the United States has before it for consideration House Bill H. R. 1012 and Senate Bill 246 affecting Air Commerce; and

Whereas, Air Commerce (Air Lines) represents a minor part of civil aviation, and private flying and fixed base operations represent a major part of civil aviation whose operations are not interstate in character and therefore are of no concern of the Federal Government, the pending legislation would deny to the states their inherent rights to govern within their own state and would seriously jeopardize private flying and fixed base operations; and

Whereas, By applying the intent of this legislation to other forms of transportation our national economy would be seriously affected; and

Whereas, There is no immediate need for this legislation as the President of the United States is vested with full power under the Defense Act to regulate all aircraft, civilian or otherwise if necessary, and

Whereas, Those men who are serving their country in the various branches of service are unable to voice their sentiments or opinions on this proposed legislation at this time, and they are the persons who have contributed more to the development of aviation and are entitled to their place in aeronautics when and if they return from active duty; and

Whereas, There is ample time for such legislation to be considered in the future since consideration has not been given future developments and improvements which will change methods now used in the regulations of aircraft: therefore be it

Resolved (if the House of Representative concurs), That the General Assembly of Pennsylvania respectfully requests that no action be taken on the above mentioned bills or any similar bill or bills by Congress until the present war is over and peace is established; and be it further

Resolved, That a copy of this resolution be forwarded to the Clerk of the United States Senate, the Clerk of the United States House of Representatives, the Clerk of the Interstate and Foreign Commerce Committee of Congress and to each of the Pennsylvania Senators and Representatives in Congress.

Mr. BARR. Mr. President, by agreement I am going to wait until Monday to speak on this question because I happen to know the situation in Illinois, concerning which this bill has been presented on the floor of Congress, so I will wait until Monday to speak concerning it.

BILLS ON FINAL PASSAGE

BILLS OVER IN ORDER

Mr. HEYBURN. Mr. President, I ask unanimous consent that House Bill No. 545, on final passage, entitled:

An Act to further amend section four of the act approved the twenty-first day of May one thousand nine hundred thirty-one (P. L. 149) entitled "An act imposing a State tax payable by those herein defined as distributors on liquid fuels used or sold and delivered within the Commonwealth which are ordinarily practically and commercially usable in internal combustion engines for the generation of power providing for the collection and lien of the tax and the distribution and use of the proceeds thereof requiring such distributors to secure permits to file corporate surety bonds and reports and to retain certain records imposing duties on retail dealers common carriers county commissioners and such distributors providing for rewards imposing certain costs on counties conferring powers and imposing duties on certain State officers and departments providing for refunds imposing penalties and making an appropriation" by imposing and continuing the additional emergency tax on liquid fuels for a further limited period of time

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. HENRY I. WILSON. Mr. President, I ask unanimous consent that House Bill No. 675, on final passage, entitled:

An Act to further reenact and amend section seventeen of the act approved the twenty-ninth day of May one thousand nine hundred thirty-one (P. L. 280) entitled "An act relating to delinquent taxes on seated lands and prescribing interest charges on non-payment thereof requiring the receivers and collectors of county city borough town township school district and poor district taxes to make a return to the county commissioners of such unpaid taxes and providing for the lien thereof authorizing the county treasurers to collect such taxes and to sell seated lands at public sale for taxes heretofore or hereafter returned as unpaid and authorizing the county commissioners to purchase such lands and resell the same under certain circumstances" making the sale of land purchased at treasurer's sale discretionary providing for the readvertisement of such sales heretofore advertised but not held authorizing the sale of such property on court order and the redemption thereof after such sale free and clear of all mortgages municipal claims and ground rents and validating previous sales

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS ON THIRD READING

BILLS OVER IN ORDER

Mr. HEYBURN. Mr. President, I ask unanimous consent that House Bill No. 92, on third reading, entitled:

An Act to amend the act approved the twenty-fourth day of June one thousand nine hundred thirty-nine (P. L. 872) entitled "An act to consolidate amend and revise the penal laws of the Commonwealth" changing and revising sections of said act relating to obstructing an officer in the execution of process fornication and bastardy lotteries firearms receiving stolen property trespass on posted property cheating by fraudulent pretenses principals in the second degree and accessories aiders and abettors and repealing certain sections relating to larceny and certain existing acts

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. HEYBURN. Mr. President, I ask unanimous consent that House Bill No. 143, on third reading, entitled:

An Act validating certain expenditures heretofore made by county commissioners in order to furnish filing cabinets or other office equipment to rationing boards

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. HEYBURN. Mr. President, I ask unanimous consent that, House Bill No. 150, on third reading, entitled:

An Act to further amend clause (17) of subdivision (4) of subsection (j) of section four of the act approved the fifth day of December one thousand nine hundred thirty-six (1937 P. L. 2897) entitled "An act establishing a system of unemployment compensation to be administered by the Department of Labor and Industry and its existing and newly created agencies with personnel (with certain exceptions) selected on a civil service basis requiring employers to keep records and make reports and certain employers to pay contributions based on payrolls to provide moneys for the payment of compensation to certain unemployed persons providing procedure and administrative details for the determination payment and collection of such contributions and the payment of such compensation providing for cooperation with the Federal Government and its agencies creating certain special funds in the custody of the State Treasurer and prescribing penalties" excluding services of real estate salesmen real estate brokers and unsalaried newspaper correspondents from the definition of "employment"

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. HEYBURN. Mr. President, I ask unanimous consent that House Bill No. 156, on third reading, entitled:

An Act to amend section three hundred two of the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1225) entitled "An act concerning game and other wild birds and wild animals and amending revising consoldating and changing the law relating thereto" exempting for the duration of the present war any persons in the armed forces from the payment of a fee to the Commonwealth for resident hunting licenses

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. HEYBURN. Mr. President, I ask unanimous consent that House Bill No. 198, on third reading, entitled:

An Act to amend section nine hundred fifteen of the act approved the first day of May one thousand nine hundred thirty-three (P. L. 103) entitled "An act concerning townships of the second class and amending revising consolidating and changing the law relating thereto" continuing the liability of taxpayers after the tax collector has been exonerated

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 236, entitled:

A Supplement to the act approved the twelfth day of June one thousand nine hundred and thirty-nine (P. L. 335) entitled "An act creating a temporary commission to examine report upon and recommend measures to improve the economic cultural health and living conditions of the urban colored population of the State and making an appropriation of the expenses of such commission" by extending the term of such commission until the next regular session of the General Assembly and making an appropriation

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The existence of the temporary State commission created under the provisions of the act approved the twelfth day of June one thousand nine hundred and thirty-nine (P. L. 335) entitled "An act creating a temporary commission to examine report upon and recommend measures to improve the economic cultural health and living conditions of the urban colored population of the State and making an appropriation of the expenses of such commission" and the powers and duties granted such commission which were extended by the act approved the sixth day of August one thousand nine hundred and forty-one (P. L. 860) are hereby further extended until the next regular session of the General Assembly

Section 2 The sum of fifteen thousand dollars ($15,000) or so much thereof as may be necessary is hereby appropriated from any money in the State Treasury not otherwise appropriated payable on requisition of the chairman of such commission on the warrant and audit of the Auditor General

Section 3 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

Mr. STIEFEL. Mr. President, coming from a district in which there is a very large colored population, I want to state that I am fully in accord with the work which is being done by this committee. Although there are certain shortcomings, I think that it is about time that the attainments of this committee should be translated into actual bills which will be conducive to the ameloriation of the conditions of the colored population, and I hope that the work of this committee during the next two years will finally reduce itself to some tangible results.

Mr. WOODWARD. I only want to say for myself, Mr. President, if it means another report like that I am going to vote "no."

Mr. JASPAN. It is not a question of the size of the report, Mr. President, but that this commission has done excellent work throughout the state and no complaint should be made as a result of their reports of investigation. I think it should be continued because the work has been wholesome and good and for the benefit of the urban colored population.

And the question recurring,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—42

Barr,	Ealy,	Kephart,	Stiefel,
Becker,	Farrell,	Letzler,	Tallman,
Bowers,	Geltz,	Mallery,	Thomas,
Carr,	Gourley,	McGinnis,	Tyler,
Chapman,	Haluska,	McQuiddy,	Wade,
Coleman,	Heyburn,	Ruth,	Walker,
Cox,	Holland,	Scarlett,	Watkins,
Crider,	Homsher,	Shapiro,	Wilson, H. I.,
Crowe,	James,	Snowden,	Woodring,
Deitrick,	Jaspan,	Stevenson,	Woodward,
DiSilvestro,	Jones,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 272, entitled:

An Act to apportion the Commonwealth of Pennsylvania into congressional districts

On the question,

Will the Senate agree to the bill on third reading?

Mr. WOODRING. Mr. President, as I note the history of Senate Bill No. 272, it occurs to me that the bill is unlawfully on the Calendar, and that if it would be considered by the Senate at this time it would be hereafter declared unconstitutional and I, therefore, object to its consideration on third reading.

The PRESIDENT. Why in the opinion of the Senator from Northampton, is Senate Bill No. 272 improperly on the Calendar at this time?

Mr. WOODRING. As I note the history of this bill, Mr. President, this bill was re-referred to committee on third reading and amended in committee.

Mr. WALKER. Mr. President, I desire to interrogate the gentleman from Northampton.

The PRESIDENT. Will the gentleman from Northampton permit himself to be interrogated?

Mr. WOODRING. I will, Mr. President.

Mr. WALKER. Mr. President, I hope the gentleman from Northampton will bear with me for a moment while I preface my interrogation with a brief explanation of the situation regarding Senate Bill No. 272, as I understand it.

When Senate Bill No. 272 was returned from the Governor there was a motion made that the vote by which the bill passed finally be reconsidered; that motion was carried, which automatically put the bill on the final passage Calendar; then there was a motion made and carried, that the vote by which Senate Bill No. 272 passed third reading be reconsidered; and then automatically the bill stepped down to the third reading Calendar; then there was a motion made, and carried, that Senate Bill No. 272 be recommitted to the Committee on Congressional Reapportionment, the bill was referred to that committee, the committee met and amended the bill and it was re-reported as amended.

When a bill is re-reported from committee it takes the same position on the Calendar as it had when it left the floor of the Senate.

I would like to ask the gentleman from Northampton if that is not a correct history of this bill since it was recalled from the Governor?

Mr. WOODRING. So far as I know, the record speaks for itself. But in further answer to the gentleman from Allegheny, I believe that he has correctly stated the history of this bill.

Mr. WALKER. I thank the gentleman from Northampton. Then, Mr. President, it merely becomes a difference of opinion as to the constitutionality of the procedure which we are following, and I am perfectly willing to place my judgment as to its constitutionality against that of the gentleman from Northampton, Senator Woodring, and I would like to ask that we proceed with passage of the bill.

Mr. SHAPIRO. Mr. President, I desire to record my objection to this bill being considered at this time in its present form on final passage.

The PRESIDENT. For the information of the gentleman from Philadelphia, Senator Shapiro, Senate Bill No. 272 is now on third reading.

Mr. SHAPIRO. Also, I would like to suggest that there is no copy of the bill up from the printer at the present time; there is not a copy of it on my desk, anyhow.

Mr. WALKER. Mr. President, I suggest that the gentleman from Philadelphia go back to his desk.

Mr. SHAPIRO. I have been at my desk and looked for the bill.

Mr. WALKER. May I suggest that the gentleman from Philadelphia, Senator Shapiro, go back to his desk and he may be able to find a copy of the bill.

Mr. SHAPIRO. I object for two reasons. First, because of the reason referred to by the gentleman from Northampton, Senator Woodring and, secondly, because I have looked at my bill file and the extra bills on my desk for the last twenty minutes and I have not been able to find the bill. Maybe someone else has a copy but I do not.

Mr. JASPAN. Mr. President, I will go beyond what has been stated by my colleagues, Senator Woodring and Senator Shapiro—I am thoroughly in accord with what they have said—but I believe Senate Bill No. 272, as introduced and passed and now again on third reading, is unconstitutional because once a reapportionment act has been passed by the Legislature of the state of Pennsylvania, or any other state—and that was done in the year 1942, at a very heavy expense to the Commonwealth, probably running into three hundred some odd thousands of dollars, and here we are again defying or challenging what was done in 1942, and I say it is unconstitutional. The act of 1942 was passed by us, having been entered into as agreed between Republicans and Democrats and accepted as final, and today we are trying to counteract what was done, which is absolutely invalid, void, and unconstitutional.

Mr. WALKER. Mr. President, I find that the gentleman from Philadelphia, Senator Shapiro, as always, is correct. Copies of Senate Bill No. 272 are not on the desks of the Senators and I therefor ask that Senate Bill No. 272 go over in its order temporarily until the printer rescues me.

BILL OVER IN ORDER

Mr. WALKER. Mr. President, I ask unanimous consent that Senate Bill No. 272, on third reading, go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILL RECOMMITTED

Mr. HEYBURN. Mr. President, I move that Senate Bill No. 289 on third reading, entitled:

An Act limiting the extent to which liability may be made retroactive in cases in which, upon the basis of court decision or administrative ruling, a liability to the Commonwealth for taxes or other moneys is asserted which had not theretofore been claimed

be recommitted to the Committee on Judiciary Special.

Mr. WOODRING. Mr. President, I second the motion.

The motion was agreed to.

BILLS OVER IN ORDER

Mr. HEYBURN. Mr. President, I ask unanimous consent that Senate Bill No. 356, on third reading, entitled:

An Act to amend sections twelve and seventeen of the act, approved the twenty-first day of June, one thousand nine hundred thirty-nine (P. L. 626), entitled "An act providing for and regulating the assessment and valuation of all subjects of taxation in counties of the second class; creating and prescribing the powers and duties of a Board of Property Assessment, Appeals and Review; imposing duties on certain county and city officers; abolishing the board for the assessment and revision of taxes in such counties; and prescribing penalties," by providing for appeals from the judgment order or decrees of the court of common pleas to the Supreme or Superior Court, and for exoneration and refund of taxes when any assessment has been reduced by the Board of Property Assessment, Appeals and Review or by any court

go over in its order as the bill is not up from the printer..

The PRESIDENT. Is there objection? The Chair hears none.

Mr. HEYBURN. Mr. President, I ask unanimous consent that House Bill No. 372, on third reading, entitled:

An Act to amend clause eight of section seven hundred and two of the act, approved the first day of May, one thousand nine hundred and thirty-three (P. L. 103), entitled "An act concerning townships of the second class; and amending, revising, consolidating, and changing the law

relating thereto," by empowering townships of the second class to levy a tax, under certain circumstances, for the purpose of paying for the removal and disposal of ashes, garbage and other refuse material

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. HEYBURN. Mr. President, I ask unanimous consent that House Bill No. 406, on third reading, entitled:

An Act to further amend section three hundred eleven of the act, approved the second day of May, one thousand nine hundred and twenty-nine (P. L. 1278), entitled "An act relating to counties of the second, third, fourth, fifth, sixth, seventh and eighth classes; and revising, amending and consolidating the laws relating thereto," extending the retirement system of counties of the second class to additional employes

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 415, entitled:

An Act authorizing cemetery companies to accept certain gifts in trust and to be appointed trustees or substituted trustees of certain funds regulating their rights and duties in respect to trust funds the income therefrom and the investment thereof permitting them to give their own bonds and validating certain actions

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Cemetery companies heretofore or hereafter incorporated under the laws of this Commonwealth to conduct and operate cemeteries in this Commonwealth may receive and accept devises bequests or gifts to be held in trust in perpetuity or for a lesser period of time for the care maintenance preservation ornamentation or benefit of their respective cemeteries or lots therein whether or not burial rights have been or may hereafter be granted in such lots

Section 2 Cemetery companies heretofore or hereafter incorporated under the laws of this Commonwealth to conduct and operate cemeteries in this Commonwealth may be appointed the original trustees substituted trustee or successor trustee when for any reason a vacancy may occur in a trusteeship for and may receive as such original trustee or substituted or successor trustee devises bequests and gifts to be held in trust or perpetuity or for a lesser period of time for the care maintenance preservation ornamentation or benefit of their respective cemeteries or lots therein whether or not burial rights have been or may hereafter be granted in such lots upon such respective cemetery companies giving their own bond without surety provided the Court having jurisdiction of the appointment of said trustee or substituted or successor trustee is satisfied that the cemetery company so to be appointed has made proper provision for the administration of such trust fund separate and apart from the corporate assets of said respective cemetery company

Section 3 Any excess of income arising from trust funds held as aforesaid for the care maintenance preservation ornamentation or benefit of such cemeteries or lots therein whether or not burial rights have been granted therein which excess income is not required for use in or on any specific lots shall be paid to and may be received accepted and used by said cemetery companies in their discretion for the care maintenance preservation or ornamentaiton of the cemetery property in which any specific lots are situated

Section 4 Said cemetery companies which may receive as trustee or substituted or successor trustee devises bequests and gifts to be held in trust for the care maintenance preservation ornamentation or benefit of their respective cemeteries or lots therein whether or not burial rights have been or may hereafter be granted therein may combine and merge two or more such trust funds in an omnibus fund for purposes of investment of the same

Section 5 Said cemetery companies which may receive such trusts as aforesaid as trustee or substituted or successor trustee shall not be required to file triennial accounts but shall be subject to the court having jurisdiction of the proceedings to compel the filing of an account in the discretion of said court

Section 6 All actions and proceedings which have taken place heretofore but which conform to the provisions of this act are ratified and confirmed to all intents and purposes as if taken after the passage of this act

Section 7 All acts or parts of acts insofar as inconsistent with the provisions of this act are hereby repealed

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—42

Barr,	Ealy,	Kephart,	Stiefel,
Becker,	Farrell,	Letzler,	Tallman,
Bowers,	Geltz,	Mallery,	Thomas,
Carr,	Gourley,	McGinnis,	Tyler,
Chapman,	Haluska,	McQuiddy,	Wade,
Coleman,	Heyburn,	Ruth,	Walker,
Cox,	Holland,	Scarlett,	Watkins,
Crider,	Homsher,	Shapiro,	Wilson, H. I.,
Crowe,	James,	Snowden,	Woodring,
Deitrick,	Jaspan,	Stevenson,	Woodward,
DiSilvestro,	Jones,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence,

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 419, entitled:

An Act giving the consent of the Commonwealth of Pennsylvania to the acquisition by the United States of America of approximately twenty-one thousand acres of land in the County of Franklin Commonwealth of Pennsylvania known as the Letterkenny Ordnance Depot and ceding jurisdiction to the United States

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The consent of the Commonwealth of Pennsylvania is hereby granted in accordance with the seventeenth clause eighth section of the first article of the Constitution of the United States to the acquisition by the United States of America of a certain tract of land in Franklin County Pennsylvania known as the Letterkenny Ordnance Depot containing twenty thousand seven hundred thirty and sixty-seven one hundredth (20,730.67) acres more or less bounded and described as follows

Beginning at a point in the concrete road known as Route No. 333 which point is the point of beginning of the lands described in a deed dated June 20 1933 and recorded among the land records of Franklin County

Pennsylvania in Deed Book No. 248 page 138 from Frances Willhide to Ethel Pearl Timmons (Tract No 9) thence binding on the lands of Ethel Pearl Timmons and by the lands of Abram R Gayman and D R Hoover the following courses and distances South 24¼ degrees West 100.7 perches to an iron pin South 40¾ degrees East 12.75 perches to an iron pin South 40¼ degrees East 9.25 perches to an iron pin South 49½ degrees East 11.25 perches to an iron pin South 19¾ degrees East 39.75 perches to an iron pin North 51¾ degrees East 2.40 perches to an iron pin South 35¼ degrees East 43.25 perches to an iron pin at a corner common to the lands of Ethel Pearl Timmons (Tract No 9) and J LeRoy Hoke (Tract No 11) thence

By the lands of J LeRoy Hoke (Tract No 11) the two following courses and distances South 1 degree East 4.25 perches to an iron pin and South 23¾ degrees East 8.68 perches to a point in the North line of Oscar Schaffnit (Tract No 200) thence Along said Schaffnit's North line South 82 degrees East 99.75 perches more or less to a point in Lehman Run thence Down the Run and along the line of lands formerly belonging to Eli Myers 62.3 perches to a point thence Along the same South 45½ degrees West 8.6 perches more or less to a point in the Northeastern boundary line of Eli Myers (Tract No. 179) thence Binding on the Northeastern outline of Eli Myers (Tract No 179) the following courses and distances South 36¾ degrees East 49.9 perches by lands now or formerly belonging to Abram Gayman to a White Oak thence By Abram Gayman's lands and the lands now or formerly of John W. Myers South 51 degrees East 62.2 perches to a stone thence By the latter South 44½ degrees East 25.6 perches to a point and South 52 degrees East 36.75 perches to a point thence By lands now or formerly of C H Myers South 44¾ degrees East 17 perches to a point on Route No 598 thence South 65½ degrees East 7 perches to a point thence South 75 degrees East 15.3 perches to a point thence South 42 degrees East 3.5 perches to a point thence South 5½ degrees East 15.6 perches to a point thence Due South 24 perches to a point on Route No 596 thence Along said Highway the two following courses and distances Southeast 13.4 perches to a point and South 27½ degrees East 26.2 perches to a corner common to the lands of Eli Myers (Tract No 179) and Charles Gillan (Tract No 174) thence

Along the lands of Charles Gillan (Tract No 174) the following courses and distances South 6½ degrees East 30 perches South 17 degrees West 21 perches South ½ degree East 27.3 perches South 52 degrees East 5.25 perches South 32 degrees West 8.2 perches South 10 degrees West 8 perches South 10 degrees East 13.75 perches South 12½ degrees West 10.4 perches South 9½ degrees West 17.5 perches to a corner common to the lands of Charles Gillan (Tract No 174) and Jacob E. Dougherty (Tract No 177) thence

Continuing the same course binding on the lands of Jacob Dougherty (Tract No 177) South 9½ degrees West 21.75 perches to a corner common to the lands of Jacob E. Dougherty (Tract No 177) and S. W. Sollenberger (Tract No 371) thence

Binding on the lands of S. W. Sollenberger South 29½ degrees West 17.6 perches to a corner of the lands of S. W. Sollenberger (Tract No 371) in line of Charles Gillan (Tract No 174) running thence

Binding on the lands of Charles Gillan (Tract No 174) the following courses and distances South 10 degrees East 44.6 perches more or less and South 17½ degrees West 59.05 perches more or less to a point on Route No 596 in line of the lands of Charles Gillan (Tract No 174) at a corner of the lands of Elam U Royer (Tract No 201) thence Leaving said Highway and binding on the Northeasternmost outline of the lands of Elam U Royer (Tract No 201) the two following courses and distances South 67½ degrees East 93.2 perches to a point and South 66½ degrees East 21.25 perches to a point in the line of the Air Hill Church and Cemetery thence Along the line of same the following courses and distances South ¼ degree East 6.29 perches to a point South 65¾ degrees West 15.57 perches to a point South 25¼ degrees East 19.06 perches to a point North 65 degrees East 4.01 perches to a point South 25 degrees East 18.92 perches to a point North 66 degrees East 13.52 perches to a point on the division line between the Air Hill Church and Cemetery property and the lands of Elam U Royer (Tract No 201) thence Leaving the Air Hill Church and Cemetery property and binding on the Eastern outline of Elam U Royer (Tract No 201) South 24 degrees 7 minutes East 154.2 perches to a corner common to the lands of Elam U Royer (Tract No 201) and I N Keefer (Tract No 352) thence

Binding on the lands of I N Keefer (Tract No 352) South 24¼ degrees East 115.25 perches to a point on Route No 28057 a corner common to the lands of I N Keefer (Tract No 352) and C. W Hock (Tract No 353) thence South 25¼ degrees East 42.4 perches to a point on Route No 538 and to a point in the line of the adjoining lands of Grant Rice thence North 60⅞ degrees East 15.08 perches along said Route No 538 where said highway forms a common boundary between the property of Grant Rice and Irwin D Rotz (Tract No 354) to the intersection of Route No 28057 thence In a Southeasterly direction and along Route No 28057 8 perches to a point in Route No 433 thence Along said highway the two following courses and distances South 10⅜ degrees West 42.95 perches and South 9¾ degrees West 14.28 perches to a corner common to the lands of Irvin D Rotz (Tract No 354) and Irvin Diller (Tract No 356) thence

Binding on the lands of Irvin Diller (Tract No 356) and continuing along said highway in a Southwesterly direction 85 perches to a corner common to Irvin Diller (Tract No 356) and Walter Elliott (Tract No 358) thence Still in a Southwesterly direction along said highway 98 perches to the intersection of said highway with the Northwestern right-of-way line of the Western Maryland Railroad Company thence Still in a Southwesterly direction along said Western Maryland Railroad right-of-way line 24 perches more or less to a point on the division line between the lands of Walter Elliott (Tract No 358) and Edgar Snoke (Tract No 360) thence Still in a Southwesterly direction along said right-of-way line 16 perches more or less to a point in the division line between the lands of Edgar Snoke (Tract No 360) and Irvin D Rotz (Tract No 355) thence Still along said right-of-way line South 23 degrees 22 minutes West 130.9 perches to a post thence South 64 degrees West 1.7 perches to a stone on the division line between the lands of Irvin D Rotz (Tract No 355) and Emory Etter (Tract No 377) thence

Binding on the lands of Emory Etter North 64 degrees 15 minutes West 256.8 perches to a stone thence By the same North 59¾ degrees West 66.6 perches to a point on Loudon Road (Route No 538) and on a line of the lands of M D Plough (Tract No 132) thence Along the Northern line of a second contiguous farm of N D Plough North 58 degrees 55 minutes West 169.7 perches to a point on Route No 333 said point being in the division line between the lands of J W Feagan (Tract No. 361) and Merle Plough (Tract No 365) thence By the lands of Merle Plough (Tract No 365) and along said Highway in a Southwesterly and Southerly direction 100 perches more or less to the point of intersection of Route No 333 with Route No 28017 and a corner common to the lands of Merle Plough (Tract No 365) and the lands of Walter Rohrer (Tract No 362) thence

Along said Route No 28017 and the lands of Walter Rohrer (Tract No 362) South 77 degrees West 18 perches to a point thence Still along said Highway and said lands in a Northwesterly direction 125 perches to a stone a corner common to the lands of Walter Rohrer (Tract No 362) and Dr B M Beattie (Tract No 91) thence Along said Highway and the lands of Dr B M Beattie (Tract No 91) North 88 degrees West 42.3 perches to a point in line of the lands of Dr B M Beattie (Tract No 91) and W E Davis (Tract No 89) thence

Along the outlines of the W E Davis tract the following courses and distances South 29¾ degrees West 16 perches

to a post thence By lands now or formerly of Benjamin Grove South 45 degrees West 16.6 perches to a stone thence South 66½ degrees West 37.9 perches to a stone a corner common to the lands of W E Davis (Tract No 89) and the lands of Samuel M Bricker (Tract No 372) thence Along said Highway and the lands of Samuel M Bricker (Tract No 372) in a general Southwesterly direction 65.75 perches to a corner common to the lands of Samuel M Bricker (Tract No 372) and Rocky Spring Church (Tract No 374) thence

Along said Highways and along the lands of the Rocky Spring Church (Tract No 374) in a Southwesterly direction 20 perches more or less to a corner common to the lands of the Rocky Spring Church (Tract No 374) and B E Davis (Tract No 375) thence Along said Highway and along the lands of B E Davis (Tract No 375) and continuing in a Southwesterly direction 11.5 perches more or less to a corner common to the lands of B E Davis (Tract No 375) and John Schaeffer (Tract No 373) and at the intersection of Route No 536 and Route No 28017 thence

Along Route No 536 and the lands of John Schaeffer (Tract No 373) and three following courses and distances South 30 degrees West 27.03 perches South 43 degrees 30 minutes West 26 perches South 13 degrees 37 minutes 30 seconds West 66.12 perches to a point thence Binding on said lands and leaving said Highway North 84 degrees 30 minutes West 32 perches to a corner common to the lands of John Schaeffer (Tract No 373) and William F Newton (Tract No 190) thence By the lands of William F Newton (Tract No 190) South 23 degrees West 13.8 perches to a post on a line of lands formerly of Daniel Stouffer of H now W F Wagaman thence South 63½ degrees West 28.8 perches to a post on a line of land of the heirs of George Spricher deceased now W Henry Baker and a corner common to the lands of William F Newton (Tract No 190) and Oscar D Hammond (Tract No 126) thence By said lands of Oscar D Hammond (Tract No. 126) South 63½ degrees West 61.8 perches to a stone thence By the lands of Oscar D Hammond (Tract No 126) and the lands of Edward Schlichter North 80 degrees West 28.7 perches to a point on the East side of a public road (Route No 540) and a corner common to the lands of Oscar D Hammond (Tract No 126) and John Sandoe (Tract No 191) thence along the lands of John Sandoe (Tract No 191) and said highway North 49¾ degrees West 21.3 perches to a point a corner common to the lands of John Sandoe (Tract No 191) and Ella E Heckman (Tract No 136) thence Along the lands of Ella E Heckman (Tract No 136 and the said public road the two following courses and distances North 79¾ degrees West 3.1 perches to a stone in said road and South 66½ degrees West 43.5 perches to a point in said road a corner common to the lands of Ella E Heckman (Tract No 136) and the lands of William F Newton (Tract No 137) at the intersection of Route No 316 thence Along Route No 540 and the lands of William F Newton (Tract No 137) South 67 degrees 5 minutes West 52.78 perches to a stone in Route No 540 at a corner common to the lands of William F Newton (Tract No 137) and the lands of Emma K and James M Heckman (Tract No 135) thence Along said highway and the lands of Emma K and James M Heckman (Tract No 135) the following courses and distances South 67½ degrees West 48.8 perches to a stone South 69½ degrees West 7.5 perches to a stone South 82½ degrees West 6.9 perches to a point on said highway thence North 19 degrees West 11.6 perches to a point in line with the lands of Charles M Rife thence By lands of Emma K and James M Heckman and the lands of Charles M Rife North 2 degrees East 21.8 perches to a stone in the division line between the lands of Emma K and James M Heckman (Tract No 135) on the East and Charles M Rife (Tract No 139) on the West thence Along the lands of Charles M Rife (Tract No 139) South 76 degrees 25 minutes West 118.9 perches to a stone in Route No 28007 thence By said lands and the lands formerly belonging to Mary Huber now John Ricker North 47 degrees 55 minutes West 10.6 perches to a stone thence By said lands and the lands formerly of William R Moore now Elizabeth Hocker North 44 degrees West 71.6 perches to a stone near the West side of Keefer Road and in the Southeastermost line of the lands of Electa Schlichter (Tract No 156) thence Along said Southeastermost line of the lands of Electa Schlichter (Tract No 156) South 74 degrees West 184.8 perches more or less to a point in the line of the lands of Samuel M Bricker thence Continuing along the lands of Electa Schlichter and the said lands of Samuel M Bricker North 21 degrees West 37.2 perches to a point on the division line between the lands of Electa Schlichter (Tract No 156) and Samuel M Bricker (Tract No 276) thence Leaving said division line and running in a general Northwesterly direction through the lands of Samuel M Bricker (Tract No 276) a distance of 98 perches to a stake in the division line between the lands of Samuel M Bricker (Tract No 276) on the Southeast and M B Mentzer (Tract No 169) on the Northwest thence By the lands of M B Mentzer (Tract No 169) the following courses and distances South 58 degrees 7 minutes West 109.4 perches to a point North 2¼ degrees West 43.9 perches to a point South 85¾ degrees West 43.9 perches to a point a corner common to the lands of M B Mentzer (Tract No 169) and S D and J B Schlichter (Tract No 368) thence Along said lands of S D and J B Schlichter (Tract No 368) North 78½ degrees West 56.1 perches to a point thence North 70½ degrees West 6.4 perches to a corner common to the lands of S D and J B Schlichter (Tract No 368) and W S Peckman (Tract No 168) thence Along the lands of W S Peckman (Tract No 168) and along Route No 543 the following courses and distance North 70½ degrees West 88.4 perches to a point North 51⅛ degrees West 79.5 perches to a point and North 33⅜ degrees West 42.55 perches to a point a corner common to the lands of W S Peckman (Tract No 168) and the lands of S S Brechbill (Tract No 167) thence By the lands of S S Brechbill (Tract No 167) and along Route No 543 North 41¾ degrees West 78 perches to a stone thence Leaving said highway North 16¼ degrees East 66.2 perches to a point on St Thomas Road (Route No 28005) thence Leaving said road South 73¼ degrees East 7.3 perches to a point thence North 16¼ degrees East 6.6 perches to a point North 73¾ degrees West 8 perches to a point in said road at or near its intersection with an old unused road thence To the point of intersection of said roads being a corner of the lands of Frank H Snyder (Tract No 176) thence Binding along the South line of the lands of Frank H Snyder (Tract No 176) and along said old unused road North 83 degrees West 83 perches to a point and North 76 degrees West 128 perches to a point on Route No. 464 thence Along said lands and aforesaid highway North 44 degrees East 34.15 perches more or less to a point in the division line between the lands of Frank H Snyder (Tract No 176) and Mrs Denton Keefer (Tract No 178) thence Leaving said division line and binding along the Southwest outline of the lands of Mrs Denton Keefer (Tract No 178) North 45¾ degrees West 166.75 perches to a point on Route No 476 thence Binding along Route No 476 North 46 degrees East 84.9 perches to a corner common to the lands of Mrs Denton Keefer (Tract No 178) and J Frank Huber (Tract No 180) thence Along the lands of J Frank Huber (Tract No 180) and still along said road 6.5 perches more or less to a stone a corner common to the lands of J Frank Huber (Tract No 180) and Martin D Sellers (Tract No 314) thence Binding on the lands of Martin D Sellers (Tract No 314) the following courses and distances North 45 degrees 6 minutes West 39.3 perches to a stone North 54 degrees West 36 perches to a post and North 43 degrees East 35.5 perches to a private road and a point in the division line between the lands of Martin D Sellers (Tract No 314) and the lands of B E Lehman (Tract No 320) thence Leaving said division line and binding along the Southwest line of the lands of B E Lehman (Tract No 320) the two following courses and distances North 47 degrees West 121 perches to a point and North 45¼ degrees West 63 perches to a corner common to the lands of B E Lehman (Tract No 320) and M J Shields (Tract No 321) thence

Binding on the Southwest line of lands of M J

Shields (Tract No 321) North 45 degrees West 207 perches to a stone a corner common to the lands of M J Shields (Tract No 321) and the Commonwealth of Pennsylvania (Tract No 370) thence Binding on the Southwest and Northwest line of the lands of the Commonwealth of Pennsylvania (Tract No 370) the following courses and distances North 45 degrees West 62 perches thence North 49 degrees 28 minutes 30 seconds East 167 perches to a point thence North 40 degrees 28 minutes 30 seconds East 82 perches to a point thence North 49 degrees 56 minutes 20 seconds East 266 perches to a point thence North 7 degrees 58 minutes 30 seconds East 48 perches North 46 degrees 28 minutes 30 seconds East 306 perches thence North 50 degrees 58 minutes 30 seconds East 60 perches thence North 83 degrees East 177.22 perches and South 75 degrees East 20.2 perches to a point common to the lands of the Commonwealth of Pennsylvania (Tract No 370) and Irvin B Rotz (Tract No 343) and Simon B Beltz (Tract No 341) and running thence and binding on the Northwest outline of the lands of Simon B Beltz (Tract No 341) the following courses and distances North 27½ degrees East 32.42 perches thence South 37¼ degrees East 10.5 perches and North 15¾ degrees East 9.5 perches to a corner common to the lands of Simon B Beltz (Tract No 341) and the E B Ruppert (Tract No 22) and in the center of the former Lawyers Road thence Crossing said road and binding on the lands of E B Ruppert (Tract No 22) the following courses and distances North 15¾ degrees East 37.1 perches to stones North 15 degrees 50 minutes East 102.1 perches to a post of pine North 77 degrees East 4.16 perches North 84 degrees East 17.2 perches to stones North 28¼ degrees East 4.28 perches to stones North 69 5/10 degrees East 55.1 perches to a chestnut oak South 51 degrees 40 minutes East 148 perches to a point in the North line of the lands belonging to Guy L Zeger (Tract No 2) running thence And binding on the lands of Guy L Zeger (Tract No 2) the following courses and distances North 73¾ degrees East 70.2 perches to a stake and stone South 55 degrees 40 minutes East 35.3 perches to a point on the West side of Route No 944 thence By the same North 61¼ degrees East 88.35 perches to a point in the center of the aforesaid road and in the public alley adjoining the school grounds and the lands now or formerly of the M E Church thence By said public alley South 68 degrees East 101.6 perches to a stake in a private lane and the Northwest boundary line of the lands of John E Pugh Jr (Tract No 3) thence Along the line dividing a portion of the Village of Upper Strasburg and the lands of John E Pugh Jr (Tract No 3) North 44¼ degrees East 12.15 perches more or less to a point in Route No 533 thence along Route 533 the two following courses and distances South 68¾ degrees East 48.75 perches and North 55½ degrees East 7.95 perches to a stone a corner common to the lands of John E Pugh Jr (Tract No 3) and Andrew Pugh (Tract No 4) thence

Binding along the North boundary of the lands of Andrew ugh (Tract No 4) North 84 degrees East 16.5 perches to a point in the center of said Route No 533 thence Along the same North 72½ degrees East 54.3 perches to a point in the center of said highway thence Continuing along the same North 78¾ degrees East 43.1 perches to a point in center of said highway thence Along the same and the lands formerly of George W Bitner now George Eyer North 79 degrees East 26 perches to a point in the center of said highway thence along the same North 81 degrees East 58.3 perches to a point in the center of the road leading from West's Mill to Roxbury known as Route No 588 or Route No 28057 at its intersection with State Highway leading from Upper Strasburg to Orrstown known as Route No 533 and in a line of the lands of Mrs Alice L Rodgers (Tract No 5) thence in an easterly direction along the center line of Route No 533 and bounded on the North by the remaining 22 acres of Mrs Alice L Rodgers 94 perches more or less to a stone in said Route No 533 thence By the same South 72 degrees 35 minutes East 32.6 perches to a post and South 71 degrees 25 minutes East 52.3 perches to a point on said Route No 533 in the line of lands of Levi Burkholder (Tract No 182) thence Easterly on said Route 533 through the lands of Levi Burkholder (Tract No 182) 124 perches more or less to a point in said Highway common to the lands of Levi Burkholder (Tract No 182) and the lands of C M Diehl (Tract No 7) thence Still along said Route No 533 South 86 degrees East 38 perches to a point on the North side of said Route No 533 in a line common to the lands of C M Diehl (Tract No 7) and H Howard Hoover (Tract No 8) thence Still along Route No 533 bounded on the North by the remaining 12 acres belonging to H Howard Hoover (Tract No 7) in a general Easterly direction a distance of 90 perches more or less to a point on Route No 533 in the division line between the lands of Howard Hoover (Tract No 8) and the lands of Alvin H Hoover (Tract No 183) thence Continuing along Route No 533 through the lands of said Alvin H Hoover (Tract No 183) in an Easterly direction a distance of 124 perches more or less to a point on said highway and on the division line between the lands of Alvin H Hoover (Tract No 183) and Ethel Pearl Timmons (Tract No 9) thence Binding on the lands of Ethel Pearl Timmons (Tract No 9) and along said highway South 64¾ degrees East 3.5 perches to an iron pin thence leaving said highway and binding on said lands South 55⅝ degrees East 24.24 perches to a stone thence

By Pleasant Hall Town lots South 71½ degrees East 22.2 perches to a point in the concrete road known as Route No 333 the point beginning

Section 2 Jurisdiction in and over the land described in the foregoing section is hereby ceded to the United States in the manner and subect to the conditions and limitations specifically set forth in the Act of Assembly enacted at the Session of the General Assembly of one thousand nine hundred and forty-three entitled "An act relating to reservation of powers of the Commonwealth municipalities and political subdivisions thereof with respect to lands purchased or condemned by the United States"

Section 3 This act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—42

Barr,	Ealy,	Kephart,	Stiefel,
Becker,	Farrell,	Letzler,	Tallman,
Bowers,	Geltz,	Mallery,	Thomas,
Carr,	Gourley,	McGinnis,	Tyler,
Chapman,	Haluska,	McQuiddy,	Wade,
Coleman,	Heyburn,	Ruth,	Walker,
Cox,	Holland,	Scarlett,	Watkins,
Crider,	Homsher,	Shapiro,	Wilson, H. I.,
Crowe,	James,	Snowden,	Woodring,
Deitrick,	Jaspan,	Stevenson,	Woodward,
DiSilvestro,	Jones,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 420, entitled:

An Act giving the consent of the Commonwealth of Pennsylvania to the acquisition by the United States of America of a tract of land in Lancaster County Pennsylvania known as the Marietta Holding and Reconsignment Point and ceding jurisdiction to the United States

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The consent of the Commonwealth of Pennsylvania is hereby granted in accordance with the seventeenth clause eighth section of the first article of the Constitution of the United States to the acquisition by the United States of America of a certain tract of land in East Donegal Township Lancaster County Pennsylvania known as the Marietta Holding and Reconsignment Point bounded and described as follows

Beginning at a point West of the Borough of Marietta East Donegal Township Lancaster County Pennsylvania said point being located N 22°55′ E 50 feet from a stone in the line of land of the Pennsylvania Railroad Co and the land of M R Hoffman Jr thence

S 65°16′ E 685.35′ to the Southeasterly corner of M R Hoffman Jr property thence Along the Easterly line of M R Hoffman Jr property the following courses and distances N 15°12′ E 215.62′ to a point thence N 8°18′ E 529.44′ to a point thence N 18°57′30″ E 1,672.86′ to a point thence N 76°2′30″ W 979.44′ by lands of M R Hoffman Jr and M R Hoffman Sr to a point in the center line of Vinegar Valley Road thence

Continuing along the center line of said Vinegar Valley Road N 29°19′30″ E 62.22′ to a point thence Leaving said road and continuing along the Southerly line of M R Hoffman Sr property and the Norman Moyer property S 76°02′30″ E 4,852.94′ to a monument at a corner of said last mentioned property thence By land of Norman Moyer property and in the center line of a public road N 27°33′30″ E 1,287.06′ to a point at an angle in said public road thence Continuing along the center line of said public road by land of other owners S 79°29′30″ E 1.238.8′ to its intersection with the Westerly line of Earl Ney property thence

Leaving said public road and continuing along the Westerly line and the Easterly line of said Earl Ney property the following two courses and distances S 26°34′ W 1,358.29′ to a monument thence S 78°14′30″ E 2,424.39′ to a corner of lands owned by Edward L Balmer and Isaac Eshelman thence

Continuing along the Southerly line of Isaac Eshelman property S 78°14′30″ E 537.73′ to a point thence N 11°45′30″ E 10.0′ to the point curvature thence Along the arc of a curve to the left with a radius of 119.55′ and distance of 171.56′ to a point thence N 68°11′30″ E 23.5′ to its intersection with the Southeasterly R/W line of Route No 280 thence

Continuing along said Southeasterly R/W line of State Highway Route No 280 S 21°48′30″ E 383.03′ to a point thence S 00°11′30″ E 105.0′ to a point thence Leaving said State Highway Route No 280 and following lands of Gilliland Laboratories Inc N 89°48′30″ W 23.5′ to a point of curvature thence Along the arc of a reverse curve to the left with a radius of 222.31′ a distance of 217.76′ to a corner of lands owned by Gilliland Laboratories Inc and Isaac Eshelman thence

Continuing along the Northerly line of said Isaac Eshelman property on a reversed curve to the left with a radius 222.31′ a distance of 129.72′ to a point thence N 11°4530″ E 10.0′ to a point thence N 78°14′30″ W 600.27 to its intersection with the Westerly line of Edward L Balmer property thence Continuing along the Edward L Balmer property the following calls and distances S 25°42′30″ W 2200.00′ more or less to its intersection with the Southerly R/W line of State Highway No 441 thence

Along the South R/W line of former State Highway No 441 to its intersection with the South R/W line of United States Street thence Southwesterly along said South R/W line of United State Street to its intersection with the Westerly R/W line of Morris Street thence Along said Westerly R/W line S 00°50′ W 330.00′ more or less to its intersection with the Northerly R/W line of the Columbia Branch of the P R R Co thence S 77°49′ E and crossing Morris Street to a point in the Easterly R/W line of Morris Street thence Along the Easterly R/W line of said Morris Street N 00°50′ E 152.96′ to its intersection with the Southerly R/W line of an unnamed alley thence Along a line S 89°10′ E 665.0′ to its intersection with the Westerly R/W line of a 20′ alley thence Along the Westerly R/W line of said 20′ alley S 00°50′ W 201.57 to its intersection with the Northerly R/W line of the Columbia Branch of the P R R Co thence

Continuing along the Northerly R/W line of said railroad S 89°10′ E 680.0′ to its intersection with the Westerly R/W line of Decatur Street thence Along the Westerly R/W line of said Decatur Street S 00°50′ W to its intersection with the Southerly R/W line of the said railroad thence Along the Southerly R/W line of the said railroad the following calls and distances N 89°10′ W 680.0′ to a point of curvature thence Along the arc of a curve to the left with a radius of 764.49′ a distance of 200.0′ to a point thence S 15°51′ W 22.0′ to a point thence N 78″53′ W 469.03′ to a point thence N 77°49′ W 207.0′ to a point thence N 00°50′ E 79.71′ to a point with its intersection of an unnamed alley thence

Along the Southerly R/W line of said alley a distance of 40′ to a point thence S 00°50′ W 71.68′ to a point thence N 77°49′ W 260.0′ to a monument thence N 24°27′30″ E 70.0′ more or less to a point thence N 77°49′ W a distance of 260.0′ to a point thence N 24°27′30″ E 40.0′ more or less to its intersection with the Northerly R/W line of the Columbia Branch of the P R R Co thence

Continuing along the Northerly R/W line of said Columbia Branch the following calls and distances N 77°49′ W 980.75′ to a point thence N 73°02′ W 473.22′ to a point thence N 16°58′ E 30.0′ to a point thence N 73°02′ W 750.0′ to a point thence N 77°07′30″ W 700.0′ to a point thence N 73°02′ W 1,547.52′ to its intersection with the center line of Vinegar Valley Road thence

Along the center line of said Vinegar Valley Road N 29°12′ W 30.70′ to a point thence S 73″02′ E 854.80′ to a point thence N 22°55′ E a distance of 20.0′ to the point of beginning containing 505.87 acres

Section 2 Jurisdiction in and over the land described in the foregoing section is hereby ceded to the United States in the manner and subject to the conditions and limitations specifically set forth in the Act of Assembly enacted at the Session of the General Assembly of one thousand nine hundred and forty-three entitled "An act relating to reservation of powers of the Commonwealth municipalities and political subdivisions thereof with respect to lands purchased or condemned by the United States"

Section 3 This act shall become effective immediately upon its final enactment

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—42

Barr,	Ealy,	Kephart,	Stiefel,
Becker,	Farrell,	Letzler,	Tallman,
Bowers,	Geltz,	Mallery,	Thomas,
Carr,	Gourley,	McGinnis,	Tyler,
Chapman,	Haluska,	McQuiddy,	Wade,
Coleman,	Heyburn,	Ruth,	Walker,
Cox,	Holland,	Scarlett,	Watkins,
Crider,	Homsher,	Shapiro,	Wilson, H. I.,
Crowe,	James,	Snowden,	Woodring,
Deitrick,	Jaspan,	Stevenson,	Woodward,
DiSilvestro,	Jones,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 425, entitled:

An Act giving the consent of the Commonwealth of Pennsylvania to the acquisition by the United States of America of a tract of land in Crawford County Pennsylvania known as the Keystone Ordnance Plant and ceding jurisdiction to the United States

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The consent of the Commonwealth of Pennsylvania is hereby granted in accordance with the seventeenth clause eighth section of the first article of the Constitution of the United States to the acquisition by the United States of America of a certain tract of land in Crawford County Pennsylvania known as the Keystone Ordnance Plant bounded and described as follows

Beginning at a point at the intersection of the line between Crawford and Mercer Counties and the township line between Greenwood Township and East Fallow Field Township thence North along said line between Greenwood Township and East Fallow Field Township to a point at its intersection with the R/W line of highway No 462 thence Northeasterly and Northerly along the R/W line of highway No 462 to its intersection with R/W line of highway No 367 thence Easterly Northerly and Northeasterly along the R/W line of highway No 367 to its intersection with the most Northerly corner of the O C Blair 3.7 ac tract and the Southwesterly corner of the H J Mellon 1.6 ac tract thence Northwesterly and Northeasterly along said Mellon tract to its intersection with the West line of Martha Wescott 160.4 ac tract thence Continuing Northwardly along to the West line of the said Westcott tract to the N W corner of said tract thence Easterly along the Northerly line of the said Westcott tract to the S W corner of the Lillian Hood 42.0 ac tract thence Northwardly Eastwardly and Southwardly along the said Hood tract to the S E corner of said Hood Tract thence Eastwardly along the North line of Lillian Hood 37.0 ac tract Howard Adsit 15.3 ac tract and Joseph Campanio 55.3 ac tract to the N E corner of said Campanio tract thence N 61°30′ E 23.4 ch to a point thence N 81°30′ E 16.5 ch to the S W corner of J L Smith 71.2 ac tract thence Northwardly and Eastwardly along the said J L Smith tract to its N E corner thence N 89°30′ E 25 ch to a point thence S 0°30′ E along the E line of Raymond Bossard 73.2 ac tract to the N W corner of Mrs Harvey Clark 20 ac tract thence Eastwardly along the N line of the said Clark tract the J R Clark 20 ac tract J Forestwood 11 ac tract and Mrs Pearl Bigusiak 272.0 ac tract to the most Westerly corner of the J R Clark 7.15 ac tract thence northeastwardly and Southeasterwardly along said J R Clark tract to its S E corner and the line of said Mrs Pearl Bigusiak 272 ac tract thence Eastwardly Northeastwardly Southeastwardly Westwardly Southerly Westwardly and Southwestwardly to its intersections with highway No 508 thence Southwestwardly along said highway No 508 to its intersection with the N W corner of the J J Flanigan 134.0 ac tract thence East 9.9 ch to a point South 12.1 ch to a point S 88°30′ E 23.0 ch to a point South 1°30′ W 18.4 ch to a point S 88° E 6.1 ch to a point S 1° W 17.5 ch to a point N 88°30′ W 17.6 ch to a point S 3°30′ W 13.1 ch to its intersection with the North line of Parr Dole 86.4 ac tract thence Eastwardly and Southwardly along said Dole tract to its intersection with highway No 367 thence Eastwardly along highway No 367 to its intersection with U S Highway No 19 thence Southwardly 17.83 ch along U S Highway No 19 to the S E corner of Price Williams 20.9 ac tract thence In a general Southwestwardly direction along the South line of the said Price Williams tract to its S W corner thence Southwardly to the North line of F M Vogan 75.0 ac tract thence Southwestwardly and Southeastwardly along the North line of said Vogan tract to its intersection with Loper Road thence Southwardly along Loper Road to the N W corner of Raymond Peterson 4.46 ac tract thence Eastwardly Southwardly and Westwardly to the S W corner of the said Peterson tract and the intersection of Loper Road thence Southwardly along the said Loper road to its intersection with the Crawford Mercer Counties line thence Westwardly along said common line between Mercer and Crawford Counties to the point of beginning containing 13,891.65 acres in East Fallow Field Township

Section 2 Jurisdiction in and over the land described in the foregoing section is hereby ceded to the United States in the manner and subject to the conditions and limitations specifically set forth in the Act of Assembly enacted at the Session of the General Assembly of one thousand nine hundred and forty-three entitled "An act relating to reservation of powers of the Commonwealth municipalities and political subdivisions thereof with respect to lands purchased or condemned by the United States"

Section 3 This act shall become effective immediately upon its final enactment

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—42

Barr,	Ealy,	Kephart,	Stiefel,
Becker,	Farrell,	Letzler,	Tallman,
Bowers,	Geltz,	Mallery,	Thomas,
Carr,	Gourley,	McGinnis,	Tyler,
Chapman,	Haluska,	McQuiddy,	Wade,
Coleman,	Heyburn,	Ruth,	Walker,
Cox,	Holland,	Scarlett,	Watkins,
Crider,	Homsher,	Shapiro,	Wilson, H. L.,
Crowe,	James,	Snowden,	Woodring,
Deitrick,	Jaspan,	Stevenson,	Woodward,
DiSilvestro,	Jones,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 430, entitled:

An Act giving the consent of the Commonwealth of Pennsylvania to the acquisition by the United States of America of a tract of land in the Thirty-eighth Ward of the City of Philadelphia Pennsylvania known as the Philadelphia Signal Depot and ceding jurisdiction to the United States

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The consent of the Commonwealth of Pennsylvania is hereby granted in accordance with the seventeenth clause eighth section of the first article of the Constitution of the United States to the acquisition by the United States of America of a certain tract of land in the Thirty-eighth Ward of the City and County of

Philadelphia Pennsylvania know as the Philadelphia Signal Depot bounded and described as follows

Beginning at the intersection of the Northwesterly line of Abbottsford Avenue with the Southwesterly line of Wissahickon Avenue thence 5.54° 09′ 39″ West along said Northwesterly line of Abbottsford Avenue a distance of 864.46′ to its intersection with the Northeasterly property line of the Chestnut Hill branch (P R R) Conn Railway thence Continuing along the Northeasterly property line of said Chestnut Hill Branch (P R R Conn Railway) the following courses and distances North 33° 21′ 17.75″ West 865.55′ to a point thence North 41° 16′ 22″ West 25.50′ to the point of curvature thence Along the arc of a curve to the right with a radius of 591.70′ a distance of 238.74′ to the point of tangency to said curve thence North 20° 42′ 33.50″ West 530.51′ to its intersection with the Easterly line of the C Sewall Clark property thence Leaving said R R property and continuing along the Easterly line of said C Sewall Clark property the following two courses and distances North 59″ 05′ 00″ East 86.87′ to a point thence North 63° 08′ 30″ East 459.45′ to its intersection with the Easterly R/W line of Wissahickon Avenue thence Continuing along said Easterly R/W line of Wissahickon Avenue the following courses and distances South 40° 48′ 00″ East 556.42′ to a point thence South 40° 13′ 45″ East 900.30′ to a point thence South 40° 12′ 05″ East 107.03′ to its intersection with the Northwesterly line of Abbottsford Avenue the point of beginning and containing a total of 27.055 acres

Section 2 Jurisdiction in and over the land described in the foregoing section is hereby ceded to the United States in the manner and subject to the conditions and limitations specifically set forth in the Act of Assembly enacted at the Session of the General Assembly of one thousand nine hundred and forty-three entitled "An act relating to reservation of powers of the Commonwealth municipalities and political subdivisions thereof with respect to lands purchased or condemned by the United States"

Section 3 This act shall become effective immediately upon its final enactment

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—42

Barr,	Ealy,	Kephart,	Stiefel,
Becker,	Farrell,	Letzler,	Tallman,
Powers,	Geltz,	Mallery,	Thomas,
Carr,	Gourley,	McGinnis,	Tyler,
Chapman,	Haluska,	McQuiddy,	Wade,
Coleman,	Heyburn,	Ruth,	Walker,
Cox,	Holland,	Scarlett,	Watkins,
Crider,	Homsher,	Shapiro,	Wilson, H. I.,
Crowe,	James,	Snowden,	Woodring,
Deitrick,	Jaspan,	Stevenson,	Woodward,
DiSilvestro,	Jones,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILLS OVER IN ORDER

Mr. HEYBURN. Mr. President, I ask unanimous consent that Senate Bill No. 445, on third reading, entitled:

An Act giving the consent of the Commonwealth of Pennsylvania to the acquisition by the United States of America of a tract of land in the City and County of Philadelphia, Pennsylvania, known as the Philadelphia Armor Plate Plant, and ceding jurisdiction to the United States

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. HEYBURN. Mr. President, I ask unanimous consent that Senate Bill No. 452, on third reading, entitled:

An Act giving the consent of the Commonwealth of Pennsylvania to the acquisition by the United States of America of two tracts of land in Lycoming and Union Counties, Pennsylvania, known as Pennsylvania Ordnance Works, and ceding jurisdiction to the United States

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. HEYBURN. Mr. President, I ask unanimous consent that Senate Bill No. 457, on third reading, entitled:

An Act giving the consent of the Commonwealth of Pennsylvania to the acquisition by the United States of America of two tracts of lands in the Forty-eighth Ward of the City of Philadelphia, Pennsylvania, known as the Philadelphia Quartermaster Depot, and ceding jurisdiction to the United States

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. HEYBURN. Mr. President, I ask unanimous consent that Senate Bill No. 471, on third reading, entitled:

An Act limiting the time within which suits or actions, hereafter begun, shall be brought for damages to surface land and property resulting from the mining of coal and operations in connection therewith

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. HEYBURN. Mr. President, I ask unanimous consent that House Bill No. 476, on third reading, entitled:

An Act to further amend section nine of the act approved the sixteenth day of May one thousand nine hundred and twenty-three (P. L. 207) entitled "An act providing when how upon what property and to what extent liens shall be allowed for taxes and for municipal improvements for the removal of nuisances and for water rents or rates sewer rates and lighting rates for the procedure upon claims filed therefor the methods for preserving such liens and enforcing payment of such claims the effect of judicial sales of the properties liened the distribution of the proceeds of such sales and the redemption of the property therefrom for the lien and collection of certain taxes heretofore assessed and of claims for municipal improvements made and nuisances removed within six months before the passage of this act and for the procedure on tax and municipal claims filed under other and prior acts of Assembly" making additional provision for and fixing the compensation for the filing and collecting of tax claims

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 492, entitled:

An Act to reenact and further amend the title of and the act approved the twenty-ninth day of September one thousand nine hundred thirty-eight (P. L. 53) entitled "An act relating to institutions of counties cities and institution districts for the care maintenance and treatment of mental patients providing for the transfer of such institutions to the Commonwealth providing for the management and operation or closing and abandonment thereof and the maintenance of mental patients therein including the collection of maintenance in certain cases providing for the retransfer of certain property to institution districts under certain circumstances conferring and imposing upon the Governor the Department of Welfare the courts of common pleas and counties cities and institution districts certain powers and duties prohibiting cities counties and institution districts from maintaining and operating institutions in whole or in part for the care and treatment of mental patients and repealing inconsistent laws" including institutions of wards boroughs townships and other political subdivisions under the terms thereof and providing for the retransfer of certain property to counties cities wards boroughs townships institution districts and other political subdivisions

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The title and all of the sections of the act approved the twenty-ninth day of September one thousand nine hundred thirty-eight (P. L. 53) entitled "An act relating to institutions of counties cities and institution districts for the care maintenance and treatment of mental patients providing for the transfer of such institutions to the Commonwealth providing for the management and operation or closing and abandonment thereof and the maintenance of mental patients therein including the collection of maintenance in certain cases providing for the retransfer of certain property to institution districts under certain circumstances conferring and imposing upon the Governor the Department of Welfare the courts of common pleas and counties cities and institution districts certain powers and duties prohibiting cities counties and institution districts from maintaining and operating institutions in whole or in part for the care and treatment of mental patients and repealing inconsistent laws" sections three seven and ten of which were amended by the act approved the twenty-fifth day of May one thousand nine hundred thirty-nine (P. L. 193) are hereby reenacted and amended or further amended to read as follows

An Act relating to institutions of counties cities [and] wards boroughs townships institution districts and other political subdivisions for the care maintenance and treatment of mental patients providing for the transfer of such institutions to the Commonwealth providing for the management and operation or closing and abandonment thereof and the maintenance of mental patients therein including the collection of maintenance in certain cases providing for the retransfer of certain property to counties cities wards boroughs townships institution districts and other political subdivisions under certain circumstances conferring and imposing upon the Governor the Department of Welfare the courts of common pleas and counties [and] wards boroughs townships institution districts and other political subdivisions certain powers and duties prohibiting cities counties [and] wards boroughs townships institution districts and other political subdivisions from maintaining and operating institutions in whole or in part for the care and treatment of mental patients and repealing inconsistent laws

Whereas Experience has proven that the care and maintenance of indigent mentally ill persons mental defectives and epileptics should be centralized in the State Government in order to insure their proper and uniform care maintenance custody safety and welfare and

Whereas Complete care for such persons in institutions operated exclusively by the State Government with effect great economies for municipal subdivisions

Section 1 All buildings acquired or erected by any county city [or] ward borough township institution district or other political subdivision for the care maintenance and treatment of mental patients the personal property within such buildings or incidental thereto and any and all other grounds and lands connected therewith or annexed thereto are hereby transferred to and vested in the Commonwealth of Pennsylvania except that where any such buildings for mental patients are operated in conjunction with buildings dedicated to the care and maintenance of indigent persons who are not mental patients the buildings used for the care of such persons the land actually occupied by such buildings the lands or yards presently set apart for the use of the indigent persons cared for in such buildings and the lands necessary for ingress and egress thereto and therefrom shall not be deemed to be hereby transferred but shall remain vested in the county city [or] ward borough township institution district or other political subdivisions as theretofore

Where any lands and property so transferred are presently used by any county city ward borough township institution district or other political subdivision as a farm and woodlands in connection with buildings dedicated to the care and maintenance of indigent persons who are not mental patients the Department of Welfare of the Commonwealth with the approval of the Governor shall set apart and reconvey to the county city ward borough township institution district or other political subdivision through deed executed by the Secretary of Property and Supplies of the Commonwealth so much of such ground as the ratio of indigent persons bears to the total patient population of the institution as shall be determined by the Department of Welfare of the Commonwealth The metes and bounds of the lands so to be conveyed shall be determined by agreement between the Department of Welfare of the Commonwealth and the authorities of the county city ward borough township institution district or other political subdivision In case the Department of Welfare of the Commonwealth and the authorities of the county city ward borough township institution district or other political subdivision cannot agree as to the metes and bounds of the lands so to be conveyed to the county city ward borough township institution district or other political subdivision the matter shall be laid before the court of common pleas of the county where the lands are located by petition of either the Secretary of Welfare of the Commonwealth or the authorities in charge of the county city ward borough township institution district or other political subdivision which court after hearing all parties in interest on such notice as it shall direct shall determine the metes and bounds of the lands which shall be conveyed to the county city ward borough township institution district or other political subdivision and shall enter an order accordingly The action of the court shall be final

Where auxiliary structures and facilities furnishing light heat power water laundry kitchen sewage treatment services and coal supply are so transferred to the Commonwealth which were theretofore used in common for the buildings devoted to mental patients and also the buildings devoted to indigent persons the Commonwealth shall thereafter continue to furnish the proper county city ward borough township institution district or other political subdivision with such services at the actual cost thereof to the extent the same may hereafter be requested by the county city ward borough township institution district or other political subdivision

Any property so transferred to and vested in the Commonwealth shall if found suitable in accordance with this act be thereafter used as a State mental hospital but if such property shall within one year thereafter be found

unsuitable for such purpose or shall within one year after transfer to and use by the Commonwealth as a State mental hospital be thereafter abandoned by the Commonwealth as such a hospital before substantial improvements thereto have been made then in either event such building lands and personal property so transferred to the Commonwealth shall absolutely revert to and vest in the county city [or] ward borough township institution district or other political subdivision from which transferred and the Commonwealth shall have no further claim or title thereto

The words "substantial improvements" as used in this section shall be construed to mean capital investments involving an expenditure of at least two hundred and fifty thousand dollars ($250,000)

Section 2 It shall be unlawful hereafter for any county city [or] ward borough township institution district or other political subdivision to operate or maintain in whole or in part any existing institution for the care of mental patients or thereafter to begin to operate or manage any institution in whole or in part for this purpose Provided however That the county city [or] ward borough township institution district or other political subdivision having charge of any such existing institution shall continue to operate and manage the same under existing laws until the Department of Welfare of the Commonwealth with the approval of the Governor formally takes over the management and operation of such institution or formally closes such institution in the manner hereinafter prescribed in this act And provided further That the authorities of general hospitals may continue to maintain or hereafter may set apart establish and maintain beds wards or departments for the temporary care of mental patients under licensure by the Department of Welfare as now provided by law

Section 3 The Department of Welfare shall promptly make an investigation and survey of the institutions hereby transferred to the Commonwealth for the purpose of determining (1) which of the institutions are necessary having regard to the number of persons requiring care and treatment because of mental illness and the geographic location and capacity of other such mental hospitals and (2) which of the institutions having regard to existing facilities may be operated by the Commonwealth in such a manner as to insure the proper maintenance custody and welfare of mental patients Upon the completion of its investigation and survey the Department of Welfare shall submit to the Governor a report setting forth its findings and recommendations with respect to the institutions deemed necessary and suitable for the care maintenance and treatment of mental patients and the institutions deemed unnecessary or unsuitable for this purpose Upon receiving the report of the Department of Welfare the Governor shall from time to time but not later than the thirty-first day of May one thousand nine hundred forty-one having regard to the standards of necessity and suitability hereinbefore set out in this section determine which of the institutions shall be managed and operated by the Commonwealth as State mental hospitals and which institutions if any shall be closed Provided however That the Governor shall direct the State Department of Welfare to take over the management and operation of any such institution which is operated and managed by any city of the first class as soon as practicable after the effective date of this act and before the completion of the investigation and survey hereinbefore required in this section Before the management and operation of any institution is taken over by the Department of Welfare the Governor shall issue his proclamation setting forth the date on which the Department of Welfare will take over the management and operation of the institution In the event it shall be determined that a particular institution is to be closed the Governor shall issue a proclamation setting forth the date on which such institution will be closed The original of any such proclamation shall be filed in the office of the Secretary of the Commonwealth and a copy thereof shall be furnished the county city [or] ward borough township institution district or other political subdivision authorities having charge of such institution

Section 4 Each institution subject to this act which the Governor shall direct the Department of Welfare to operate and manage shall be operated and managed by such department as a State mental hospital in accordance with the laws of the Commonwealth relating to such hospitals The Department of Welfare in managing and operating any such institution shall have all the powers and perform all the duties vested in and imposed upon boards of trustees of State mental hospitals by the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) and its amendments designated as The Administrative Code of one thousand nine hundred twenty-nine All mental patients in any such institution at the time the management and operation thereof is assumed by the Department of Welfare shall have the same status as if originally committed or admitted to a State mental hospital Commitments may be made to any such institution mental patients may be detained maintained and cared for therein and transfers may be made therefrom and thereto in the same manner and in accordance with laws applying to other State mental hospitals The Department of Welfare shall have power to designate the counties of the Commonwealth from which commitments may be made to any such institution

Each institution acquired and operated by the Commonwealth as a State mental hospital under the provisions of this act shall be known as the .....
..... State (descriptive name of political subdivision in which institution is located) hospital for example the Philadelphia Hospital for Mental Diseases shall be known as the Philadelphia State Hospital

Section 5 When the Commonwealth through the Department of Welfare assumes the control and management of any institution subject to this act the terms of all officers and employes and the local management of such institution shall cease and terminate The officers and employes of any such institution shall thereupon become employes of the Commonwealth subject to removal by the Secretary of Welfare

Section 6 In the event it shall be determined that any institution subject to this act shall be closed the Department of Welfare shall take charge of such institution and the terms of all officers and employes and the local management of such institution shall cease and terminate The officers and employes of such institution shall thereupon become the employes of the Commonwealth subject to removal by the Secretary of Welfare when their services are no longer required No new patients shall be admitted to any such institution after the date specified for its closing The Department of Welfare shall as soon as practicable transfer the patients in such institution to any other State mental hospital including any institution transferred to and being operated by the Commonwealth under this act as a State mental institution As far as practicable the department shall transfer such patients to such State mental hospital nearest to the locality in which the institution to be closed is located After the patients in such institution are transferred therefrom the Department of Welfare shall with the approval of the Governor turn the institution and its grounds over to the Department of Property and Supplies for use for any other State purpose as may be deemed necessary and advisable by the Governor unless such institution under the provisions of section one of this act would revert to a county city [or] ward borough township institution district or other political subdivision in which event such institution shall be turned over to the proper authorities thereof and shall thereafter be used for such purposes not inconsistent with this act as the county city [or] ward borough township institution district or other political subdivision may determine

Section 7 After the effective date of this act and until the management and operation of a particular institution is formally assumed by the Department of Welfare

or until a particular institution is closed under the provisions of this act but not later than the thirty-first day of May one thousand nine hundred forty-one the county city [or] ward borough township institution district or other political subdivision engaged in the operation and management of that institution shall continue to bear the expense of administering and operating the institution and the Commonwealth shall contribute towards the expense of indigent patients therein to the same extent and in the same manner as pertained under existing laws on the effective date of this act

Section 8 (a) All obligations incurred by reason of the erection acquisition or maintenance of a mental institution by the county city [or] ward borough township institution district or other political subdivision which are outstanding on the date that the Commonwealth shall take over the operation and management of such institution or shall order such institution closed shall remain the obligations of such county city [or] ward borough township institution district or other political subdivision and shall be paid in the same manner as though said operation and management still remained in said county city [or] ward borough township institution district or other political subdivision For the payment of such obligations the proper authorities of such county city [or] ward borough township institution district or other political subdivision shall continue to have the power to levy and collect taxes as if control and management of the institution were still vested in such county city [or] ward borough township institution district or other political subdivision

(b) All amounts due any county city [or] ward borough township institution district or other political subdivision for the care of any mental patient in any institution transferred to the Commonwealth by this act that have accrued and remained unpaid on the date that the Commonwealth shall take over the operation and management of such institution or the date such institution is closed may be collected by the county city [or] ward borough township institution district or other political subdivision in the same manner as if the control and management of the institution were still vested in such county city [or] ward borough township institution district or other political subdivision Provided however That where there is a claim against the estate of any such mental patient on behalf of the Commonwealth and on behalf of any county city [or] ward borough township institution district or other political subdivision and there is not sufficient in the estate to pay the claim in full the same shall be paid pro rata to the Commonwealth and the county city [or] ward borough township institution district or other political subdivision in the proportion of the amount of maintenance legally recoverable by each

Section 9 The following acts and parts of acts are hereby repealed

The act approved the twenty-fifth day of May one thousand eight hundred ninety-seven (P. L. 83) entitled "An act to provide for the maintenance care and treatment of the indigent insane in county and local institutions" as amended

The act approved the thirteenth day of May one thousand nine hundred nine (P. L. 535) entitled "An act to amend an act entitled 'An act to provide' for the maintenance care and treatment of the indigent insane in county and local institutions' approved May twenty-five one thousand eight hundred ninety-seven increasing the weekly sum therein authorized to be paid from one dollar and fifty cents to two dollars"

All other acts and parts of acts inconsistent with the provisions of this act are hereby repealed

Section 10 Section nine of this act shall become effective on the first day of June one thousand nine hundred forty-one and in all other respects this act shall become effective immediately upon its final enactment

Section 2 This reenacting and amending act shall become effective immediately upon its final enactment

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

Mr. COLEMAN. Mr. President, I rise with some hesitancy to inject myself at this particular time, because I know there are a number of Democratic members of the Senate who would like to attend a belated Jefferson day dinner, and I would imagine, judging from the claims of the opposite side on the occasion of his two hundredth anniversary, there may be some Republican members who might likewise desire to attend.

Mr. President, I would like to start out discussing this bill by telling a story that I think is most appropriate. I am informed that a Republican leader of the Senate some years ago sought to offer an amendment to a bill, and when interrogated by one of his colleagues as to what the amendment was, he said it merely changed one word in the bill, but the one word was "not" which left the bill reading "shall not".

During a legislative session we find many bills clothed in highly technical language, innocent verbiage, the intent of which is not readily apparent. This is one of those bills. I am mildly surprised that my esteemed colleague from Schuylkill county would ally himself with the introduction of such a bill. I have had a tremendous amount of respect for the profundity of his legislative thought and I was very much impressed with the very able argument he gave here this afternoon against the visionaries in this Senate who would restore the waters of the Commonwealth to the sparkling purity of William Penn's time, and for that reason I am surprised that the gentleman introduced such a measure. Frankly, I doubt very much, at the time of introduction, that he had an idea of the real intent behind the bill. He is too much of a gentleman to subscribe to such a principle.

This bill simply adds to the Shapiro Act of 1938, which authorized the Commonwealth to acquire the mental institutions in the state of Pennsylvania, the words, "ward, borough, township, or other political sub-division". At first glance, that looks like rather an innocent amendment, it looks like an attempt to correct a defect in the original act. That is not what it does, Mr. President. What this bill does is to sabotage a law-suit instituted by the county of Lackawanna before the Supreme Court of the state of Pennsylvania, which has been kicked in and out of court for several years, and which is scheduled to be heard on May 10 before the Supreme Court of this state of Pennsylvania. This suit has been pending for some time and was originally scheduled to be heard on April 12. The Commonwealth of Pennsylvania asked for a postponement until May 20. The obvious purpose is the introduction and ultimate passage of this particular bill. The court denied the request and set, temporarily, April 26 as the day, then later the Commonwealth asked for a further postponement and was given until May 10, with the obvious purpose of having this bill pass the General Assembly and nullify the court contest, costing the people of Lackawanna and Luzerne counties a million dollars.

When the mental institution bill passed, the Commonwealth of Pennsylvania acquired from Lackawanna and Luzerne counties four institutions, the total value of which was $5,250,000, and said in effect, in the bill, "we will do nothing about the bonded indebtedness; that is

the responsibility of the people of the county". In other words, you have a situation that the state is going to acquire and operate these buildings housing mental patients, and say to the people of the county wherein the institution is located, "you will pay off for the next ten years the bonded indebtedness against this particular building."

I have in my hand, Mr. President, an editorial which very adequately describes this bill, which is appropriately captioned "Tricky Legislation," and which reads as follows:

"TRICKY LEGISLATION

"Granting of a second postponement in the argument in the case before the Supreme Court against the attempt of the state to seize Lackawanna County Institution District-owned mental hospitals without reimbursement of the taxpayers would seem to justify the suspicion of County Solicitor Philip V. Mattes that the state is endeavoring to have the lawsuit decided by the Legislature and not the court. Recently Mr. Mattes brought to public attention the introduction in the Legislature of two bills intended, he believes, to close the loophole in the law under which the state is attempting to take over the local mental hospitals at Hillside Home, Blakely and Ransom. For four years the county institution district has opposed this action.

"Not only is the state trying to seize the hospitals without compensating the local taxpayers who paid for their construction but also would have the taxpayers shoulder the burden of redeeming bond issues now outstanding. It is the contention of the institution district that the state should not only pay an annual rental for the hospitals, which would permit the retirement of the bonds, but at the same time return to the various municipalities money provided for the building of the hospitals.

"The original act provided that the state should take over all county-owned institutions. It so happens that the local mental hospitals at Hillside, Ransom and Blakely were not county-owned but were originally built by various poor districts which operated in the county. Hillside Home, for instance, was a purely Scranton and Dunmore institution. Under the provisions of the bills just introduced in the Legislature the state could take over the institutions not only owned by counties but by wards, districts and other subdivisions. If passed these bills would serve as an offset to the county's contention. The whole thing looks like a trick on the part of the state. It is not to the credit of those behind the move. It is to be hoped that members of House and Senate from the county, as well as fair-minded legislators generally, will see to it that the bills are killed."

Mr. President, I speak to you today in defense of a principle peculiar to America. The principle that every man has his day in Court. This bill strikes a mortal blow at that fundamental principle, and I am asking those of you on the Democratic side, and my fair-minded friends on the other side, to oppose this obvious attempt on the part of the Commonwealth of Pennsylvania to take over these mental institution districts and leave the political sub-divisions to pay off the bonded indebtedness.

When the Federal Government asked Pennsylvania to give them the Butler Sanitarium to take care of wounded veterans, this great Commonwealth said, "Yes, provided you pay us $160,000 a year, and yet you deny the people of our county and of Luzerne county what is justly due them.

I am asking the members of the Senate to vote against this imposition on the people in my particular county.

Mr. WATKINS. Mr. President, I am particularly proud, of course, of the high regard in which I am held by the gentleman from Lackawanna, Senator Coleman, and I assure him that the feeling is mutual. I assure him, too, that there is nothing tricky about this legislation. Of course, there is a case in court and the case in court is purely for the purpose of interpretation by the court of an act of the Legislature passed some years ago, the Shapiro bill.

All that we are asking the Legislature to do now is to clear up a doubtful question that is now before the Court, by passing a law to clarify it here, as a legislative function instead of having the judiciary interpret our meaning in the form it was passed when Senator Shapiro introduced it.

My colleague from Somerset, Senator Ealy, will say that the whole thing was a steal from the beginning, taking over the institutions, but what this bill tries to do is to treat every county alike, if it was a steal.

I do not quite agree with the gentleman from Somerset, Senator Ealy, in his position upon the bill. The reason for this bill grew out of several exceptions to the general situation throughout the Commonwealth. At the time of the passage of the Shapiro bill, or prior to passage of the Shapiro bill, poor districts generally had been abolished throughout the Commonwealth, but at that time there were several counties that had numerous poor districts; for instance, in Lackawanna county I believe there were some twenty-one poor districts.

In most of the counties the poor districts was co-extensive with the county. With the setting up of institutional districts, instead of poor districts, the institutional districts being co-extensive with the county, the institutional district then arranged in these counties where that situation existed, for instance, in Lackawanna county, to rent from them the various buildings that formerly housed these small poor districts.

Then with the passage of the Shapiro bill, in which the state was authorized to take over the mental institutions, two separate problems arose which were not entirely covered by the bill. In one case, for instance, in the case where the institutional district was co-extensive with the county, we found in some instances the institutional district housed the indigent and the institution housed mental cases in the same building or sometimes in different buildings which covered large areas of ground. The other situation was the one of Lackawanna county where again the question of dividing the property up when the state took over the property housing mental patients caused a difficulty that finally ended in court in Lackawanna county.

It is unfair to say that we are doing any differently by the passage of this bill affecting Lackawanna county than we have done with all the counties of the state.

For instance, speaking of my own county, we had a debt upon the mental institutions of something like four or five hundred thousand dollars. When the state first took over our insane hospital they took a property valued

at millions of dollars and we were about to carve up the land that belonged jointly to the institutional district and the mental hospital. If that had been done, then they would have taken property worth millions of dollars, as they did in many counties throughout the state, and left the people of Schuylkill county and all the other counties of the state with a debt; whether it was three hundred thousand dollars or five hundred thousand dollars or several millions of dollars, that debt remained the debt of the county, but the Commonwealth took over the property. That is what the bill did.

All this bill does is add to that bill the words that will include these smaller sub-divisions that had owned a property that was taken over, and the debt. It does not seem fair to me that Schuylkill county or any other county, should assume the debt and then in Lackawanna county the state should pay the debt.

What do the people of Lackawanna county or Schuylkill county or the other counties of the state get in return? This is what they get. Instead of the counties being responsible for the maintenance of insane patients from the time of the passage of the Shapiro bill, the Commonwealth of Pennsylvania has taken upon itself the burden of supporting the insane inmates of all the state institutions, so Schuylkill county, for example, benefits by hundreds of thousands of dollars per year, that it formerly cost them to maintain their insane patients.

We feel generally the bill has had a fine effect. We think the fact that now the insane patient is under the jurisdiction of the Commonwealth is a good thing. We feel from a financial standpoint, even though we had to assume the debt of our insane hospital, that still we are being repaid over a long period of years by the state paying the cost of maintenance of our insane patients.

I think this bill only places Lackawanna county in the same position as every county in the state. I think this fills a gap, or at least clears up any doubt as to the intent of the Legislature at the time the bill was passed, and I, therefore, ask my colleagues to vote for this bill.

Mr. SHAPIRO. Mr. President, the argument made by my colleague from Lackawanna, Senator Coleman, is the same as he made in part in 1937 or 1938, when this whole subject was discussed. The answer to that argument has, I think, been fairly well given by his colleague for whom he has such an extreme affection.

Take the city of Philadelphia, for instance, it cost the city of Philadelphia some $30,000 weekly for the maintenance of Byberry, which is $1,500,000 a year. Our outstanding indebtedness unpaid, I think, was $8,000,000, so that it cost us $320,000 to pay the debt each year and with the sinking fund it would be about $420,000.

We have been relieved of $1,500,000 yearly expense in caring for that institution and we have only, therefore, a $400,000 bonded debt, and over a period of fifteen years that will be paid off, and we are now saving at the rate of $800,000 a year. Comparatively, and in proportion the situation is the same with every institution.

Up to that point I disagree with my colleague from Lackawanna, Senator Coleman, but from there on I agree with him. This bill was handed to me, as a member of a sub-committee, by the chairman, our good friend from Montgomery, Senator Edmonds. I examined the bill and came to the conclusion that if the Attorney General and myself, when this bill was drawn, had known of that particular situation, we would have included that situation in the bill, and it would have been in the bill as it is today.

I also found, however, that there had been litigation. I read briefs that were handed to me from both sides in that case, and I came to the conclusion that the fact it is not included in the Act has been made not only the basis for legal action, but has been made the basis of the conduct of that county since passage of the act of 1938.

In other words, since it was not in the Act of 1938 the county of Lackawanna, in good faith incurred obligations, took the position which its lawyers advised it to take and upon which it acted for four years. The case is now in litigation, and it seems to me that it is unfair at this time, before that case is decided, since that point is one of the important points in the case, that we should decide to take the props out from under a county in its litigation, which it has paid for, and to which it has gone to a great deal of trouble to prepare, and a position which it has maintained for four years. In other words, the Supreme Court can decide this question and the Supreme Court should decide this question.

One of the main questions in the bill is this very question, the fact that this situation was not covered, that is the contention of counsel for that county, that this institution can not be legally deemed to have been over and under those circumstances I think it is unfair for the Legislature or the Attorney General of this Commonwealth to come in and ask us to decide that point now so that their position, which they have maintained for four years, is destroyed.

For that reason I shall vote against the bill.

Mr. COLEMAN. Mr. President, I just want to develop a bit further the thought expressed by my colleague from Philadelphia, Senator Shapiro. I made my position very clear when the Shapiro Act was enacted in 1938, how I felt about it, in a stentorian voice that reechoed through the Senate chamber. I voted "no" on that particular bill. That is not the point in the bill before us today. I have in my hand a brief filed for the plaintiffs with the Supreme Court of the state of Pennsylvania. I find that the first bill was filed December 21, 1938; it has been in and out of court any number of times during that period.

As a matter of fact, when it was referred to the Dauphin County Court, the Dauphin County Court asked the State Supreme Court to assume original jurisdiction and they intimated in a statement that there was some merit in the claim of the people of Lackawanna County. That is the point involved here today.

These men have gone to some lengths to try this particular case before the Supreme Court and the obvious purpose of this bill is to have the court say, when this bill is passed and signed by the Governor, "you have no case, the Legislature has decided your case, and the Supreme Court can do absolutely nothing about it," which is manifestly unfair, and I ask those of you who have any sense of fairness in the Senate to vote against it.

And the question recurring,

Shall the bill pass finally?

(During the calling of the roll the following occurred.)

Mr. COLEMAN. Mr. President I ask that the roll be verified.

The PRESIDENT. Request has been made to have the roll verified.

The Clerk will call the names of those recorded as having voted "aye."

The Clerk read the names of those recorded as having voted "aye" as follows:

Becker,	Geltz,	Mallery,	Tyler,
Bowers,	Heyburn,	Scarlett,	Wade,
Carr,	Homsher,	Snowden,	Walker,
Chapman,	James,	Stevenson,	Watkins,
Crider,	Jones,	Tallman,	Wilson, H. I.,
Deitrick,	Kephart,	Thomas,	Woodward,
Farrell,	Letzler,		

The PRESIDENT. Are there any corrections: The Chair hears none. The affirmative roll will stand as verified. The Clerk will now verify the negative roll.

The Clerk read the names of those recorded as having voted "nay" as follows:

Barr,	Gourley,	Jaspan,	Shapiro,
Coleman,	Haluska,	McQuiddy,	Stiefel,
Cox,	Holland,	Ruth,	Woodring,
DiSilvestro.			

The PRESIDENT. Are there any corrections?

Mr. McGINNIS. Mr. President, I desire to be recorded as voting "no."

The PRESIDENT. The gentleman from Allegheny will be so recorded.

Are there any other corrections? The negative roll will stand as corrected.

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—26

Becker,	Geltz,	Mallery,	Tyler,
Bowers,	Heyburn,	Scarlett,	Wade,
Carr,	Homsher,	Snowden,	Walker,
Chapman,	James,	Stevenson,	Watkins,
Crider,	Jones,	Tallman,	Wilson, H. I.,
Deitrick,	Kephart,	Thomas,	Woodward,
Farrell,	Letzler,		

NAYS—14

Barr,	Gourley,	McGinnis,	Shapiro,
Coleman,	Haluska,	McQuiddy,	Stiefel,
Cox,	Holland,	Ruth,	Woodring,
DiSilvestro,	Jaspan,		

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

BILLS OVER IN ORDER

Mr. HEYBURN. Mr. President, I ask unanimous consent that Senate Bill No. 500, on third reading, entitled:

An Act giving the consent of the Commonwealth of Pennsylvania to the acquisition by the United States of America of two tracts of land in the City and County of Philadelphia, Pennsylvania, known as the Frankford Arsenal, and ceding jurisdiction to the United States

go over in its order temporarily, as it is not up from the printer.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. HEYBURN. Mr. President, I ask unanimous consent that House Bill No. 509, on third reading, entitled:

An Act to amend section three hundred and six of the act approved the twenty-fourth day of June, one thousand nine hundred and thirty-seven, (P. L. 2017), entitled "An act creating in each county (except of the first class) as a separate corporation, and in each city of the first and second class as a part of the city government, an institution district for the care and maintenance of certain indigent persons and children; prescribing the powers and duties of county commissioners, county treasurers, city departments of public welfare, the State Department of Welfare and the State Department of Public Assistance in respect thereto; abolishing certain poor districts and terminating the terms of directors, overseers, guardians and managers of the poor and poor district auditors, and providing for the temporary employment of certain of them; providing for the transfer, vesting, sale and disposition of the property of poor districts and the payment of their obligations; imposing certain existing obligations on institution districts and on the Commonwealth; regulating the affairs of poor districts until abolished; revising, amending, changing and consolidating the law relating to the care of the poor; and repealing existing laws," providing for fixing the number and compensation of employes of institution districts and conferring powers and imposing duties on county officers

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. HEYBURN. Mr. President, I ask unanimous consent that House Bill No. 511, on third reading, entitled:

An Act to further amend the act, approved the fourth day of June, one thousand nine hundred and thirty-seven, (P. L. 1625), entitled "An act providing for the creation, maintenance and operation of a county employes' retirement system in counties of the third class; and imposing certain charges on counties," extending and further regulating such retirement systems

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. HEYBURN. Mr. President, I ask unanimous consent that House Bill No. 514, on third reading, entitled:

An Act to amend the act approved the fifth day of August one thousand nine hundred forty-one (P. L. 803) entitled "An act providing for the creation maintenance and operation of a county employes retirement system in counties of the fifth class imposing certain charges on counties and prescribing penalties" further regulating such retirement system

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. HEYBURN. Mr. President, I ask unanimous consent that House Bill No. 519, on third reading, entitled:

An Act to amend the act approved the eighth day of July, one thousand nine hundred forty-one (P. L. 298), entitled "An act authorizing the creation of, and providing for, and regulating the maintenance and operation of a county employes' retirement system in counties of the fourth class, imposing certain charges on counties, and fixing penalties," further regulating such retirement systems

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 523, entitled:

An Act to amend section six hundred three of the act approved the second day of May one thousand nine hundred twenty-nine (P. L. 1278) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto" by providing for the completion of public monuments

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section six hundred three of the act approved the second day of May one thousand nine hundred twenty-nine (P. L. 1278) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto" is hereby amended to read as follows

Section 603 Preservation Maintenance [and] Repair and Completion of Public Monuments The board of commissioners may preserve maintain and repair any public monument in the county other than in cemeteries including the enclosed public ground surrouding the monument and appropriate moneys for such purposes In any case where any public monument referred to in this section has been partially completed either in construction or payment the board of commissioners may appropriate money for the purpose of such completion

Section 2 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—41

Barr,	Farrell,	Kephart,	Stiefel,
Becker,	Geltz,	Letzler,	Tallman,
Bowers,	Gourley,	Mallery,	Thomas,
Carr,	Haluska,	McGinnis,	Tyler,
Chapman,	Heyburn,	McQuiddy,	Wade,
Coleman,	Holland,	Ruth,	Walker,
Cox,	Homsher,	Scarlett,	Watkins,
Crider,	James,	Shapiro,	Wilson, H. I.,
Deitrick,	Jaspan,	Snowden,	Woodring,
DiSilvestro,	Jones,	Stevenson,	Woodward,
Ealy,			

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 531, entitled:

An Act authorizing counties of the second class to enter into contracts with any city within the county for the hospitalization of persons suffering from infectious diseases and to make appropriations therefor

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The county commissioners of any county of the second class are hereby authorized to enter into contracts with the proper authorities of any city within the county for the hospitalization of persons suffering from any infectious disease and to make appropriations for such purposes

Section 2 All acts and parts of acts inconsistent herewith are hereby repealed

Section 3 The provisions of this act shall become effective immediately upon its final enactment

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—41

Barr,	Farrell,	Kephart,	Stiefel,
Becker,	Geltz,	Letzler,	Tallman,
Bowers,	Gourley,	Mallery,	Thomas,
Carr,	Haluska,	McGinnis,	Tyler,
Chapman,	Heyburn,	McQuiddy,	Wade,
Coleman,	Holland,	Ruth,	Walker,
Cox,	Homsher,	Scarlett,	Watkins,
Crider,	James,	Shapiro,	Wilson, H. I.,
Deitrick,	Jaspan,	Snowden,	Woodring,
DiSilvestro,	Jones,	Stevenson,	Woodward.
Ealy,			

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILLS OVER IN ORDER

Mr. HEYBURN. Mr. President, I ask unanimous consent that House Bill No. 536, on third reading, entitled:

An Act to further amend section four of the act approved the twenty-ninth day of May one thousand nine hundred and thirty-one (P. L. 280) entitled "An act relating to delinquent taxes on seated lands and prescribing interest charges on nonpayment thereof requiring the receivers and collectors of county city borough town township school district and poor district taxes to make a return to the county commissioners of such unpaid taxes and providing for the lien thereof authorizing the county treasurers to collect such taxes and to sell seated lands at public sale for taxes heretofore or hereafter returned as unpaid and authorized the county commissioners to purchase such lands and resell the same under certain circumstances" providing that all liens in favor of the Commonwealth other than tax liens charged against real estate heretofore or hereafter sold for taxes by the county treasurers are divested by such sales

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. HEYBURN. Mr. President, I ask unanimous consent that House Bill No. 537, on third reading, entitled:

An Act to amend section one thousand five hundred and two, by adding thereto clause XLVII, of the act, approved the twenty-fourth day of June, one thousand nine hundred and thirty-one (P. L. 1206), entitled "An act concerning townships of the first class; amending, revising, consolidating, and changing the law relating thereto," authorizing certain townships of the first class to appropriate moneys for the support of hospitals

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 540, entitled:

An Act giving the consent of the Commonwealth of Pennsylvania to the acquisition by the United States of

America of a tract of land in Montgomery County Pennsylvania known as the United States Naval Air Station Hatboro Willow Grove Pennsylvania and ceding jurisdiction to the United States

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1. The consent of the Commonwealth of Pennsylvania is hereby granted in accordance with the seventeenth clause eighth section of the first article of the Constitution of the United States to the acquisition by the United States of America of a certain tract of land in Horsham Township Montgomery County Pennsylvania known as the United States Naval Air Station Hatboro Willow Grove Pennsylvania bounded and described as follows

Beginning at a point in the center line of Maple Avenue (33 ft wide) at its intersection with the center line of Easton Road (50 ft wide) thence along the center line of Maple Avenue the two following courses and distances to wit South 41° 55′ 30″ West 1027.84 feet to a point and South 41° 43′ 30″ West 1393.94 feet to an iron pin set in the center line of Horsham Road (50 ft wide) thence along the center line of Horsham Road aforesaid the three following courses and distances to wit North 46° 59′ 30″ West 2235 feet to a point North 47° 57′ 30″ West 1866.68 feet to a point and North 47° 54′ West 1204.43 feet to a point in the center line of Privet Road (33 ft wide) thence along the center line of the same North 41° 42′ East 4715.59 feet to a point in the center line of Davis Grove Road (33 ft wide) also known as Governors Road thence in or near the center line of Privet Road North 41° 51′ East 3201.21 feet to a point set in the center line of Easton Road aforesaid thence along the center line of the same the three following courses and distances to wit South 7° 19′ West 2398.78 feet to a point South 3° 15′ East 2293.74 feet to a point and South 8° 7′ East 49.75 feet to a point in line of land of Pitcairn Aircraft Inc thence along said land and Davis Grove Road aforesaid in a line to the Northeast of the Southwesterly side line of said road the two following courses and distances to wit North 45° 24′ West 716.35 feet and North 44° 54′ West 8.14 feet thence crossing the South westerly side line of Davis Grove Road and along the line of land of the said Pitcairn Aircraft Inc the two following courses and distances to wit South 8° 11′ East 1420.88 feet and North 81° 59′ East 437.13 feet to a point in the center line of Easton Road aforesaid thence along the center line of the same the two following courses and distances to wit South 8° 7′ East 1077.05 feet and South 8° 11′ East 1071.77 feet to the place of beginning containing 576.734 acres more or less

Section 2. Jurisdiction in and over the land described in the foregoing section is hereby ceded to the United States in the manner and subject to the conditions and limitations specifically set forth in the Act of Assembly enacted at the Session of the General Assembly of one Thousand nine hundred and forty-three entitled "An act relating to reservation of powers of the Commonwealth municipalities and political subdivisions thereof with respect to lands purchased or condemned by the United States"

Section 3 This act shall become effective immediately upon its final enactment

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—41

Barr,	Farrell,	Kephart,	Stiefel,
Becker,	Geltz,	Letzler,	Tallman,
Bowers,	Gourley,	Mallery,	Thomas,
Carr,	Haluska,	McGinnis,	Tyler,
Chapman,	Heyburn,	McQuiddy,	Wade,
Coleman,	Holland,	Ruth,	Walker,
Cox,	Homsher,	Scarlett,	Watkins,
Crider,	James,	Shapiro,	Wilson, H. I.,
Deitrick,	Jaspan,	Snowden,	Woodring,
DiSilvestro,	Jones,	Stevenson,	Woodward,
Ealy,			

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILL OVER IN ORDER

Mr. HEYBURN. Mr. President, I ask unanimous consent that House Bill No. 541, on third reading, entitled:

An Act to further amend subsection fourteen of section six hundred two of the act, approved the twenty-ninth day of November, one thousand nine hundred and thirty-three (P. L. 15, 1933-34), entitled as amended, "An act to regulate and restrain the sale, manufacture, possession, transportation, importation, traffic in, and use of alcohol, and alcoholic and malt or brewed beverages; conferring powers and imposing duties upon the Pennsylvania Liquor Control Board and its agents, the Department of Public Instruction, other officers of the State government, courts, and district attorneys; authorizing the establishment and operation of State stores for the sale of such beverages not for consumption on the premises, and the granting of licenses, subject to local option, to sell such beverages for consumption on and off the premises; forbidding importation or bringing of such beverages into the State except as herein provided; prohibiting certain sales or practices in connection with, and transactions in such beverages by licensees and others; providing for the forfeiture of certain property; making disposition of the receipts from States stores and of fees; and imposing penalties," exempting certain coin operated motion picture machines from provisions of the act requiring special permits

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 545, entitled:

An Act giving the consent of the Commonwealth of Pennsylvania to the acquisition by the United States of America of a tract of land in Cumberland County Pennsylvania for a supply depot known as the United States Naval Supply Depot Mechanicsburg Pennsylvania and ceding jurisdiction to the United States

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The consent of the Commonwealth of Pennsylvania is hereby granted in accordance with the seventeenth clause eighth section of the first article of the Constitution of the United States to the acquisition by the United States of a tract of land partly in the Borough of Mechanicsburg and partly in the township of Hampden County of Cumberland Pennsylvania known as the United States Naval Supply Depot Mechanicsburg Pennsylvania bounded and described as follows

Beginning at a point on the boundary line between the land of the Cumberland Valley Railroad Company and the lands of J B Musser J B Kohler Estate and the Estate of D Wilcox Mfg Co and other lands of the Cumberland Valley Railroad Co said point being 59 feet distant perpendicularly from the center line of the double tracks of the Cumberland Valley Railroad in a northerly direction therefrom and N 24° 18′ W 62 feet from Valuation Station 401 92.2 said Station lying on center line of said

double track thence from said point of beginning and along said boundary line N 20° 18′ W 1299.8 feet to a point thence along the boundary between lands of the Cumberland Valley Railroad Company and J B Musser N 65° 26′ E 666.5 feet to a point on said boundary line thence N 65° 41′ E 659.5 feet to a point on said boundary line thence along the boundary line between lands of J B Musser and Samuel Fetrow N 31° 51′ W 1354.3 feet to a point on the center line of public road known as Brandy Lane thence along the center line of Brandy Lane and the land of Samuel Fetrow N 39° 52′ E 1044.5 feet to a point on the boundary line between lands of Samuel Fetrow and W H Hollinger thence along said boundary line S 47° 52′ E 109.5 feet to a point thence along the boundary line between lands of Samuel Fetrow and W. H. Hollinger N 38° 47′ E 117.0 feet to a corner thence along the boundary line between lands of W H Hollinger and Ida Eberly N 47° 19′ W 107.3 feet to a point on the center line of Brandy Lane thence along said center line of Brandy Lane and the lands of Ida Eberly and M D Quigley N 40° 26′ E 1429.5 feet to a point which intersects with the center line of Salem Church Road which line is the westerly line of land owned by Mary Bowman Estate said line extending N 45° 50′ W along the center line of Salem Church Road 928.9 feet to a point on the boundary line between lands of the Mary Bowman Estate and Jacob Rupp thence leaving said road and crossing the land of Jacob Rupp N 47° 40′ E 1594 feet to a point on the boundary line between lands of Jacob Rupp and Jacob H Hertzler thence along said boundary line N 2° 32′ E 1395.3 feet to a corner thence along the boundary between lands of Jacob Rupp and Jacob R Hertzler and Mary Cameron S 88° 13′ E 530.9 feet to a corner thence along the boundary line between the land of Mary Cameron and J H Koller N 2° 8′ E 336.3 feet to a corner thence along the boundary line between the land of J H Koller and Edward Eberly S 69° 40′ E 1922.3 feet to a corner thence along the boundary line between the lands of Jacob H Koller and Edward Eberly S 4° 36′ E 209 feet to a corner thence along the boundary line between the land of J H Koller and Edward Eberly S 69° 56′ E 230 feet to a point in the center line of the public road known as Brandy Lane thence along said center line of Brandy Lane and land of H Koller S 40° 06′ E 753 76 feet to a corner thence leaving Brandy Lane and crossing the land of Charles Eberly S 65° 17′ E 103.4 feet to a corner thence continuing across the land of Charles Eberly N 85° 04′ E 1843.3 feet to a point thence S 40° 56′ E 1000.1 feet to a point on the boundary line between said land and land of Samuel A Kirkpatrick thence along the boundary line between land of Samuel A Kirkpatrick and lands of Charles Eberly and Ray Asper N 85° 04′ E 845.2 feet to a corner thence along the boundary line between lands of Samuel A Kirkpatrick and John Minsker S 3° 53′ E 252.8 feet to a corner thence along the boundary line between lands of Samuel A Kirkpatrick and John Minsker N 86° 17′ E 203 feet to a point on the westerly line of public road known as Sporting Hill Road thence along the westerly line of Sporting Hill Road and the land of Samuel A Kirkpatrick S 2° 58′ E 1389.9 feet to a point thence continuing along said line and the easterly line of the land of Mrs C A Heiges 25 feet thence continuing along the westerly line of Sporting Hill Road being the easterly line of Mrs C A Heiges' property S 31° 02′ E 213.0 feet to a point said point being 425 feet distant perpendicularly from center line of public road known as Trindle Road in a northerly direction therefrom thence across the lands of Mrs G A Heiges J H DeVaen J M Huresh L I & B L Blosser R E Rise Vance Geesey Linda Fraelich Helen Bashore A F Blessings E W Thompson Paul Kimmel W A Bushey F G Kaufman George W Wolf South 64° 03′ W 3493.1 feet to a point said point being 425 feet distant perpendicularly from the center line of Trindle Road in a northerly direction therefrom thence across the lands of George W Wolf William R Gregg Samuel R Ream Edward Woolford William D Daniel J E Waterson William D Daniel Morris H Bishop O A Heim Charles Brandt Samuel Fetrow S 63° 30′ W 3514.6 feet to a point on the boundary line between the lands of Samuel Fetrow and the Cumberland Valley Railroad Company thence along said boundary line S 28° 12′ E 386.6 feet to a point on the northerly right-of-way line of the public road known as Trindle Road said point being 25 feet distant perpendicularly from center line of said road thence along said northerly right-of-way line of said road parallel to a 25 feet distance from center line thereof the following courses and distances to wit Along a curve to the right with a radius of 1495 feet a cord bearing of S 72° 47′ W and a cord length of 245 feet to a point thence S 77° 29′ W 870.5 feet to a point thence S 32° 04′ W 95.5 feet to a point thence S 77° 17′ W 864.6 feet to the point of beginning containing 821.81 acres of land more or less all bearings true north

Section 3 Jurisdiction in and over the land described in the foregoing section is hereby ceded to the United States in the manner and subject to the conditions and limitations specifically set forth in the Act of Assembly enacted at the Session of the General Assembly of one thousand nine hundred and forty-three entitled "An act relating to reservation of powers of the Commonwealth municipalities and political subdivisions thereof with respect to lands purchased or condemned by the United States"

Section 3 This act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—41

Barr,	Farrell,	Kephart,	Stiefel,
Becker,	Geltz,	Letzler,	Tallman,
Bowers,	Gourley,	Mallery,	Thomas,
Carr,	Haluska,	McGinnis,	Tyler,
Chapman,	Heyburn,	McQuiddy	Wade,
Coleman,	Holland,	Ruth,	Walker,
Cox,	Homsher,	Scarlett,	Watkins,
Crider,	James,	Shapiro,	Wilson H. I.,
Deitrick,	Jaspan,	Snowden,	Woodring,
DiSilvestro,	Jones,	Stevenson,	Woodward,
Ealy,			

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 554, entitled:

An Act to amend sections two five seven ten eleven twelve fifteen seventeen nineteen twenty-one twenty-two twenty-six and thirty-one and to repeal sections nine twenty-four and thirty-six of the act approved the sixth day of August one thousand nine hundred forty-one (P. L. 861) entitled "An act to create a uniform and exclusive system for the administration of parole in this Commonwealth establishing the 'Pennsylvania Board of Parole' conferring and defining its jurisdiction duties powers and functions including the supervision of persons placed upon probation in certain designated cases providing for the method of appointment of its members regulating the appointment removal and discharge of its officers clerks and employes dividing the Commonwealth into administrative districts for purposes of parole fixing the salaries of members of the

board and of certain other officers and employes thereof making violations of certain provisions of this act misdemeanors providing penalties therefor and for other cognate purposes and making an appropriation" by reducing the membership of said board further conferring revising and defining its jurisdiction duties powers and functions changing the appointment removal and discharge of certain officers decreasing the salaries of members of the board and fixing the salaries of certain officers and employes

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section two of the act approved the sixth day of August one thousand nine hundred forty-one (P. L. 861) entitled "An act to create a uniform and exclusive system for the administration of parole in this Commonwealth establishing the 'Pennsylvania Board of Parole' conferring and defining its jurisdiction duties powers and functions including the supervision of persons placed upon probation in certain designated cases providing for the method of appointment of its members regulating the appointment removal and discharge of its officers clerks and employes dividing the Commonwealth into administrative districts for purposes of parole fixing the salaries of members of the board and of certain other officers and employes thereof making violations of certain provisions of this act misdemeanors providing penalties therefor and for other cognate purposes and making an appropriation" is hereby amended to read as follows

Section 2 There shall be and there is hereby established an independent administrative board for the administration of the parole laws of this Commonwealth which shall be known as the "Pennsylvania Board of Parole" and which is hereinafter referred to as the "board" Said board shall consist of [five] three members who shall be appointed by the Governor by and with the advice and consent of two-thirds of all the members of the Senate and each of whom shall hold office for a term of four years or until his successor shall have been duly appointed and qualified Provided however That in making the first appointments to said board [two members] one member shall be appointed for a [terms] term of two years [each] and [three] two members shall be appointed for terms of four years each Vacancies occurring in an office of member of the board by expiration of term death resignation removal or for any other reason shall be filled in the manner aforesaid for a full term of four years [Provided however That in filling vacancies on said board if the appointment of such person or persons for four years will result in the terms of more than three of the members expiring in the same calendar year than the Governor by and with the advice and consent of two-thirds of all the members of the Senate shall make such appointment for an additional period of one year]

Subject to the provisions of this act the board shall have all the powers and shall perform the duties generally vested in and imposed upon independent administrative boards and commissions by the act approved the ninth day of April one thousand nine hundred twenty-nine (Pamphlet Laws one hundred seventy-seven) designated as "The Administrative Code of 1929" and its amendments and shall be subject to all the provisions of such code which apply generally to independent administrative boards and commissions

Section 2 Section five of said act is hereby amended to read as follows

Section 5 The chairman of the board shall receive a salary of ten thousand [five hundred] dollars [($10,500)] ($10,000) per annum and each of the other members of the board shall receive a salary of [ten] nine thousand dollars [($10,000)] ($9,000) per annum

Section 3 Section seven of said act is hereby amended to read as follows

Section 7 As soon as may be convenient after their appointment the members of the Board of Parole shall meet and organize They shall appoint a secretary who shall not be a member of the board who shall hold office at their pleasure who shall have such powers and perform such duties not inconsistent with any law of this Commonwealth as the board shall prescribe and who shall receive such compensation as the board shall determine not exceeding five thousand dollars ($5,000) per annum In the absence or incapacity of the secretary to act the board may designate such other person as it may choose to perform temporarily the duties of secretary

Section 4 Section ten of said act is hereby amended to read as follows

Section 10 The principal office of the board [and of the General Director of Parole] shall be in Harrisburg and the board shall appoint and employ therein such number and character of officers agents clerks stenographers and employes as may be necessary to carry out the purposes of this act The salaries of persons so appointed and employed by the board shall be fixed by the board The board with the approval of the Governor shall divide the Commonwealth for administrative purposes into a suitable number of districts not to exceed ten in each of which there shall be a district office which shall have immediate charge of the supervision of cases of parole arising in the courts of the judicial districts embraced within its territorial limits but as occasion may require the supervision of particular parolees may be transferred by the board to other appropriate parole districts

The board shall fix and determine the location of the various district offices within their respective districts having regard to local conditions in each district and to the most convenient and efficient functioning of the office therein established and at each of the locations so fixed and determined shall provide such office accommodations furniture equipment and supplies as may be reasonably suitable and adequate for the proper handling and dispatch of the parole business of the district and to this end the board is hereby authorized and empowered to enter into contracts on behalf of the Commonwealth for such office accommodations furniture equipment and supplies aforesaid through the Department of Property and Supplies

Section 5 Section eleven of said act is hereby amended to read as follows

Section 11 Each district parole office shall be in charge of a district supervisor who shall be appointed by the board [as hereinafter provided] with the approval of the Governor and who shall receive such annual salary not exceeding [five thousand dollars ($5,000)] four thousand five hundred dollars ($4,500) as the board shall determine Said district supervisor shall be the executive head of the district office to which he shall be appointed and shall have the control management and direction of all employes of the board assigned to said district subject to the supervision of the [General Director of Parole] board [as aforesaid]

Section 6 Section twelve of said act is hereby amended to read as follows

Section 12 The board shall appoint in the various district offices a sufficient number of parole officers clerks stenographers and other agents and employes to fully and efficiently administer the parole laws of this Commonwealth but no employe of the board other than its secretary and district supervisors shall be appointed by the board except in the manner hereinafter provided The salaries of such appointees as aforesaid shall be fixed by the board It shall be the duty of the board from time to time by appropriate rule or regulation to prescribe the qualifications to be possessed by its appointees Said qualifications shall be such as will best promote the efficient operation of parole

Section 7 Section fifteen of the said act is hereby amended to read as follows

Section 15 No employe of the board except the secretary and district supervisors shall be removed discharged or reduced in pay or position except for cause and only after giving him the reasons therefor in writing and affording him an opportunity to be heard in answer thereto Provided however That an employe may be suspended without pay and without hearing for a period not exceding thirty days but the reason or reasons for such suspension shall be given to the employe by the board in writing And provided further That successive suspen-

sions of the same employe under the power hereby granted shall not be made

Section 8 Section seventeen of said act is hereby amended to read as follows

Section 17 The board shall have exclusive power to parole and reparole commit and recommit for violations of parole and to discharge from parole all persons heretofore or hereafter sentenced by any court in this Commonwealth to imprisonment in any prison or penal institution thereof whether the same be a state or county penitentiary prison or penal institution as hereinafter provided It is further provided that the board shall have exclusive power to supervise any person hereafter placed on probation or parole (when sentenced to a maximum period of less than two years) by any judge of a court having criminal jurisdiction when the court may by special order directed supervision by the board in which case the probation or such parole case shall be known as a special case and the authority of the board with regard thereto shall be the same as herein provided with regard to parole cases within one of the classifications above set forth Provided however That the powers and duties herein conferred shall not extend to persons sentenced for a maximum period of less than two years and nothing herein contained shall prevent any court of this Commonwealth from paroling any person sentenced by it for a maximum period of less than two years And provided further That the period of two years herein referred to shall mean the entire continuous term of sentence to which a person is subject whether the same be by one or more sentences either to simple imprisonment or to an indeterminate imprisonment at hard labor as now as hereafter authorized by law to be imposed for criminal offenses The power of the board to parole shall extend to prisoners sentenced to definite or flat sentences

Section 9 Section nineteen of said act is hereby amended to read as follows

Section 19 It shall be the duty of the Board of Parole upon the commitment to prison of any person whom said board is herein given the power to parole to investigation and inform itself respecting the circumstances of the offense for which said person shall have been sentenced and in addition thereto it shall procure information as full and complete as may be obtainable with regard to the character mental characteristics habits antecedents connections and environment of such person The board shall further procure the stenographic record if any of the trial conviction and sentence together with such additional information regarding the crime for which sentence was imposed as may be available The board shall further cause the conduct of the person while in prison and his physical mental and behavior condition and history and his complete criminal record as far as the same may be known to be investigated and reported All public officials having possession of such rceords or information are hereby required and directed to furnish the same to the board upon its request and without charge therefor Said investigation shall be made by the board so far as may be practicable while the case is recent and in granting paroles the board shall consider the nature and character of the offense committed and any recommendation made by the trial judge as well as the general character and history of the prisoner

The board shall in all cases consider the recommendations of the trial judge and of the district attorney and of each warden or superintendent as the case may be who has had charge of an applicant each of whom is directed to submit to the board his recommendation and the reasons therefor with respect to each parole application

Section 10 Section twenty-one of said act is hereby amended to read as follows

Section 21 The board is hereby authorized to release on parole any convict confined in any penal institution of this Commonwealth as to whom power to parole is herein granted to said board except convicts condemned to death or serving life imprisonment whenever in its opinion the best interests of the convict justify or require his being paroled and it does not appear that the interests of the Commonwealth will be injured thereby If at the time a person is paroled he has been imprisoned for a period in excess of the minimum term of imprisonment to which he shall have been sentenced the period of parole may be extended by the board up to but not beyond the maximum term imposed [but in no case in excess of the maximum sentence provided by law for the offense for which he shall have been sentenced] The power to parole herein granted to the Board of Parole may not be exercised in the board's discretion at any time before but only after the expiration of the minimum term of imprisonment fixed by the court in its sentence or by the Pardon Board in a sentence which has been reduced by commutation Provided however if the Board of Parole refuse to parole the prisoner at the expiration of any minimum term fixed by the Pardon Board it shall within ten days after the date when the minimum term expired transmit to the Pardon Board a written statement of the reasons for refusal to parole the prisoner at the expiration of the minimum term fixed by the Pardon Board Thereafter the Pardon Board may either accept the action of the Board of Parole or order the immediate release of the prisoner on parole under the supervision of the Board of Parole Said board shall have the power during the period for which a person shall have been sentenced to recommit one paroled for violation of the terms and conditions of his parole and from time to time to reparole and recommit in the same manner and with the same procedure as in the case of an original parole or recommitment if in the judgment of the said board there is a reasonable probability that the convict will be benefited by again according him liberty and it does not appear that the interests of the Commonwealth will be injured thereby

Section 11 Section twenty-two of said act is hereby amended to read as follows

Section 22 The board shall have the power subject to the provisions and limitations set forth in section twenty-one to grant paroles of its own motion whenever in its judgment the interests of justice require the granting of the same In addition thereto the board shall have the power and it shall be its duty to consider applications for parole by a prisoner or by his attorney relatives or friends or by any person properly interested in the matter Hearings of applications shall be held by the board whenever in its judgment hearings are necessary Reasonable rules and regulations shall be adopted by the board for the presentation and hearing of applications for parole Provided however That whenever any prisoner is paroled by the board whether of its own motion or after hearing of an application therefor or whenever an application for parole is refused by the board a brief statement of the reasons for the board's action shall be filed of record in the offices of the board and shall be at all reasonable times open to public inspection in no case shall a parole be granted or an application for parole be dismissed unless [one member of the board] a district supervisor shall have seen and heard him in person to regard thereto within [one year] six months prior to the granting or dismissal thereof Application shall be disposed of by the board within six months of the filing thereof Except in cases where the Pardon Board has reduced a minimum term by commutation the board shall initially act on the application if possible before the expiration of the minimum term so fixed and in no case more than thirty days thereafter

In granting and revoking paroles and in discharging from parole the members of the board acting thereon shall not be required to personally hear or see all the witnessses and evidence submitted to them for their action but they may act on report submitted to them by their agents and employes together with any pertinent and adequate information furnished to them by fellow members of the board or by others

At least ten days before paroling a prisoner on its own motion the board shall give written notice of such contemplated parole to the district attorney of the county wherein the prisoner shall have been sentenced and in cases of hearings on applications for parole as herein provided for at least ten days written notice of the time and place fixed for such hearing shall be given either by the board or by the applicant as the board shall direct

to the court and district attorney of the county wherein the applicant shall have been sentenced

Section 12 Section twenty-six of said act is hereby amended to read as follows

Section 26 Paroles from imprisonment for less than [one year] a maximum period of two years shall be granted by the sentencing court and shall together with all probations except probation as to which supervision is specially ordered by the court as provided for in section [seventeen] twenty-five of this act be without supervision by the board

Section 13 Section thirty-one of said act is hereby amended to read as follows

Section 31 Anything herein contained to the contrary notwithstanding this act shall not apply to persons committed to the Pennsylvania Training School houses of refuge for boys or girls institutions for the discipline or correction of juveniles as defined by existing laws or persons imprisoned in any county jail workhouse or other penal or correctional institution under sentence by an alderman justice of the peace or magistrate or committed in default of payment of any fine or of bail

This act shall apply to inmates confined in the Pennsylvania Industrial School (White Hill) situate at Camp Hill Pennsylvania the Industrial Home for Women at Muncy Pennsylvania and the Pennsylvania Industrial School at Huntingdon Pennsylvania when the maximum sentence which could have been imposed for the crime of which the prisoner was convicted equals or exceeds two years including juveniles under 18 years of age serving sentence in the above named institutions but exclusive of juveniles committed to said institutions

Section 14 Sections nine twenty-four and thirty-six of said act are hereby repealed

Section 15 This act shall become effective the first day of June one thousand nine hundred and forty-three

And said bill having been read at length the third time,

And the amendments made thereto having been printed as required by the Constitution.

On the question,

Will the Senate agree to the bill on third reading?

And the question recurring,

Will the Senate agree to the bill on third reading?

It was agreed to.

Mr. SHAPIRO. As I understand, Mr. President, this is the parole bill which I believe was very thoroughly discussed in detail yesterday. I do not intend to go over all the statements that were made yesterday about it, but I today would like to get on the record one of the principal objections that I have and that is this: I have heard a great deal of talk in connection with the parole law, that the first bill was passed without any study and that it is not being carried out properly, and that this board ought to be abolished, even before they could start.

Now we are very quickly, in a matter of a few weeks, setting up a new kind of parole system, one that is unknown, in my opinion, anywhere in the country, namely, that the supervisor shall be a political appointee, appointed by the Governor, that he shall be the man, instead of a parole officer, who shall visit and examine the prisoners, that he shall have under him civil service employes, but that he, the man who finally has to determine whether prisoners shall be released or retained, shall have the say, the recommending powers. The parole board itself will not, according to this bill, visit the prisoners.

I do not know yet, I have not yet found the source that is back of the movement to destroy this existing parole board before it has had a chance, and I want to say without any dramatics or attempt at oratory, I think it is a dangerous thing we are doing, and I think we will regret the step we are taking. Whether we are doing it from the best of motives or whether someone is back of it who is pushing this thing I do not know and I do not care. I do think the important proposition is that in time of war, when we should be bolstering our system of crime prevention, we should not be taking a step in a direction that might make for looseness in protection of the people of the Commonwealth. Here was a system which has been adopted by several other states and has been in force for years, has been proven to be efficient, has been proven to be a boon to those states, particularly the state of New York, and I think that system should be given a chance, after careful study by people who are civic-minded and who know something about the subject. When you take that system and destroy it, in times like these, I think that is a dangerous step, and I say to my colleagues on both sides that there is no reason for this bill, no necessity for it now I do not care about the five men who are on the board, their names have been withdrawn, put someone else in, but in the name of good government this bill ought to be defeated.

On the question,

Shall the bill pass finally?

(During the calling of the roll the following occurred:)

Mr. JASPAN. Mr. President, I wish to be recorded as being present but not voting.

The PRESIDENT. The gentleman from Philadelphia will be so recorded.

Mr. JASPAN. From the very outset I insisted upon a strong system. When the parole law was passed in 1941, which I vigorously opposed, and again in 1942, when Governor James asked for postponement of the effective date, I agreed with him, and again this year I feel that the law as we have it today is not strong enough.

POINT OF ORDER

Mr. WATKINS. Mr. President, I rise on a point of order.

The PRESIDENT. The gentleman from Schuylkill will proceed.

Mr. WATKINS. I should like to have the vote announced.

Mr. JASPAN. Mr. President, I am giving reasons why I voted "present" but not voting. I think I have the right to state my reason on the record.

The PRESIDENT. The Chair sustains the point of order of the gentleman from Schuylkill. After the vote has been announced, the gentleman from Philadelphia will have opportunity to express himself if he so desires.

On the question recurring,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—26

Becker,	Farrell,	Letzler,	Thomas,
Bowers,	Geltz,	Mallery,	Tyler,
Carr,	Heyburn,	Scarlett,	Wade,
Chapman,	Homsher,	Snowden,	Walker,
Crider,	James,	Stevenson,	Watkins,
Deitrick,	Jones,	Tallman,	Wilson, H. I.
Ealy,	Kephart,		

NAYS—14

Barr,	Gourley,	McQuiddy,	Stiefel,
Coleman,	Haluska,	Ruth,	Woodring,

Cox, Holland, Shapiro, Woodward,
DiSilvestro, McGinnis,

PRESENT—1

Jaspan,

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

PERMISSION TO ADDRESS SENATE

Mr. JASPAN asked and obtained unanimous consent to address the Senate.

Mr. JASPAN. Mr. President, I will not repeat what I have already stated; I think it already is a matter of record.

I will say this much, Mr. President, that everybody on this Senate floor is for a strong parole system. I still have confidence in our judicial system and our Board of Pardons, two of whom were elected by the people.

I feel that if we are going to have a parole system, let it start from the very outset, from the time a man is convicted, and let us help the judge in determining the sentence and once we help him in determining the sentence and later on we feel a man should be paroled, these parole officers should work together with the judge, and where there are state institutions involved, they should work together with the Board of Pardons.

I can appreciate the fact that men commit crimes. I come from one of the poorest districts in Pennsylvania, the Third Senatorial District, very poor people, and upon occasion they commit crimes, sometimes because of necessity, sometimes because they are diseased, and other times because they are underfed—frankly I do not think they wanted to commit crimes but they had to, due to circumstances.

However, I feel, having been born and brought up under those circumstances, I can appreciate the needs and wants of those boys and I want to work with them rather than hurt them, and I feel we should not put these matters in the hands of social service workers, these theorists who know little or nothing about the practical side of human beings.

This particular bill as introduced today—pardon me, Senator Walker, there are times I do not like what you are saying, but still I have the patience to sit and listen to you.

Mr. WALKER. The gentleman from Philadelphia, Senator Jaspan, is out of order.

Mr. JASPAN. The gentleman from Allegheny may think I am out of order, but I have my rights, and many times the gentleman from Allegheny is out of order and we take it whether we like it or not—I do not represent truckers—I am speaking on the subject and I have been given the right to talk.

I will say this much, Mr. President, I do not agree with the theory and principles under this particular bill.

POINT OF ORDER

Mr. WALKER. Mr. President, I rise on a point of order.

The PRESIDENT. The gentleman from Allegheny will proceed.

Mr. WALKER. As I understand, Mr. President, the gentleman from Philadelphia, Senator Jaspan, rose to explain his vote. I submit, Mr. President, that the gentleman, by voting "present", did not vote on the bill and, therefore, he has nothing to explain and I submit, Mr. President, there is nothing before the Senate except consideration of the Calendar.

Mr. JASPAN. Mr. President, the right was given to me to speak by the Chair.

The PRESIDENT. The Chair regrets to state that in his opinion the gentleman from Philadelphia, Senator Jaspan, has the right to explain his vote.

POINT OF ORDER

Mr. HEYBURN. Mr. President, I rise on a point of order.

Mr. PRESIDENT. The gentleman from Delaware will proceed.

Mr. HEYBURN. Mr. President, under the Consitution a member can not be present and not vote unless he has an interest in the bill, in which case he shall arise and inform the Chair of that interest, and not vote. Under the Constitution the only thing a Senator can do is give personal reasons and interest in a bill, for not voting.

The PRESIDENT. To what provision of the Constitution is the gentleman from Delaware referring?

Mr. HEYBURN. I will look up the number of the section, Mr. President.

(The Senate was at ease)

Mr. JASPAN. Mr. President, this is the first time I ever knew of a Democrat going over to the Republicans to show them how to sustain a point of order.

Mr. SHAPIRO. I am sorry, Mr. President, I was trying to prove that the gentleman from Delaware was wrong. I think I have that right.

Mr. JASPAN. I appreciate that, Mr. President; it is not often I agree with the gentleman.

The PRESIDENT. The Senators will recall that the Senate is in session.

Mr. HEYBURN. Mr. President, the only provision in the Constitution I can find covering a member being present and not voting is Section 33, Article 4, page 38, of the Manual, entitled "Members interested not to vote," and which reads: "Section 33. A member who has a personal private interest in any measure or bill proposed or pending before the General Assembly shall disclose the fact to the House of which he is a member, and shall not vote thereon."

I find no provision for a member being present and not voting.

The PRESIDENT. In the opinion of the Chair, the question which was impliedly raised by the gentleman from Delaware is not clearly settled; apparently there are authorities both ways. The Chair is glad he has not been asked to rule because in such event the Chair would have to ask the Senate to be at ease for perhaps some time while the Chair examined or consulted authorities.

Mr. JASPAN. Mr. President, whether we wait five or seven hours, makes little or no difference to me. May I continue?

The PRESIDENT. The gentleman from Philadelphia may proceed.

Mr. JASPAN. Frankly, I see no improvement in the Jones bill over the present system. I find fault with it and I had hoped that as a result of my ripper bill—

POINT OF ORDER

Mr. WATKINS. Mr. President, I rise on a point of order.

The PRESIDENT. The gentleman from Schuylkill will proceed.

Mr. WATKINS. Mr. President, the gentleman from Philadelphia, Senator Jaspan, is not debating the bill.

Mr. JASPAN. I am not debating the bill, Mr. President, I am giving my reasons for voting as I did.

POINT OF ORDER

Mr. HEYBURN. Mr. President, I rise to a point of order.

The PRESIDENT. The gentleman from Delaware will proceed.

Mr. HEYBURN. I raise the point of order, Mr. President, that the gentleman from Philadelphia, Senator Jaspan, did not vote.

The PRESIDENT. The gentleman from Philadelphia, Senator Jaspan will restrict his statement as to an explanation of voting as he did.

Mr. JASPAN. Mr. President, I have studied this thing very carefully and frankly, I felt I should vote against this bill because it is no improvement over the present system. I had hoped for a strong parole law and I see nothing in the Jones bill that will tend to improve the present law.

I am interested in criminals. I am interested in men who are sent to jail, and I had hoped that his bill would help them. There is nothing the bill—

POINT OF ORDER

Mr. WATKINS. Mr. President, I rise on a point of order.

The PRESIDENT. The gentleman from Schuylkill will state his point of order.

Mr. WATKINS. Mr. President, the gentleman from Philadelphia, Senator Jaspan, has voted neither for nor against the bill, he has not voted at all, and he is debating a bill which has already passed the Senate. I press my point of order.

Mr. JASPAN. If I may change my vote, I will vote against it still, because there is no improvement over the present law; it aggravates the situation rather than helps it.

BILL OVER IN ORDER

Mr. HEYBURN. Mr. President, I ask unanimous consent that Senate Bill No. 556, on third reading, entitled:

An Act concerning the ascertainment of principal and income and the apportionment of receipts and expenses among tenants and remaindermen, and to make uniform the law with reference thereto

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 579, entitled:

An Act to further amend section one thousand one hundred forty-seven of the act approved the first day of May one thousand nine hundred thirty-three (P. L. 103) entitled "An act concerning townships of the second class and amending revising consolidating and changing the law relating thereto" by providing as to certain additional roads streets lanes and alleys which may be accepted as public highways by boards of supervisors of townships of the second class

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section one thousand one hundred forty-seven of the act approved the first day of May one thousand nine hundred thirty-three (P. L. 103) entitled "An act concerning townships of the second class and amending revising consolidating and changing the law relating thereto" as added by the act approved the eighteenth day of July one thousand nine hundred thirty-five (P. L. 1299) and amended by the act approved the eigthth day of May one thousand nine hundred forty-one (P. L. 39) is hereby further amended to read as follows

Section 1147 Taking Over of Roads Streets Lanes and Alleys Heretofore Dedicated as Public Highways Whenever plans of dedicated roads streets lanes or alleys located in second class townships have been adopted approved and recorded the board of supervisors of any such township may with the consent of the court of quarter sessions upon petition filed accept any roads streets lanes or alleys as public highways if shown in said plans as dedicated to such use and provided the roads or streets shall be not less than thirty-three feet in width and the lanes or alleys not less than fifteen feet in width said acceptance to be evidenced by a resolution of the said board of supervisors properly describing said roads streets lanes or alleys and adopted by a majority thereof by a vote duly recorded and entered upon the minutes of said board Upon the filing with the clerk of courts of quarter sessions of the county in which said township shall be situate a certified and attested copy of said resolution with the consent of the court endorsed thereon such roads streets lanes or alleys shall be and become a part of the public highway system of said township and shall be so recorded in said court of quarter sessions Provided That in the case of any plan of dedicated roads streets lanes or alleys which was adopted approved and recorded prior to the effective date of this Act said roads streets lanes or alleys if dedicated to public use may be taken over as public highways under the authority of and in accordance with the procedure prescribed by this section if said roads or streets are less than thirty-three feet in width and said lanes or alleys are less than fifteen feet in width

Section 2 The provisions of this act shall become effective immediately upon final enactment

An said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—41

Barr,	Farrell,	Kephart,	Stiefel,
Becker,	Geltz,	Letzler,	Tallman,
Bowers,	Gourley,	Mallery,	Thomas,
Carr,	Haluska,	McGinnis,	Tyler,
Chapman,	Heyburn,	McQuiddy,	Wade,
Coleman,	Holland,	Ruth,	Walker,
Cox,	Homsher,	Scarlett,	Watkins,
Crider,	James,	Shapiro,	Wilson, H. I.,
Deitrick,	Jaspan,	Snowden,	Woodring,
DiSilvestro,	Jones,	Stevenson,	Woodward,
Ealy,			

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence,

BILL OVER IN ORDER

Mr. HEYBURN. Mr. President, I ask unanimous consent that Senate Bill No. 590, on third reading, entitled:

An Act to amend section six hundred four, section six hundred five, and to add section six hundred eight to the act, approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 177), entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments, boards, commissions, and officers thereof, including the boards of trustees of State Normal Schools, or Teachers Colleges; abolishing, creating, reorganizing or authorizing the reorganization of certain administrative departments, boards, and commissions; defining the powers and duties of the Governor and other executive and administrative officers, and of the several administrative departments, boards, commissions, and officers; fixing the salaries of the Governor, Lieutenant-Governor, and certain other executive and administrative officers; providing for the appointment of certain administrative officers, and of all deputies and other assistants and employes in certain departments, boards, and commissions; and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments, boards and commissions shall be determined," by further defining the duties of the Auditor General, the State Treasurer and the Secretary of Internal Affairs, and requiring fiscal reports to be filed with the Governor by all administrative departments, boards, and commissions

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 594, entitled:

An Act to amend section one of the act approved the twelfth day of May one thousand nine hundred and thirty-nine (P. L. 133) entitled "An act to regulate the sale and possession of sulfanilamide and its derivatives in the interest of public health" by excepting sulfathiazole-impregnated finger or small adhesive gauze bandages.

And said bill having been read at length the third time,

On the question,

Will the Senate agree to the bill on third reading?

Mr. HEYBURN. Mr. President, I ask unanimous consent to offer an amendment at this time.

The PRESIDENT. Is there objection? The Chair hears none.

The Clerk read the amendment as follows:

Amend Section 1, page 2, line 3, insert the word "except" after the boldface bracket and before the word "sulfathiazole-impregnated."

On the question,

Will the Senate agree to the amendment?

It was agreed to.

On the question,

Will the Senate agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill as amended lie over for printing on final passage.

BILLS OVER IN ORDER

Mr. HEYBURN. Mr. President, I ask unanimous consent that, House Bill No. 596, on third reading, entitled:

An Act to further amend sections four hundred four and four hundred ten of the act approved the twenty-ninth day of November, one thousand nine hundred thirty-three, (P. L. 15—1933-34), entitled as amended "An act to regulate and restrain the sale, manufacture, possession, transportation, importation, traffic in, and use of alcohol, and alcoholic and malt or brewed beverages; conferring powers and imposing duties upon the Pennsylvania Liquor Control Board and its agents, the Department of Public Instruction, other officers of the State government, courts, and district attorneys; authorizing the establishment and operation of State stores for the sale of such beverages not for consumption on the premises, and the granting of licenses, subject to local option, to sell such beverages for consumption on and off the premises; forbidding importation or bringing of such beverages into the State except as herein provided; prohibiting certain sales or practices in, connection with, and transactions in such beverages by licensees and others; providing for the forfeiture of certain property; making disposition of the receipts from State stores and of fees and imposing penalties," conferring jurisdiction on the county court of Allegheny County in cases of appeals from the Pennsylvania Liquor Control Board

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. HEYBURN. Mr. President, I ask unanimous consent that Senate Bill No. 597, on third reading, entitled:

An Act to add Section 699.7 to the act, approved the twenty-fourth day of June, one thousand nine hundred and thirty-nine (P. L. 872), entitled "An act to consolidate, amend and revise the penal laws of the Commonwealth," prohibiting the buying or selling of Federal ration stamps, coupons or other indicia or tokens necessary for the purchase of food, clothing, footwear, fuel or other commodities or articles; prohibiting the acceptance of such stamps, coupons or other indicia or tokens with knowledge that they have been bought or sold; and providing penalties

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. HEYBURN. Mr. President, I ask unanimous consent that Senate Bill No. 598, on third reading, entitled:

An Act to aid the Federal Government in the enforcement of its allocation and rationing program; making it unlawful to sell or buy commodities rationed by Federal authority without receiving or giving the required coupons, stamps, certificates, ration checks or other ration documents or giving such documents that have been unlawfully obtained; empowering the Governor to designate commodities hereafter rationed to be subject to this act; and prescribing penalties

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 603, entitled:

An Act authorizing the Department of Property and Supplies to establish operate and maintain self-sustaining restaurants as herein defined in the State Capitol and adjacent buildings creating a revolving fund for this purpose to be known as The State Restaurant Fund providing additional duties for the State Treasurer and the Department of Health in connection therewith and appropriation the necessary funds for those purposes

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The Department of Property and Supplies shall have the power and it shall be its duty whenever it shall be unable to secure a suitable tenant or tenants for the operation of a restaurant or restaurants in the State Capitol and adjacent buildings to establish operate and maintain with the approval of the Governor such restaurant or restaurants as may be necessary for the proper accommodation of State administrative legislative and judicial personnel and capitol visitors and to provide maintain furnish alter repair and equip adequate quarters in the buildings of the Capitol group for this purpose

Section 2 All sums received from the operation of such restaurant or restaurants are hereby constituted a fund to be known as The State Restaurant Fund of which the State Treasurer shall be custodian

Section 3 The Department of Health shall have the power and it shall be its duty to inspect from time to time any and all restaurants operated under the provisions of this act and to report to the Governor periodically on the sanitary and health conditions prevailing in said restaurant or restaurants

Section 4 The moneys which may be from time to time in The State Restaurant Fund are hereby specifically appropriated and made available to the Department of Property and Supplies to carry out the provisions of this act for the payment of the cost of maintaining furnsihing altering repairing and equipping such restaurant or restaurants and for replacements as they become necessary for the purchase of food refreshments supplies materials and motor vehicles for the payment of wages and salaries of employes and officers premiums on workmen's compensation liability and other necessary insurance and surety bonds for such employes and officers as may be charged with the handling of funds and for any other expenses necessary to carry out the purpose of this act

Section 5 The sum of fifteen thousand dollars ($15,000) is hereby appropriated out of the General Fund to The State Restaurant Fund for the purposes of Section 4 of this act The aforesaid sum of fifteen thousand dollars ($15,000) shall as soon as practical be repaid into the General Fund of the State Treasury out of moneys to the credit of The State Restaurant Fund and such moneys are hereby appropriated for this purpose

Section 6 "Restaurant" as used in this act shall mean grill cafeteria and soda fountain to include all the incidents of such businesses as they are generally conducted in this Commonwealth

Section 7 This act is to become effective immediately upon final enactment

Mr. SHAPIRO. Mr. President, I should like to interrogate the gentleman from Allegheny, Senator Walker.

The PRESIDENT. Will the gentleman from Allegheny permit himself to be interrogated?

Mr. WALKER. I will, Mr. President.

Mr. SHAPIRO. Mr. President, will the gentleman from Allegheny tell me whether there is any difference between House Bill No. 596 and House Bill No. 609, at the bottom of page 2 of the Calendar? Are they not the same bills?

Mr. WALKER. Mr. President, they amend the different sections of the same act.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—40

Barr,	Farrell,	Kephart,	Stiefel,
Becker,	Geltz,	Letzler,	Tallman,
Bowers,	Gourley,	Mallery,	Thomas,
Carr,	Haluska,	McGinni,	Tyler,
Chapman,	Heyburn,	McQuiddy,	Wade,
Coleman,	Holland,	Ruth,	Walker,
Cox,	Homsher,	Scarlett,	Watkins,
Crider,	James,	Shapiro,	Wilson, H. I.,
Deitrick,	Jaspan,	Snowden,	Woodring,
DiSilvestro,	Jones,	Stevenson,	Woodward,
Ealy,			

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILL OVER IN ORDER

Mr. HEYBURN. Mr. President, I ask unanimous consent that House Bill No. 607, on third reading, entitled:

An Act to further amend sections four hundred twenty-six and four hundred twenty-seven of the act approved the second day of June, one thousand nine hundred fifteen (P. L. 736), entitled, as amended "An act defining the liability of an employer to pay damages for injuries received by an employe in the course of employment; establishing an elective schedule of compensation; providing procedure for the determination of liability and compensation thereunder; and prescribing penalties," conferring exclusive jurisdiction on the county court of Allegheny County in cases of appeals from the Workmen's Compensation Board

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 608, entitled:

An Act to validate and quiet the title to real estate in this Commonwealth heretofore conveyed to a citizen of the United States or a corporation authorized to hold such real estate by any building and loan association whose charter had expired

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The title to any real estate situate in this Commonwealth which may have been conveyed prior to the first day of April one thousand nine hundred and forty-three to a citizen of the United States or to any corporation incorporated under the laws of this Commonwealth or of any other state or commonwealth in the United States and authorized to hold such real estate by any building and loan association the charter of which had expired prior to the making of such conveyance is hereby declared to be good and valid and free and clear of any right of escheat by the Commonwealth and such citizen or corporation grantee as aforesaid and his or its respective heirs successors and assigns shall hold and may convey such title and estate indefeasibly as to any right of escheat which the Commonwealth might otherwise have by reason of said unauthorized conveyance by such building and loan association and all such conveyances heretofore made are hereby ratified and confirmed

Scetion 2 All acts and parts of acts inconsistent herewith are hereby repealed

Section 3 This act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—41.

Barr,	Farrell,	Kephart,	Stiefel,
Becker,	Geltz,	Letzler,	Tallman,
Bowers,	Gourley,	Mallery,	Thomas,
Carr,	Haluska,	McGinnis,	Tyler,
Chapman,	Heyburn,	McQuiddy,	Wade,
Coleman,	Holland,	Ruth,	Walker,
Cox,	Homsher,	Scarlett,	Watkins,
Crider,	James,	Shapiro,	Wilson, H. I.,
Deitrick,	Jaspan,	Snowden,	Woodring,
DiSilvestro,	Jones,	Stevenson,	Woodward,
Ealy,			

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence,

BILLS OVER IN ORDER

Mr. HEYBURN. Mr. President, I ask unanimous consent that, House Bill No. 609, on third reading, entitled:

An Act to further amend sections seven and thirteen of the act approved the third day of May one thousand nine hundred thirty-three (P. L. 252) entitled as amended "An act to regulate and restrain the traffic in malt and brewed beverages as herein defined providing for the licensing of the manufacture transportation sale and distribution of such beverages imposing license and permit fees and providing for collection and distribution thereof restricting ownership and interest in licensed places permitting municipalities and townships by vote of the electors to prevent the licensing therein of places where such beverages may be sold for consumption on the premises and regulating elections for this purpose imposing duties upon the Pennsylvania Liquor Control Board quarter sessions courts district attorneys Department of Justice proper authorities of political subdivisions of the State and election officers providing penalties and repealing existing acts" conferring jurisdiction on the county court of Allegheny County in cases of appeals from the Pennsylvania Liquor Control Board

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. HEYBURN. Mr. President, I ask unanimous consent that Senate Bill No. 616, on third reading, entitled:

An Act to further amend section seventeen of the act, approved the twenty-second day of June, one thousand nine hundred thirty-five (P. L. 414) entitled as amended "An act to provide revenue for State purposes; imposing taxes upon certain classes of personal property; providing for the assessment, collection, and lien of the same, and the distribution of the proceeds thereof; imposing duties on executors, administrators, registers of wills, recorders of deeds, prothonotaries, and court clerks, and on persons, copartnerships, associations, banks, national banks, trust companies, and other corporations receiving deposits of money, and on certain corporations and limited partnerships; conferring powers and imposing duties on certain State officers and departments; imposing penalties; and making an appropriation," by excluding from the provisions thereof personal property held in trust under the terms of a stock bonus, pension annuity, profit-sharing or deferred compensation plan as herein defined, maintained by an employer for the exclusive benefit of his employes or their beneficiaries

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. HEYBURN. Mr. President, I ask unanimous consent that Senate Bill No. 617, on third reading, entitled:

An Act to repeal section twenty-three of the act, approved the twenty-sixth day of May, one thousand nine hundred and thirty-three (P. L. 1076), entitled "An act to provide for the organization, incorporation, operation, and supervision of cooperative savings and credit associations, to be termed credit unions; designating such credit unions as corporations, and defining their powers and duties; conferring certain powers and duties on the Department of Banking and providing penalties," which section exempts credit unions organized under said act, and the shares thereof, from certain tax and bonus liability

go over in its order.

The PRESIDENT. Is there objection?

Mr. COX. Mr. President, I will not say I object—I do object, but I do not want the Majority Leader to have to make a motion in order to have these bills go over in order. However, Mr. President, I would like to interrogate the gentleman from Delaware.

The PRESIDENT. Will the gentleman from Delaware permit himself to be interrogated?

Mr. HEYBURN. I will, Mr. President.

Mr. COX, I ask the gentleman from Delaware whether House Bill No. 607 is not identical with a bill of like nature which passed the Senate this week? Will the gentleman from Delaware tell me the reason for having these bills go over in order?

Mr. HEYBURN. Mr. President, some of the Democratic members of the Senate have told me that they would like to attend a dinner in Philadelphia this evening, so we agreed that all House bills should go over in order. However, Mr. President, I am perfectly willing to consider them now, if the gentlemen on the other side are agreeable.

Mr. COX. Mr. President, it is just a question of policy. These bills have gone through the House and are now in the Senate. Very shortly we are going to adjourn and some bills have passed the Senate which are not even on the House Calendar. Would it not be more appropriate for us to act on House bills?

Mr. HEYBURN. I do not understand the question.

Mr. COX. I remove my objection.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 623, entitled:

An Act to further amend section six hundred three of the act approved the seventeenth day of May one thousand nine hundred and twenty-one (P. L. 789) entitled as amended "An act relating to insurance establishing an insurance department and amending revising and consolidating the law relating to the licensing qualification regulation examination suspension and dissolution of insurance companies Lloyds associations reciprocal and inter-insurance exchanges and certain societies and orders the examination and regulation of fire insurance rating bureaus and the licensing and regulation of insurance agents and brokers the service of legal process upon foreign insurance companies associations or exchanges providing penalties and repealing existing laws" by providing that an attorney-at-law or a licensed real estate broker shall not be required to obtain a license to act as agent for a domestic title insurance company

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section six hundred three of the act approved the seventeenth day of May one thousand nine hundred and twenty-one (P. L. 789) entitled as amended "An act relating to insurance establishing an insurance department and amending revising and consolidating the law relating to the licensing qualification regulation examination suspension and dissolution of insurance companies Lloyds associations reciprocal and inter-insurance exchanges and certain societies and orders the examination and regulation of fire insurance rating bureaus and the licensing and regulation of insurance agents and brokers the service of legal process upon foreign insurance companies associations or exchanges providing penalties and repealing existing laws" as last amended by the act approved the twenty-fourth day of May one thousand nine hundred and thirty-three (P. L. 990) is hereby further amended to read as follows

Section 603 Agent's Licenses The Insurance Commissioner may issue upon certification as aforesaid by any company association or exchange authorized by law to transact business within this Commonwealth an agent's license to any person of at least twenty-one years of age and to any copartnership or corporation No license as agent shall be granted to any corporation unless by provisions of its charter it is authorized to engage in the business of insurance or real estate and unless individual licenses are also secured for each active officer of such corporation and no license shall be granted to a copartnership or firm unless individual licenses are also secured for each active member of such copartnership or firm Before any such license is granted the applicant shall first make answer in writing and under oath to interrogatories on forms and supplements such as the Insurance Commissioner shall prepare and submit which answers shall be vouched for by indorsement of the company association or exchange interested and to the effect that the applicant is of good business reputation and of experience in underwriting other than soliciting and is worthy of a license Provided That any licensed agent who shall have held for a continuous period of five years a license to transact as agent any class or kind of insurance business for any company association or exchange authorized to transact business within this Commonwealth shall be entitled upon proper application to receive a license to transact as agent the same class or kind of insurance business for any other company association or exchange so authorized to transact business without the necessity of submitting to an examination When the Insurance Commissioner is satisfied that the applicant is worthy of license and that he is reasonably familiar with provisions of the insurance law of this Commonwealth he shall issue a license stating that the company association or exchange represented by the agent has complied with the requirements of law and has been authorized by the Insurance Commissioner to transact business within this Commonwealth and that the agent has been duly appointed by the company association or exchange named in the license Licenses of life insurance agents shall expire annually at midnight of March thirty-first licenses of fire insurance agents shall expire annually at midnight of September thirtieth and the licenses of casualty and health and accident insurance agents shall expire annually at midnight of November thirtieth unless sooner terminated as the result of severance of business relations between the company association or exchange and the agent or unless revoked by the Insurance Commissioner for cause Licenses for fire insurance agents and for casualty and health and accident insurance agents issued to expire at midnight March thirty-first one thousand nine hundred and thirty-four are hereby extended until midnight of September thirtieth and November thirtieth one thousand nine hundred and thirty-four respectively in accordance with the expiration dates fixed by this act The department shall collect an additional fee for each such license extended at the rate of one-twelfth of the annual rate as fixed by this act for each additional month that the term of such licenses are extended Any person whose license is revoked may appeal to the court of common pleas of Dauphin County within thirty days of the date of receipt by registered mail of a notice of the fact of such revocation Nothing in this section shall be construed as applying to domestic mutual fire insurance companies An attorney-at-law or a licensed real estate broker shall not however be required to obtain a license to act as agent for a domestic title insurance company

Section 2 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time,

On the question,

Will the Senate agree to the bill on third reading?

Mr. SHAPIRO. Some weeks ago, Mr. President, some lawyers in Philadelphia visited me and asked me if I would co-sponsor a bill which would correct a condition which they found required correction. As all lawyers know, in representing clients sometimes you have to settle properties and if you want a clear title you must make application to a title insurance company for insurance of the title.

There is a real estate broker license's law which requires persons engaged in the real estate business to take out a license. The trust companies have now taken the position that under the act that neither a lawyer nor a real estate broker should be permitted to make application for title insurance unless he gets a broker's license.

This bill is intended to correct that condition, by clarifying the act and eliminating from the provisions of the act the necessity of a lawyer taking out a license in order to make application for title insurance; the same thing would apply to a real estate broker, it limits his right to operate as a real estate broker to that single sphere.

The trust companies have asked for this bill and I think that the act ought to be clarified.

And the question recurring,

Will the Senate agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—40

Barr,	Ealy,	Jones,	Stiefel,
Becker,	Farrell,	Letzler,	Tallman,
Bowers,	Geltz,	Mallery,	Thomas,
Carr,	Gourley,	McGinnis,	Tyler,
Chapman,	Haluska,	McQuiddy,	Wade,
Coleman,	Heyburn,	Ruth,	Walker,
Cox,	Holland,	Scarlett,	Watkins,
Crider,	Homsher,	Shapiro,	Wilson, H. I.,
Deitrick,	James,	Snowden,	Woodring,
DiSilvestro,	Jaspan,	Stevenson,	Woodward,

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 626, entitled:

An Act to regulate persons partnerships and corporations engaged in the business of renting motor vehicles authorizing the Public Utility Commission to administer

and enforce the provisions of this Act and imposing penalties

Whereas both common carriers by motor vehicles and contract carriers by motor vehicle are subject to regulation under the Public Utility Law and

Whereas the renting of motor vehicles to the public competes to a certain extent with the business of common carriers and contract carriers by motor vehicle and

Whereas the public safety and welfare demands that persons engaged in renting motor vehicles to the public should either be insured or should establish their financial responsibility and

Whereas it is therefore in the judgment of the General Assembly necessary that persons engaging in the business of renting motor vehicles be regulated to the limited extent hereinafter provided

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 In this Act

"Commission" shall mean the Public Utility Commission of Pennsylvania

"Person" shall mean an individual a partnership or other association or a corporation

The masculine gender shall include the feminine and neuter and the singular shall include the plural

Section 2 No person shall engage in the business of renting to others motor vehicles with or without drivers unless and until a certificate of public convenience shall have been obtained from the Commission evidencing such person's right to engage in such business within this Commonwealth

Section 3 Certificates of public convenience shall subject to the exception hereinafter made be issued to persons applying therefor only if

(a) The applicant shall have filed an application upon a form prescribed by the Commission and shall have paid the fee established by the Commission for filing the same

(b) The Commission shall have found that the business which the applicant proposes to conduct is necessary and convenient for the accommodation of the public taking into consideration the amount of business in the vicinity where the applicant proposes to conduct business and the facilities which other persons in the conduct of similar business are making available to the public

(c) The Commission shall have found that the applicant is or in the case of a corporation the officers thereof are of good character and reputation and that the applicant has adequate financial resources to enable him to keep the rented motor vehicles in safe operating condition

(d) The Commission shall have found either that the applicant has made arrangements to carry insurance in a reasonable amount to secure his customers and the public against damages for which he may be responsible occasioned by accidents in which the motor vehicles rented by him to others may become involved or that the applicant has adequate financial responsibility to enable him to pay such damages without insurance

Provided that persons who were engaged in the business of renting motor vehicles on January 1 1943 shall be granted certificates of public convenience immediately upon satisfying the Commission by furnishing such pertinent information as the Commission may require that they qualify under clauses (c) and (d) hereof

Section 4 For the purpose of determining the facts required by Section 3 to be found by the Commission the Commission shall hold a hearing after notice to the applicant of the time and place thereof and upon proof that the applicant has given notice of such hearing to such persons as the Commission may require him to notify The Commission shall cause notice to be given in such manner as it shall by rule or regulation prescribe to all other persons if any engaged in the business of renting motor vehicles in the vicinity of the place where the applicant desires to engage in business

Section 5 If a certificate of public convenience shall have been granted for the purpose of engaging in the business of renting motor vehicles the holder thereof shall immediately file with the Commission a tariff showing the schedule of rentals which he proposes to charge for the use of motor vehicles not definitely rented to a single lessee for a period of a year or more Such rentals may be stated exclusive of the charges for insurance Different rates may be stated for different kinds or types of motor vehicles and for different classes of lessees but the rates of rental charged to the public (exclusive of the charges for insurance) shall not be lower than the rates charged to common carriers and to contract carriers by motor vehicle

The rates of rental may at any time be changed by the lessor upon the filing of a new tariff showing the effective date of the new rates

Rates complying with the requirements of this section shall be effective without the approval of the Commission

Section 6 Specific motor vehicles may be rented under written contract for periods of a year or more The rates of rental in such cases need not conform to the filed tariff but in all such cases the lessor shall file with the Commission statements in such form as the Commission shall prescribe showing the name and address of the lessee the date and term of the contract and a detailed description of the leased motor vehicles

Section 7 The Commission may after notice and hearing revoke a certificate of public convenience for any violation of this Act or because the holder thereof has ceased to carry reasonable insurance or has ceased to have adequate financial resources either to conduct the business or to pay damages for which he may be responsible occasioned by accidents in which the motor vehicles rented by him to others may become involved

Section 8 Any person aggrieved by any decision of the Commission granting refusing to grant or revoking a certificate of public convenience may appeal therefrom to the Superior Court of Pennsylvania as in other cases coming before the Commission

Section 9 It shall be unlawful for any person to engage in the business of renting motor vehicles to others without having obtained a certificate of public convenience under the provisions of this Act or for any person holding such certificate to charge a rental or rate to any person for the lease of a motor vehicle for less than one year which is lower than the rate or rental shown in the field tariff or to charge or accept payment of a rate or rental for the lease for less than one year of any motor vehicle by any other person which is lower than the rate or rental shown by the filed tariff as the rate or rental (exclusive of the charges for insurance) chargeable to common carriers and to contract carriers by motor vehicle

Section 10 Any person violating the provisions of this Act shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine of not less than One Hundred Dollars ($100) or more than One Thousand Dollars ($1,000) or to undergo imprisonment for not more than one (1) year or both in the discretion of the court

Section 11 The Commission is hereby charged with the duty of administering and enforcing this Act and for that purpose is empowered to make any rules and regulations appropriate to the administration and enforcement thereof It shall adopt and promulgate a schedule of fees for filing applications and other papers for issuing certificates and other papers and for holding hearings Such fees shall be in such amounts as in the judgment of the Commission shall be necessary to defray the cost of administering this Act

Section 12 This Act shall become effective thirty (30) days after its final enactment

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—40

Barr,	Ealy,	Jones,	Stiefel,
Becker,	Farrell,	Letzler,	Tallman,
Bowers,	Geltz,	Mallery,	Thomas,
Carr,	Gourley,	McGinnis,	Tyler,
Chapman,	Haluska,	McQuiddy,	Wade,
Coleman,	Heyburn,	Ruth,	Walker,
Cox,	Holland,	Scarlett,	Watkins,
Crider,	Homsher,	Shapiro,	Wilson, H. I.,
Deitrick,	James,	Snowden,	Woodring,
DiSilvestro,	Jaspan,	Stevenson,	Woodward,

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILL RECOMMITTED

Mr. HEYBURN. Mr. President, I move that House Bill No. 629, on third reading, entitled:

An Act to amend section four hundred thirty-seven of the act approved the second day of May one thousand nine hundred twenty-nine (P. L. 1278) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto" by authorizing the making of appropriations to more than one historical society

be recommitted to the Committee on County Government.

Mr. LETZLER. Mr. President, I second the motion.

The motion was agreed to.

BILLS OVER IN ORDER

Mr. HEYBURN. Mr. President, I ask unanimous consent that Senate Bill No. 630, on third reading, entitled:

An Act to further amend subsection B of section one thousand eleven of the act approved the fifteenth day of May, one thousand nine hundred thirty-three (P. L. 565), entitled "An act relating to the powers and duties of the Department of Banking and the Secretary of Banking in exercising supervision over, and taking possession of and conducting or liquidating the business and property of, corporations, associations, and persons receiving deposits or otherwise transacting a banking business, corporations acting as fiduciaries, and building and loan associations, providing for the payment of the expense of the Department of Banking by supervised corporations, associations, or persons, and appropriating the banking Department Fund; authorizing the Department of Banking, under certain circumstances, to examine corporations, associations or persons affiliated, or having business transactions with supervised corporations, associations or persons; authorizing appeals to the Supreme Court, and prescribing and limiting the powers and duties of certain other courts and their prothonotaries, registers of wills, recorders of deeds, and certain State departments, commissions, and officers; authorizing certain local public officers and State departments to collect fees for services rendered under this act; providing penalties; and repealing certain acts and parts of acts," further regulating distribution of the assets of building and loan associations in liquidation by the Secretary of Banking

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. HEYBURN. Mr. President, I ask unanimous consent that Senate Bill No. 631, on third reading, entitled:

An Act relating to the administration, liquidation and distribution of title insurance reserve funds in the possession of the Secretary of Banking as receiver and providing for the rights and powers of corporations in respect to the writing of policies of reinsurance in connection therewith

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. WOODRING. I have no objection of this bill going over in order but I would like to call to the attention of the members of the Senate the fact that on page 6, lines 23 and 29 there has been an upside down printing, which ought to be corrected before the bill is voted on next week.

Mr. HEYBURN. Mr. President, I thank the gentleman from Northampton. The correction suggested will be made.

PERMISSION TO ADDRESS SENATE

Mr. JASPAN asked and obtained unanimous consent to address the Senate.

Mr. JASPAN. Mr. President, I desire to interrogate the gentleman from Delaware, Mr. Heyburn.

The PRESIDENT. Will the gentleman from Delaware permit himself to be interrogated?

Mr. HEYBURN. I will, Mr. President.

Mr. JASPAN. Is it the thought of the Republican Party that the Legislature will adjourn some time next week?

Mr. HEYBURN. Yes Mr. President it is.

Mr. JASPAN. On what day? What legislative day, I would like to know?

Mr. HEYBURN. I am not able to state that, Mr. President: I do not know.

Mr. JASPAN. But the gentleman does hope to adjourn some time next week?

Mr. HEYBURN. Yes, indeed.

Mr. JASPAN. As late as Saturday, is that correct?

Mr. HEYBURN. I do not know what day.

Mr. JASPAN. May I further interrogate the gentleman from Delaware.

The PRESIDENT. Will the gentleman from Delaware permit himself to be further interrogated?

Mr. HEYBURN. I will, Mr. President.

Mr. JASPAN. Is there a resolution on record to that effect?

Mr. HEYBURN. No; that is unnecessary, Mr. President.

Mr. JASPAN. May I further interrogate the gentleman from Delaware?

Mr. PRESIDENT. Will the gentleman from Delaware permit himself to be further interrogated?

Mr. HEYBURN. I will, Mr. President.

Mr. JASPAN. Why is it unnecessary?

Mr. HEYBURN. There is no final adjournment resolution necessary, Mr. President.

Mr. JASPAN. Mr. President, I understand there is a resolution on the desk now, which has been laid on the

table, proposing that we adjourn as of April 15, is that correct?

Mr. HEYBURN. That was a House resolution, Mr. President—I heard something about a House resolution—but there has been no Senate adjournment sine die resolution.

Mr. JASPAN. I would further like to interrogate the gentleman from Delaware on that question. Has there been any action taken on the House resolution proposing to adjourn as of April 29?

Mr. HEYBURN. There was no such resolution that I know of, Mr. President, proposing to adjourn as of April 29.

Mr. JASPAN. May I further interrogate the gentleman from Delaware and ask him what was the date fixed in that resolution.

Mr. HEYBURN. I know of no final adjournment resolution before the Legislature, Mr. President.

Mr. JASPAN. I would like to further interrogate the gentleman from Delaware and ask him in the resolution passed by the House, did that fix a date of adjournment?

Mr. HEYBURN. Mr. President, of course, I am not a member of the House. The only thing I read was about three or four months ago some political leaders said they hoped the House and Senate would adjourn.

Mr. JASPAN. Who were those Republican leaders, Mr. President.

Mr. HEYBURN. Well, Mr. President, it was not Mr. Pew or Mr. Grundy, and it was not Mr. Holland.

Mr. JASPAN. Mr. President, who introduced that resolution in the House? The gentleman from Delaware does not know, does he?

Mr. HEYBURN. I am sorry.

Mr. JASPAN. Why not be honest with the Senate and tell us the truth? Do you want to adjourn next week or not? We are not children.

Mr. HEYBURN. Mr. President, we expect that the Legislature will adjourn some time next week, for the fifteenth or sixteenth time, I will tell the gentleman from Philadelphia, Senator Jaspan.

Mr. JASPAN. I take it, therefore, Mr. President, that we will adjourn some time next week finally, is that correct or is it not correct?

Mr. HEYBURN. Yes; I would take from my answers all along that we are going to adjourn next week.

Mr. JASPAN. And that was the answer of the gentleman from Delaware at the very outset when I first interrogated him?

Mr. HEYBURN. That is right.

BILLS OVER IN ORDER

Mr. HEYBURN. Mr. President, I ask unanimous consent that House Bill No. 641, on third reading, entitled:

An Act providing for the validation and amendment of defective tax liens heretofore or hereafter entered of record; repealing inconsistent legislation

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. HEYBURN. Mr. President, I ask unanimous consent that House Bill No. 726, on third reading, entitled:

An Act to amend section twelve of the act approved the twelfth day of May, one thousand nine hundred twenty-five, (P. L. 603), entitled "An act concerning conditional sales; and to make uniform the law relating thereto," making further provision for the satisfaction of conditional sales contracts filed in the office of the prothonotary

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. HEYBURN. Mr. President, I ask unanimous consent that House Bill No. 735, on third reading, entitled:

An Act to amend sections eleven and seventeen of the act, approved the twenty-first day of June, one thousand nine hundred thirty-nine (P. L. 626), entitled "An act providing for and regulating the assessment and valuation of all subjects of taxation in counties of the second class; creating and prescribing the powers and duties of a Board of Property Assessment, Appeals and Review; imposing duties on certain county and city officers; abolishing the board for the assessment and revision of taxes in such counties; and prescribing penalties," further regulating appeals from assessments, and exonerations and refunds of taxes effected thereby; validating appeals heretofore taken; and imposing additional duties upon the said board

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. HEYBURN. Mr. President, I ask unanimous consent that House Bill No. 736, on third reading, entitled:

An Act to further amend section sixteen of the act, approved the third day of May, one thousand nine hundred thirty-three (P. L. 252), entitled, as amended "An act to regulate and restrain the traffic in malt and brewed beverages, as herein defined; providing for the licensing of the manufacture, transportation, sale and distribution of such beverages; imposing license and permit fees, and providing for collection and distribution thereof; restricting ownership and interest in licensed places; permitting municipalities and townships, by vote of the electors, to prevent the licensing therein of places where such beverages may be sold for consumption on the premises, and regulating elections for this purpose; imposing duties upon the Pennsylvania Liquor Control Board, quarter sessions courts, district attorneys, the Department of Justice, proper authorities of political subdivisions of the State, and election officers; providing penalties; and repealing existing acts," by providing for the surrendering by persons in military service of licenses granted to them, the renewal thereof by the board during the licensee's continuance in such service and the renewal thereof thereafter

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. HEYBURN. Mr. President, I ask unanimous consent that House Bill No. 742, on third reading, entitled:

An Act to amend section one of the act, approved the fifteenth day of June, one thousand nine hundred and thirty-nine (P. L. 346), entitled "An act to promote uniformity in the assessment and taxation of properties and persons within the territorial limits of cities of the second class by providing that city taxes within such territorial limits shall be assessed, levied and collected upon the basis of the county assessments; imposing duties on county assessing authorities; abolishing the department of assessors in cities of the second class and tranasferring certain property to county taxing authorities," by defining the

effect upon appeals of the certification of tax duplicates to cities of the second class and to school districts coterminous therewith, and providing for exonerations and refunds of taxes assessed against properties affected by such appeals

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. HEYBURN. Mr. President, I ask unanimous consent that House Bill No. 750, on third reading, entitled:

An Act to further amend subsection (a) of section twenty-five of the act, approved the seventh day of June, one thousand nine hundred seventeen (P. L. 447), entitled as amended, "An act relating to the administration and distribution of the estates of decedents and of minors; and of trust testates; including the appointment, bonds, rights, powers, duties, liabilities, accounts, discharge and removal of executors, administrators, guardians, and trustees, herein designated as fiduciaries; the administration and distribution of the estates of presumed decedents; widow's and children's exemptions; debts of decedents; rents of real estate as assets for payment thereof, the lien thereof, sales and mortgages of real estate for the payment thereof, judgments and executions therefor, and the discharge of real estate from the lien thereof; contracts of decedents for the sale or purchase of real estate; legacies, including legacies charged on land; the discharge of residuary estates and of real estate from the lien of legacies and other charges; the appraisement of real estate devised at a valuation; the ascertainment of the curtilage of dwelling houses or other buildings devised; the abatement and survival of actions, and the substitution of executors and administrators therein; the survival of causes of action and suits thereupon by or against fiduciaries; investments by fiduciaries; the organization of corporations to carry on the business of decedents; the audit and review of accounts of fiduciaries; refunding bonds; transcripts to the court of common pleas of balances due by fiduciaries; the rights, powers, and liabilities of non-resident and foreign fiduciaries; the appointment, bonds, rights, powers, duties and liabilities of trustees durante absentia; the recording and registration of decrees, reports and other proceedings, and the fees therefor; appeals in certain cases; and, also, generally dealing with the jurisdiction, powers, and procedure of the orphans' court in all matters relating to fiduciaries concerned with the estates of decedents," by providing for the filing of petitions for the enforcement of payment of legacies charged upon real estate by executors, administrators cum testamento annexo and administrators de bonis non cum testamento annexo.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. HEYBURN. Mr. President, I ask unanimous consent that House Bill No. 787, on third reading entitled:

An Act to further amend section one hundred thirty-six of the act approved the second day of May one thousand nine hundred twenty-nine (P. L. 1278) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto" changing the requirements for creating the office of county controller by court decree in counties of the sixth seventh and eighth classes and authorizing the establishment of such office by referendum

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. HEYBURN. Mr. President, I ask unanimous consent that House Bill No. 805, on third reading, entitled:

An Act authorizing the appointment of a clerk to the jury commissioners in counties of the third class by the court of common pleas; the fixing of his salary by the salary board, and the payment thereof by the county

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. HEYBURN. Mr. President, I ask unanimous consent that House Bill No. 823, on third reading, entitled:

An Act to further amend section fourteen of the act approved the thirteenth day of May, one thousand nine hundred and fifteen (P. L. 286), entitled "An act to provide for the health, safety, and welfare of minors: By forbidding their employment or work in certain establishments and occupations, and under certain specified ages; by restricting their hours of labor, and regulating certain conditions of their employment; by requiring employment certificates for certain minors, and prescribing the kinds thereof, and the rules for the issuance, reissuance, filing, return, and recording of the same; by providing that the Industrial Board shall, under certain conditions, determine and declare whether certain occupations are within the prohibitions of this act; requiring that certain minors shall, during the period of their employment, attend certain schools, to be established as therein provided, and to be approved by the State Superintendent of Public Instruction, and regulating the conditions of such attendance; authorizing the State Board of Education, in certain cases, to appoint attendance officers to aid in enforcing the provisions of this act, and creating the salary and expenses of such officers a charge against the school district wherein they are employed requiring certain abstracts and notices to be posted; providing for the enforcement of this act by the Commissioner of Labor and Industry, the attendance officers of school districts, and police officers; and defining the procedure in prosecutions thereunder, and establishing certain presumptions in relation thereto; providing penalties for the violation of the provisions thereof; and repealing all acts or parts of acts inconsistent therewith," by permitting examinations to be made by any licensed physician

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. HEYBURN. Mr. President, I ask unanimous consent that House Bill No. 825, on third reading, entitled:

An Act to amend the title and section one of the act, approved the twenty-seventh day of April, one thousand nine hundred twenty-seven (P. L. 403), entitled "An act fixing the salary of county commissioners in counties of the third, fourth, fifth, and sixth classes," by increasing the salary of county commissioners in counties of the sixth, seventh and eighth classes

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. HEYBURN. Mr. President, I ask unanimous consent that House Bill No. 836, on third reading, entitled:

An Act to amend the title and sections four, six, seven and eight of the act approved the nineteenth day of March, one thousand nine hundred forty-one (P. L. 6) entitled "An act relating to national and State defense, providing for the establishment of a State Council of Defense and of local and district councils of defense, prescribing the powers and duties thereof, and making an appropriation

therefor," by conferring certain powers and duties upon the State Council of Defense, local and district councils of defense; eliminating certain provisions no longer in effect; and providing penalties

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. HEYBURN. Mr. President, I ask unanimous consent that House Bill No. 845, on third reading, entitled:

An Act to amend sections six hundred seventeen and six hundred twenty-one of the act, approved the second day of May one thousand nine hundred twenty-nine (P. L. 1278), entitled "An act relating to counties of the second, third, fourth, fifth, sixth, seventh and eighth classes; and revising, amending and consolidating the laws relating thereto," by removing certain restrictions as to the location of contagious disease hospitals, and authorizing counties to join with any other municipality or hospital in establishing a joint contagious disease hospital

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. HEYBURN. Mr. President, I ask unanimous consent that House Bill No. 862, on third reading, entitled:

An Act providing for the creation maintenance and operation of a county employes retirement system in counties of the sixth and seventh class imposing certain charges on counties and prescribing penalties

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. HEYBURN. Mr. President, I ask unanimous consent that House Bill No. 865, on third reading, entitled:

An Act to amend section four hundred nine of the act, approved the twenty-ninth day of November, one thousand nine hundred thirty-three (P. L. 15, 1933-34), entitled, as amended "An act to regulate and restrain the sale, manufacture, possession, transportation, importation, traffic in, and use of alcohol, and alcoholic and malt or brewed beverages; conferring powers and imposing duties upon the Pennsylvania Liquor Control Board and its agents, the Department of Public Instruction, other officers of the State government, courts, and district attorneys; authorizing the establishment and operation of State stores for the sale of such beverages not for consumption on the premises, and the granting of licenses, subject to local option, to sell such beverages for consumption on and off the premises; forbidding importation or bringing of such beverages into the State except as herein provided; prohibiting certain sales or practices in, connection with, and transactions in such beverages by licensees and others; providing for the forfeiture of certain property; making disposition of the receipts from State stores and of fees; and imposing penalties," by providing for the surrendering by persons in military service of licenses granted to them, the renewal thereof by the board during licensee's continuance in such service, and the renewal thereof thereafter

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. HEYBURN. Mr. President, I ask unanimous consent that House Bill No. 871, on third reading, entitled:

An Act to further amend sections two, three hundred five, paragraph (4) of section six hundred two and section six hundred three of the act, approved the twenty-ninth day of November, one thousand nine hundred thirty-three (P. L. 15, 1933-34), entitled as amended "An act to regulate and restrain the sale, manufacture, possession, transportation, importation, traffic in, and use of alcohol, and alcoholic and malt or brewed beverages; conferring powers and imposing duties upon the Pennsylvania Liquor Control Board and its agents, the Department of Public Instruction, other officers of the State government, courts, and district attorneys; authorizing the establishment and operation of State stores for the sale of such beverages not for consumption on the premises, and the granting of licenses, subject to local option, to sell such beverages for consumption on and off the premises; forbidding importation or bringing of such beverages into the State except as herein provided; prohibiting certain sales or practices in, connection with, and transactions in such beverages by licensees and others; providing for the forfeiture of certain property; making disposition of the receipts from State stores and of fees; and imposing penalties," by defining "Official Seal" and authorizing the designation of wholesale or retail stores and suspending for the duration of the present war and for a period of one year thereafter the holding of Local Option Referenda on the question of granting liquor licenses and malt and brewed beverage retail dispenser licenses by the Pennsylvania Liquor Control Board

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. HEYBURN. Mr. President, I ask unanimous consent that House Bill No. 873, on third reading, entitled:

An Act to amend section one and further amend section four of the act approved the thirteenth day of May one thousand nine hundred fifteen (P. L. 286) entitled "An act to provide for the health safety and welfare of minors by forbidding their employment or work in certain establishments and occupations and under certain specified ages by restricting their hours of labor and regulating certain conditions of their employment by requiring employment certificates for certain minors and prescribing the kinds thereof and the rules for the issuance reissuance filing return and recording of the same by providing that the Industrial Board shall under certain conditions determine and declare whether certain occupations are within the prohibitions of this act requiring that certain minors shall during the period of their employment attend certain schools to be established as therein provided and to be approved by the State Superintendent of Public Instruction and regulating the conditions of such attendance authorizing the State Board of Education in certain cases to appoint attendance officers to aid in enforcing the provisions of this act and creating the salary and expenses of such officers a charge against the school district wherein they are employed requiring certain abstracts and notices to be posted providing for the enforcement of this act by the Commissioner of Labor and Industry the attendance officers of school districts and police officers and defining the procedure in prosecutions thereunder and establishing certain presumptions in relation thereto providing penalties for the violation of the provisions thereof and repealing all acts or parts of acts inconsistent therewith" by changing the definition of week and by increasing the working hours of minors between the ages of sixteen and eighteen

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 917, entitled:

An Act to promote interstate cooperation for the use conservation protection and equitable diversion of the water resources in the Delaware River Basin between and among the States of Pennsylvania New York and New Jersey for the purpose of meeting prospective needs for domestic and municipal water supply regulating and limiting the use of the waters of the Delaware River and its tributaries and prescribing rules and standards requiring permits from and providing for hearings by the Water and Power Resources Board and for appeals from its decision vesting power in the Water and Power Resources Board to vary or modify the rules and standards under certain conditions and to adopt rules and regulations and further defining its powers and duties requiring notice to the States of New York and New Jersey of all applications for water diversion providing for the filing of stipulations by the Attorney General with the United States Supreme Court and obtaining its approval of water diversions

Whereas The States of New York New Jersey Pennsylvania and Delaware have each created and now maintain a Commission or Committee on Interstate Cooperation for the purpose of establishing and maintaining governmental machinery to facilitate communication negotiation understanding and cooperation between said states respectively and other states of the Union both regionally and nationally with power to establish such committees sub-committees and advisory boards as are deemed advisable to conduct conferences and to formulate proposals concerning subjects of intergovernmental cooperation in the common cause of reducing the burdens which are imposed upon the citizens of every state by governmental confusion competition and conflict and

Whereas said Commissions or Committees on Interstate Cooperation of said states have organized and established and are now maintaining as an instrument of governmental machinery a joint advisory board known as "The Interstate Commission on the Delaware River Basin" as a regional commission composed of standing sub-committees of said Commissions or Comittees on Interstate Cooperation respectively for the purpose of entering upon a program to study among other subjects the water supply and the conservation and protecton of the water resources of the Delaware River Basin and

Whereas the Commissions or Committees on Interstate Cooperation among the said states favor the enactment of uniform laws and the adoption of uniform rules to regulate the use and diversion of the waters of the Delaware River and its tributaries for the purpose of meeting present and prospective needs for domestic and municipal water supply purposes in said states respectively and

Whereas the said Commission on the Delaware River Basin through its Technical Advisory Committee on Quantity of Water consisting of representatives of the Water and Power Resources Board of the Department of Forests and Waters of the Commonwealth of Pennsylvania and of similar agencies of New Jersey and New York has made a study for the purposes above recited of the said Delaware River and its tributaries in said Delaware River Basin and

Whereas the said Commission on the Delaware River Basin has formulated and approved proposals for interstate cooperation in the use conservation protection and equitable diversion of the water resources of the Delaware River Basin

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Legislative Intent It is hereby declared to be the intent and purpose of this act to regulate the diversion and use of the waters of the Delaware River and its tributaries for the purpose of meeting present and prospective needs for domestic and municipal water supply and the provisions of this act shall apply to the Commonwealth or any agency thereof any municipality or civil division of the Commonwealth any district or similar agency or authority person partnerships corporations or associations

Section 2 Definitions The following words phrases or abbreviations unless the context clearly indicates otherwise shall have the meanings ascribed to them in this section

"Board" means the Water Power and Resources Board of the Department of Forests and Waters of the Commonwealth of Pennsylvania or its duly constituted successor

"Person" includes the Commonwealth or any agency thereof any muncipality or civil division of the Commonwealth any district or similar agency or authority persons partnerships corporations or associations

"c.f.s." is the abbreviation for cubic feet per second

"c.s.m." is the abbreviation for cubic feet per second per square mile of contributing drainage area

"Delaware River" means that reach of the Delaware River which extends from the confluence of the West Branch and the East Branch of the Delaware River near Hancock New York to the point where it passes the boundary line between the States of Delaware and Pennsylvania

"Delaware River Basin" means the total area drained by the Delaware River and its tributaries

"Waters of the Delaware River" or "Waters of the Delaware River Basin" means the surface waters originating within the Delaware River Basin

"Channel" or "Channel of the Delaware River" means the bed of the Delaware River and the lands on and over which the waters of said river flow

"Upper Basin" means that part of the Delaware River Basin from which the surface waters flow and enter the channel of the Delaware River at and about its confluence with the Neversink River The Upper Basin shall be understood to include the area drained by the Neversink River

"Lower Basin" means that part of the Delaware River Basin which is not embraced within the Upper Basin

"Tributary" or "Tributary of the Delaware River" means any watercourse the waters of which naturally flow into the channel of the Delaware River

"Complete Diversion" means the taking or removal of waters of the Delaware River Basin to a point outside of the Delaware River Basin

"Partial Diversion" means the taking or removal of waters from any point in the Delaware River above Trenton Falls or from any tributary of the section of the Delaware River above Trenton Falls which water is returned to the channel of the Delaware River under the following conditions

A If taken from a tributary such water is returned but not in such a manner as to be available in the channel at the confluence of such tributary and the Delaware River

B If taken from the Delaware River such water is returned but not above a point twelve miles below the point of taking as measured along the center line of the channel provided that if the water is returned within twelve mlies of the point of the original taking said taking shall not be considered a partial diversion

"Divert" means to effect a complete diversion or a partial diversion

"Development" means the construction of any works for the taking of water or the storage of water for diversion

"Develop" means to make available by development

"Point of Development" means the place on the Delaware River or upon a tributary at which the lowermost structure dam intake or other works is maintained for the purpose of making water available for diversion

"Domesic and Municipal Water Supply" means the use of water by or for water works serving the public

"Natural Flow" means the rate of flow of a river stream or tributary as it would occur if it were not affected materially by artificial works or developments

"Actual Flow of the Delaware River" means the existing flow of the Delaware River uncorrected for the effects of any developments or works of man excepting for the effect of any by-passing of the flow of the stream around the point of development.

"Control Rates" means certain rates of natural flow of

a stream at the point of development used in fixing the rate of flow to be maintained below the point Such rates are correlated with certain rates of natural flow at the stream gaging station cooperatively operated by the United States Geological Survey at Trenton New Jersey and they are to be obtained as follows From the record of flow of the Delaware River at Trenton gage for the years between October 1 1928 and September 30 1941 both inclusive corrected for diversion around that station and for artificial regulation using for this purpose the corrections reported by the United States Geological Survey it has been determined that the natural daily flows of the river at that point exceed 4,000 c.f.s for seventy-six (76) per cent of the time exceed 3,400 c.f.s. for eighty-two (82) per cent of the time and exceed 2,500 c.f.s. for ninety (90) per cent of the time From the measured or computed rates of natural flow of the stream under consideration at the proposed point of development and for the years between October 1 1928 and September 30 1941 both inclusive rates of flow are determined which will be exceeded by the natural flow for the same percentages of time seventy-six (76) per cent eighty-two (82) per cent and ninety (90) per cent as have been determined from Trenton gage as shown These rates of flow are termed the 4,000 c.f.s. 3,400 c.f.s. and 2,500 c.f.s. control rates for that point of development In arriving at the rates of natural flow of the stream as above set forth measured rates of flow shall be used as far as they may be available Otherwise the rates shall be derived from the records of the nearest and most suitable gaging stations using accepted hydrological methods for making the computations

"Mean-annual-yield" means the average daily rate of natural runoff of the stream under consideration at its point of development for the period between October 1 1928 and September 30 1941 both inclusive In determining the mean-annual-yield as above set forth measured rates of flow shall be used as far as they may be available Otherwise such yield shall be derived from the records of the nearest most suitable gaging stations using accepted hydrological methods for making the computations

"Diversion Project" means any project for development or use of the waters of the Delaware River for domestic and municipal water supply involving a complete diversion of water from the channel of the Delaware River or a complete diversion of water from a tributary of the Delaware River or a partial diversion of water from a tributary of the Delaware River all as set forth in this act

Section 3 General Provisions for Diversions It shall be unlawful to divert water under a Diversion Project without the previous consent and approval of the Water and Power Resources Board Such consent and approval shall be given only if in addition to the determinations which the Board is required to make under any other statutory provision it shall also determine that such Diversion Project fully complies with the provisions of this act

Section 4 Provisions for Complete Diversions from Tributaries of the Delaware River Complete diversions of water from the tributaries of the Delaware River for domestic and municipal supply purposes shall be subject to the following provisions

A Whenever the natural flow of the tributary under development at its point of development exceeds its 4000 c.f.s. control rate no release of water from storage to maintain the flow of the tributary need be made as far as this act is concerned

B Whenever the natural flow of the tributary under development at its point of development falls below its 4,000 c.f.s. control rate the flow of the tributary immediately below the point of development shall be maintained as follows

1 Whenever the natural flow of the tributary falls below its 2,500 c.f.s. control rate the rate of flow required to be maintained shall be fifty (50) per cent of the mean annual yield of the stream if in the Upper Basin and forty (40) per cent of the mean annual yield of the stream if in the Lower Basin

2 Whenever the natural flow of the tributary is between its 2,500 c.f.s. control rate and its 4,000 c.f.s. control rate the rate of flow required to be maintained shall be twenty-five (25) per cent of the mean annual yield of the stream if in the Upper Basin and twenty (20) per cent of the mean annual yield of the stream if in the Lower Basin

Section 5 Provisions for Partial Diversions from Tributaries of the Delaware River Partial diversions of water from tributaries of the Delaware River for domestic and municipal supply purposes shall be subject to the following provisions

A Whenever the natural flow of the tributary under development at its point of development exceeds its 3400 c.f.s. control rate no release of water from storage to maintain the flow of the tributary need be made as far as this act is concerned

B Whenever the natural flow the tributary under development at its point of development falls below its 3,400 c.f.s. control rate the flow of the tributary immediately below its point of development shall be maintained at a rate at least equal to said natural flow during the time it is below the 3,400 c.f.s. control rate

Section 6 Provisions for Complete Diversions from the Channel of the Delaware River Complete diversions of water from the channel of the Delaware River for domestic and municipal water supply purposes shall be subject to the following provisions

A Whenever the actual flow of the Delaware River at the point of development exceeds a rate of 0.59 c.s.m. equivalent of 4,000 c.f.s. at Trenton if in the Upper Basin or exceeds a rate of 0.50 c.s.m. equivalent to 3,400 c.f.s. at Trenton if in the Lower Basin all or any part of such actual flow in excess of the rates hereinabove specified may be withdrawn from the river and be diverted

B Whenever the actual flow of the Delaware River at the point of development falls below a rate of 0.59 c.s.m. if in the Upper Basin or falls below a rate of 0.50 c.s.m. if in the Lower Basin no part of such actual flow may be withdrawn from the river In addition to this restriction during the time that the actual flow of the Delaware River is below the rates hereinabove specified water shall be released from storage and be delivered into the Delaware River in such a manner as to be available immediately below the point of development The amount of water to be so released shall be determined by the following formula

$$R = \frac{C}{S} (YK)$$ in which formula

"R" represents the amount of water to be so released in cubic feet per second

"C" represents the average daily amount of the proposed diversion in c.f.s.

"S" represents the safe yield which has been determined to be representative of tributary streams located in the various parts of the Delaware River Basin before providing for compensating releases Values of "S" shall be as follows

In the Upper Basin	1.8 c.s.m.
In the Lower Basin	
In Pennsylvania	1.6 c.s.m.
In New Jersey	1.2 c.s.m.

"Y" represents the mean-annual-yield of the stream upon which storage is provided for the purpose of making the prescribed release of water

"K" represents 40 per cent whenever the aforesaid actual flow of the Delaware River at the point of development is less than 0.37 c.s.m. and twenty (20) per cent whenever the aforesaid actual flow is between 0.37 c.s.m. and 0.59 c.s.m. if in the Upper Basin or between 0.37 c.s.m. and 0.50 c.s.m. if in the Lower Basin

Section 7 Provisions for Partial Diversions from the Channel of the Delaware River The provisions of this act do not apply to partial diversions from the channel

of the Delaware River but the Board shall nevertheless make determination of the fact that such proposed diversion is a partial diversion as herein defined

Section 8 Provisions for Complete and Partial Diversions from the tributaries or the Channel of the Delaware River Whenever a project involving both complete and partial diversions from either the tributaries of the Delaware River or the channel of the Delaware River is undertaken the provisions for complete and partial diversions as herein prescribed shall apply to each kind of diversion and to the respective quantities involved in each of such diversions

Section 9 Act to be Enforced by the Water and Power Resources Board The Board is hereby designated as the agency of the Commonwealth to administer and enforce compliance with the provisions of this act and the rules and regulations adopted under its authority

Section 10 Powers and Duties of the Board in Relation to the Delaware River Basin The Board shall have power and authority to

1 Adopt such rules and regulations for the efficient administration of this act as it shall find to be necessary

2 Study consider and determine upon a public policy with regard to the conservation and protection of the water resources of the Delaware River Basin and the equitable and reasonable diversion of water from the Delaware River and its tributaries

3 Request the Interstate Commission on the Delaware River Basin to cooperate and assist the Board in such surveys and investigations of the water resources of the basin as the Board may undertake

4 Request the Interstate Commission on the Delaware River Basin to investigate report on and recommend the equipment necessary adequately to measure all quantities and rates of stream flow necessary for the proper enforcement of this act to cooperate and assist the Board in the observation of the operation of all developments and to recommend procedures necessary to secure compliance with this act and its purposes to report and to recommend to the Board whether the quantity of water proposed for diversion and use by a project in New York New Jersey or Pennsylvania is fair and equitable to report and to recommend to the Board the manner in which water may be diverted from the channel of the Delaware River and its tributaries and specific rules and regulations based on the principle of equitable apportionment and reasonable diversion in compliance with this article

5 Supply information and data on water diversions from the Delaware River or its tributaries to the State of New Jersey and the State of New York

6 Continue as a commission or by representation to confer with the Interstate Commission on the Delaware River Basin and representatives of the State of New Jersey and the State of New York with regard to all of the above matters and the general problem of the regulation and diversion of the waters of the Delaware River Basin for water supply and municipal purposes

Section 11 Procedure for Obtaining the Approval of the Board The procedure for obtaining the consent and approval of the Board for any diversion project shall be that set forth in any present or future statute authorizing such diversions by any person as above defined and all applicable terms and provisions of all such statutory provisions shall remain in full force and effect in such cases but in addition thereto before approving an application the Board must have made the additional determinations specified in section three Upon receipt of an application for approval of a diversion project as above defined or before making decision with regard to such diversion project in a case wherein the Board adopts such project the Board shall send written notice to the corresponding agency of the State of New York and the State of New Jersey outlining the proposed diversion project stating when and where the hearing thereon will be held and requesting such agencies to submit to the board a statement of its position in regard thereto At the hearing on such project representatives of such state agencies of New York and New Jersey may appear and present oral and wrtiten testimony

Section 12 Approval by the United States Supreme Court Whenever acting under the provisions of this act the Board after having duly considered the views of the other states shall give its final approval to any diversion project application shall forthwith be made to the Supreme Court of the United States for approval of such project The decision and approval of the Board shall be of no force or effect unless and until the project has been approved by the Supreme Court of the United States in those cases in which the said Court retains or assumes jurisdiction in the matter

Section 13 Diversion Projects in Other States Whenever the Board shall receive written notice similar to that provided for in section eleven from either the States of New Jersey or the State of New York of an application for approval of a diversion project or the proposed adoption of such a project in either or both of these states the Board shall study the matter communicate and confer with the proper authorities of the other states attend hearings and generally take all proper steps to protect the interests of this State As promptly as possible and not later than six months after the receipt of such notice the Board shall submit a statement of its findings with regard thereto to the interested state or states If the Board shall find that the project is fair and equitable to the Commonwealth of Pennsylvania and in accordance with the provisions of this act it shall prepare a statement to that effect and submit it to the Attorney General and the Governor for approval On receipt of such approval the agencies of the other two states shall be so advised Thereafter when application is made to the Supreme Court of the United States for approval of such project the Attorney General may by stipulation or otherwise consent to an entry of an order by that Court approving of such diversion

Section 14 Enforcement The board shall have the power to bring such actions suits or proceedings as in its judgment may be necessary or proper to enable the Board to perform any of the duties imposed on it by any of the provisions of this act or to prevent the violation by any person or corporation public or private of any of the provisions thereof

Section 15 Existing Rights Preserved The passage of this act shall not impair or affect any lawful rights existing at the time this act takes effect to make complete or partial diversions Any person in this Commonwealth now legally diverting or having legal authority to divert water for domestic and municipal water supply from the Delaware River or its tributaries may apply to the Board for modification of the restrictions under which such diversion is made or is to be made The board may modify such restrictions subject to and in accordance with the provisions of this act to such extent as may be necessary or appropriate for the purpose of any diversion project hereunder In acting on such cases the Board shall follow the procedure set forth in this act in so far as it may be made to apply

Section 16 Constitutional Construction and Severability The provisions of this act shall be severable and if any phrase clause sentence or provision of this act is declared unconstitutional or the applicability thereof to any person is held invalid the constitutionality of the remainder of this act and the applicability thereof to other persons and circumstances shall not be affected thereby It is hereby declared as the legislative intent that the act be construed liberally

Section 17 Repeals All acts or parts of acts inconsistent with this act are hereby repealed

Section 18 Adoption of Similar Acts by New Jersey and New York On approval of the enactment of this act by the Governor the Secretary of the Commonwealth shall certify copies thereof to the Secretaries of State of New Jersey and New York with a request that similar acts enacted by those states be certified to him On receipt of certified copies of such acts he shall determine whether in his judgment said acts contain substantially the

same provisions as to water supply diversion projects to be constructed in the Delaware River Basin as those herein contained Should he so find with regard to enactments by both the State of New Jersey and State of New York he shall so certify to the Governor the Water and Power Resources Board and the Secretaries of State of New Jersey and New York The provisions of this act shall not be put into operation until the first day of January next suceeding such certification

Section 19 Effective Date The provisions of this act shall become effective immediately upon its final enactment

And said bill having been read at length the third time and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—40

Barr,	Ealy,	Jones,	Stiefel,
Becker,	Farrell,	Letzler,	Tallman,
Bowers,	Geltz,	Mallery,	Thomas,
Carr,	Gourley,	McGinnis,	Tyler,
Chapman,	Haluska,	McQuiddy,	Wade,
Coleman,	Heyburn,	Ruth,	Walker,
Cox,	Holland,	Scarlett,	Watkins,
Crider,	Homsher,	Shapiro,	Wilson, H. I.,
Deitrick,	James,	Snowden,	Woodring,
DiSilvestro,	Jaspan,	Stevenson,	Woodward,

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which the concurrence of the House is requested.

BILL OVER IN ORDER

Mr. HEYBURN. Mr. President, I ask unanimous consent that House Bill No. 922, on third reading, entitled:

An Act to add Clause XLVII to section one thousand five hundred two of the act, approved the twenty-fourth day of June, one thousand nine hundred thirty-one (P. L. 1206), entitled "An act concerning townships of the first class; amending, revising, consolidating, and changing the law relating thereto," authorizing townships of the first class to make appropriations to Veterans' Home Associations

go over in its order.

The PRESIDENT. Is there objections? The Chair hears none.

REPORTS FROM COMMITTEES

Mr. WALKER. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. WALKER, from the Committee on Military Affairs, reported as committed, House Bill No. 173, entitled:

An Act to amend the act approved the eleventh day of June one thousand nine hundred thirty-five (P. L. 326) entitled "An act relating to counties of the first class defining deceased service persons providing for contributions by the county to the funeral expenses for such persons and their widows providing for the erection and care of markers headstones and flags and for the compilation of war records" further clarifying the term "deceased service persons" and changing the provisions for the burial of deceased service persons and their widows and for markers and headstones on their graves and changing the name of the veterans' grave registrar to director of veterans' affairs

Mr. JASPAN. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. JASPAN, from the Committee on Finance reported as committed, House Bill No. 727, entitled:

An Act to further amend section twenty-seven of the act, approved the first day of June, one thousand eight hundred eighty-nine (P. L. 420), entitled "A further supplement to an act entitled 'An act to provide revenue by taxation,' approved the seventh day of June, Anno Domini one thousand eight hundred and seventy-nine," further limiting the application of the section.

REPORT FROM COMMITTEE ON EXECUTIVE NOMINATIONS

Mr. WATKINS. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. WATKINS, from the Committee on Executive Nominations reported with a favorable recommendation the following nominations, made by His Excellency, the Governor of the Commonwealth, which were laid ov for one day under the rules.

DIRECTOR OF THE PENNSYLVANIA POST-WAR PLANNING COMMISSION

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, April 28, 1943.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Mark S. James, 120 South Homewood Avenue, Pittsburgh, Allegheny County, for appointment as Director of the Pennsylvania Post-War Planning Commission, until annulled.

EDWARD MARTIN.

MEMBERS OF THE CRAWFORD COUNTY BOARD OF ASSISTANCE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, April 28, 1943.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for appointment as members of the Crawford County Board of Assistance:

Mrs. Esta Fleming (Republican), Cochranton, to serve until December 31, 1945, and until her successor is duly appointed and qualified, vice Mrs. Jeannette W. Hood Beatty, whose term expired.

Robert W. Byham (Republican), R. D. No. 2, Guys Mills, to serve until December 31, 1945, and until his successor is duly appointed and qualified, vice Emmett Allen, whose term expired.

EDWARD MARTIN.

BILLS ON SECOND READING

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 26, entitled:

An Act providing for the payment of moneys to school districts of the fourth class, the taxes of which have been reduced by the acquisition of certain lands and property by the Commonwealth.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 55, entitled:

An Act to amend section two hundred fourteen of the act approved the eighteenth day of May one thousand nine hundred eleven (P. L. 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" providing for temporary filling of vacancies on boards of school directors in districts of the second third and fourth class caused by induction or enlistment in the military or naval forces of the United States in time of war.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 56, entitled:

An Act authorizing the Department of Highways and counties, cities, boroughs, towns and townships to adopt and take over as public roads and highways, certain highways taken over, located, extended or constructed by the Federal Government or any agency thereof in the exercise of the war power; and providing the procedure therefor.

The first section was read and agreed to.

The second section was read.

On the question,

Will the Senate agree to the section?

Mr. HEYBURN offered the following amendment:

Amend Sec. 2, page 3, line 9, by striking out the word "Approve" and inserting in lieu thereof: "approving"

It was agreed to.

The section was agreed to as amended.

The third and fourth sections and title were separately read and agreed to.

And said bill having been read at length the second time and agreed to, as amended,

Ordered, To be transcribed for a third reading.

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 127, entitled:

An Act permitting certain organizations to conduct the playing of the game of bingo under certain circumstances providing for the issuance suspension and revocation of licenses therefor and for payment of a registration fee and providing penalties.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 134, entitled:

An Act to further amend section eleven of the act approved the thirteenth day of May one thousand nine hundred twenty-five (P. L. 644) entitled "An act relating to and regulating the solicitation of moneys and property for charitable religious benevolent humane and patriotic purposes" by providing that said act shall not apply to certain war veterans' organizations or the subordinate units thereof.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 171, entitled·

An Act to further amend the act approved the second day of May one thousand nine hundred twenty-nine (P. L. 1278) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto" further clarifying the term "deceased service persons" changing the provisions for the burial of deceased service persons and their widows and for markers and headstones on their graves changing the name of the veterans grave register to director of veterans' affairs and prescribing his duties.

The first, second, third, fourth and fifth sections were separately read and agreed to.

The title was read.

On the question,

Will the Senate agree to the title?

Mr. HEYBURN offered the following amendments:

Amend the title by striking out the words "changing the name of the veterans' grave registrar to director of veterans' affairs" after the word "graves" and before the word "and"; Amend title by striking out the word "his" and inserting in lieu thereof the word "additional" after the word "prescribing" and before the word "duties"; Amend title by inserting the words "for veterans' grave registrars" after the word "duties."

They were agreed to.

The title was agreed to as amended.

And said bill having been read at length the second time, and agreed to as amended,

Ordered, To be transcribed for a third reading.

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 254, entitled:

An Act authorizing the Pennsylvania Historical Commission on behalf of the Commonwealth of Pennsylvania to acquire, by gift, the Harmony Society Graveyard in the Borough of Ambridge, Pennsylvania, providing for the control, management and maintenance thereof; authorizing the Commission to make and enforce rules and regulations for the preservation, maintenance and visitation thereof.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 289, entitled:

An Act to amend section eight of the act approved the nineteenth day of March one thousand nine hundred forty-one (P. L. 3) entitled "An act providing for the organization government discipline maintenance and regulation of an additional land force to be known as the Pennsylvania Reserve Defense Corps for the defense of the Commonwealth during any period of time in which the National Guard of Pennsylvania or any part thereof shall be in active service of the United States" providing compensation for officers and enlisted men in said Pennsylvania Reserve Defense Corps for armory drills.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 315, entitled:

An Act to further amend section sixteen of the act, approved the eleventh day of April, one thousand eight hundred sixty-two (P L 471) entitled "A further supplement to the act, entitled 'An act for the regulation and continuance of a system of education by common schools', approved the eighth day of May, one thousand eight hundred and fifty-four," clarifying and providing for the computation of cost of tuition for pupils from without the school district in certain cases.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 317, entitled:

An Act to further amend section two of the act approved the fourth day of June one thousand nine hundred and fifteen (P L 828) entitled "An act to provide revenue by imposing a State tax upon sales or agreements to sell or memoranda of sales of stock and upon deliveries or transfers of share or certificates of stock in domestic and foreign corporations copartnership associations and joint-stock associations providing the manner of collecting such tax and prescribing penalties" by further extending the exemptions from the tax imposed by the said act.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 355, entitled:

An Act to amend section three of the act, approved the twenty-seventh day of May, one thousand eight hundred forty-one (P. L. 400) entitled "An act relating to the election of county treasurers and for other purposes," by changing certain provisions as to the ineligibility of certain county officers to election as county treasurer.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bil No. 360, entitled:

An Act to further amend the first three paragraphs of section one thousand two hundred one of the act approved the eighteenth day of May, one thousand nine hundred eleven (P. L. 309), entitled "An act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws, general, special or local, or any parts thereof, that are or may be inconsistent therewith," making wartime emergency provisions for substitute teachers.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 361, entitled:

An Act to amend section six hundred fifteen of the act approved the eighteenth day of May, one thousand nine hundred eleven (P. L. 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws, general, special or local, or any part thereof, that are or may be inconsistent therewith" by changing the requirement for approval of repairs of school buildings in districts of the third and fourth class.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the While being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 363, entitled:

An Act to further amend section one thousand four hundred thirteen of the act approved the eighteenth day of May, one thousand nine hundred eleven (P. L. 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws, general, special or local, or any parts thereof, that are or may be inconsistent therewith" by changing the period covered by reports of boards of school directors and the provisions for institutions in which blind or deaf children may be educated.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 364, entitled:

An Act to amend the title and to further amend sections one two and three of the act approved the twenty-first day of May one thousand nine hundred thirty-seven (P. L. 787) entitled "An act authorizing the compromise or reduction of tax claims on real property purchased by any county city borough town school district or poor district at any sale for the nonpayment of taxes and the reconveyance or private sale of such property" giving each political subdivision having tax or municipal claims any such real property the right to petition court for a compromise agreement or sale authorized by the act and extending the time for the holding of a hearing thereon.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 369, entitled:

An Act to amend section five hundred thirty-six of the act approved the eighteenth day of May one thousand nine hundred eleven (P. L. 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" making further provision for the fiscal year in school districts of the second class.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILLS OVER IN ORDER

Mr. HEYBURN. Mr. President, I ask unanimous consent that Senate Bill No. 373, on second reading, entitled:

An Act providing for the creation and for the administration by a State Building and Loan Insurance Board created in this act, of a state fund for the insurance of shares in building and loan associations and savings and loan associations; and prescribing penalties

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. HEYBURN. Mr. President, I ask unanimous consent that Senate Bill No. 374, on second reading, entitled:

An Act to further amend section 402 of the act, approved the ninth day of April, one thousand nine hundred and twenty-nine (P. L. 343), entitled, "An act relating to the finances of the State government; providing for the settlement, assessment, collection, and lien of taxes, bonus, and all other accounts due the Commonwealth, the collection and recovery of fees and other money or property due or belonging to the Commonwealth, or any agency thereof, including escheated property and the proceeds of its sale, the custody and disbursement or other disposition of funds and securities belonging to or in the possession of the Commonwealth, and the settlement of claims against the Commonwealth, the resettlements of accounts and appeals the courts, refunds of moneys erroneously paid to the Commonwealth, auditing the accounts of the Commonwealth and all agencies thereof of all public officers collecting moneys payable to the Commonwealth or any agency thereof, and all receipts of appropriations from the Commonwealth and imposing penalties; affecting every department, board, commission and officer of the State government, every political subdivision of the State, and certain officers of such subdivisions, every person, association, and corporation required to pay, assess, or collect taxes, or to make returns or reports under the laws imposing taxes for State purposes, or to pay license fees or other moneys to the Commonwealth, or any agency thereof, every State depository and every debtor or creditor of the Commonwealth," exempting the affairs of the State Building and Loan Insurance Board from audit by the Auditor General

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. HEYBURN. Mr. President, I ask unanimous consent that Senate Bill No. 375, on second reading, entitled:

An Act to amend sections 504A, 607 and 608A of the act, approved the fifteenth day of May, one thousand nine hundred and thirty-three (P. L. 565), entitled "An act relating to the powers and duties of the Department of Banking and the Secretary of Banking in exercising supervision over, and taking possession of and conducting or liquidating the business and property of, corporations, associations, and persons receiving deposits or otherwise transacting a banking business, corporations acting as fiduciaries and building and loan associations; providing for the payment of the expenses of the Department of Banking by supervised corporations, associations, or persons, and appropriating the Banking Department Fund; authorizing the Department of Banking, under certain circumstances, to examine corporations, associations, or persons affiliated, or having business transactions with supervised corporations, associations or persons; authorizing appeals to the Supreme Court and prescribing and limiting the powers and duties of certain other courts and their prothonotaries, registers of wills, recorders of deeds, and certain State departments, commissions, and officers; authorizing certain local public officers and State departments to collect fees for services rendered under this act; providing penalties; and repealing certain acts and parts of acts," by providing for the taking of possession of the business and property of building and loan associations and savings and loan associations the shares of which are insured in the State Building and Loan Fund

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 395, entitled:

An Act to amend sections three and twenty-two and clause eighty-eight of section one hundred one of the act approved the twenty-eighth day of May one thousand nine hundred thirty-seven (P. L. 1019) entitled "An act relating to statutory laws prescribing an enacting clause for statutes fixing the effective date and time of statutes hereafter enacted providing for notice of application for local and special legislation for the correction of errors in statutes and for the printing and publication of statutes prescribing rules for the interpretation of statutes defining certain words and phrases when used in statutes and prescribing rules for the construction and operation of amendments reenactments and repeals of statutes" further providing for the position of the enacting clause and the preparation of laws for printing and further defining the phrase "political subdivision."

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL OVER IN ORDER

Mr. JONES. Mr. President, I ask unanimous consent that House Bill No. 398, on second reading, entitled:

An Act enabling city county poor institution district ward school borough and township tax collectors their executors and administrators if they are deceased or either surety or sureties to collect taxes for the payment of which they have become personally liable without having collected the same by the expiration of the authority of their respective warrants or by the expiration of their terms of office extending the time for the collection of the same and validating collections and proceedings for collections made or commenced without previous authority

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 411, entitled:

An Act authorizing the Department of Property and Supplies, with the approval of the Governor and the Board of Trustees of the Philadelphia State Hospital, to acquire a certain tract of land for the use of said hospital, and making an appropriation therefor.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 416, entitled:

An Act authorizing the Department of Property and Supplies, with the approval of the Governor and the Board of Trustees of Western State Penitentiary to acquire certain tracts of land for the use of the State Penitentiary at Rockview, and making an appropriation therefor.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 426, entitled:

An Act to further amend section one thousand four hundred four of the act, approved the eighteenth day of May, one thousand nine hundred eleven (P. L. 309), entitled "An act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws, general, special or local, or any parts thereof, that are or may be inconsistent therewith," by authorizing boards of school directors to enter into contracts with the approval of the Department of Public Instruction whereby transportation is furnished by boards having facilities therefor to pupils of other boards in return for such payments by such other boards as may be agreed upon; and providing that the entrance into any such contract shall not affect or limit the right of any board of school directors to receive reimbursement from the Commonwealth under any act of Assembly for the cost of transporting pupils.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 428, entitled:

An Act authorizing the Department of Property and Supplies, with the approval of the Governor, and the Board of Trustees of Danville State Hospital, to acquire certain tracts of land for the use of said hospital, and making an appropriation therefor.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 451, entitled:

An Act to add section seven and one-tenth to the act approved the sixteenth day of July, one thousand nine hundred forty-one (P. L. 400), entitled "An act to protect the debtors, obligors or guarantors of debts for which judgments are entered, or may be entered, and owners of real property affected thereby, and others indirectly liable for the payment thereof, by prescribing the method of fixing the fair market value of such property sold on execution, and limiting the amount collectible thereafter on such judgments," providing for the entry of release and discharge of said judgments under certain circumstances.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 461, entitled:

An Act to amend the act approved the eighteenth day of May, one thousand nine hundred and eleven (P. L. 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws, general, special or local, or any parts thereof, that are or may be inconsistent therewith," by providing and regulating the release of pupils from the public schools for religious instruction.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 462, entitled:

An Act making an appropriation to the State Veterans' Commission for the expenses of the commission; furnishing certain assistance to needy Pennsylvania veterans of any war or their dependents; for participation in certain defense activities and for the rehabilitation and care of veterans, including the acquisition of land and construction of buildings for such purpose.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 467, entitled:

An Act to further amend the act approved the fourth day of May one thousand nine hundred twenty-seven (P. L. 519) entitled "An act concerning boroughs and revising amending and consolidating the law relating to boroughs" by prescribing the procedure to be followed by borough councils and officials in the adoption as a single ordinance of a consolidation revision or codification of all the ordinances of such borough.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 488, entitled:

An Act authorizing the Secretary of Highways at the request of and under agreement with the Public Roads Administration of the United States to pay out establish construct and maintain flight strips and roads to the sites of war activities or to replace roads or streets which have been closed by defense or military activities and to condemn property for such purposes authorizing a width of two hundred feet for such roads in certain cases and making an appropriation.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 497, entitled:

An Act to further amend section one of article two, and section one of article ten, of the act, approved the seventh day of March, one thousand nine hundred and one (P. L. 20), entitled "An act for the government of cities of the second class," abolishing the Department of Public Welfare of such cities; and transferring its powers and duties and records and certain city property to the county institution district of the county in which the city is located.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 498, entitled:

An Act to further amend section one hundred two, and to amend sections two hundred two and two hundred three of the act approved the twenty-fourth day of June, one thousand nine hundred thirty-seven (P. L. 2017), entitled "An act creating in each county (except of the first class) as a separate corporation, and in each city of the first and second class as a part of the city government, an institution district for the care and maintenance of certain indigent persons and children; prescribing the powers and duties of county commissioners, county treasurers, city departments of public welfare, the State Department of Welfare and the State Department of Public Assistance, in respect thereto; abolishing certain poor districts and terminating the terms of directors, overseers, guardians and managers of the poor and poor district auditors, and providing for the temporary employment of certain of them; providing for the transfer, vesting, sale and disposition of the property of poor districts and the payment of their obligations; imposing certain existing obligations on institution districts and on the Commonwealth; regulating the affiairs of poor districts until abolished; revising, amending, changing and consolidating the law, relating to the care of the poor; and repealing existing laws," abolishing city institution districts in cities of the second class; and transferring their powers and duties and their property to the county institution district of the county in which the city is located

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 519, entitled:

An Act establishing as state highways certain county highways and requiring their construction repair and maintenance as such

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 523, entitled:

An Act to amend subsection (c) of section twelve hundred three of the act, approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 343), entitled "An act relating to the finances of the State government; providing for the settlement, assessment, collection, and lien of taxes, bonus, and all other accounts due the Commonwealth, the collection and recovery of fees and other money or property due or belonging to the Commonwealth, or any agency thereof including escheated property and the proceeds of its sale, the custody and disbursement or other disposition of funds and securities belonging to or in the possession of the Commonwealth, and the settlement of claims against the Commonwealth, the resettlement of accounts and appeals to the courts, refunds of moneys erroneously paid to the Commonwealth, auditing the accounts of the Commonwealth and all agencies thereof, of all public officers collecting moneys payable to the Commonwealth, or any agency thereof, and all receipts of appropriations from the Commonwealth and imposing penalties; affecting every department, board, commission, and officer of the State government, every political subdivision of the State, and certain officers of such subdivisions, every person, association, and corporation required to pay, assess, or collect taxes, or to make returns or reports under the laws imposing taxes for State purposes, or to pay license fees or other moneys to the Commonwealth, or any agency thereof, every State depository and every debtor or creditor of the Commonwealth" by excepting therefrom the transfer of stock assigned by a decedent before his death as collateral security for a loan and requiring the holder of such stock to report concerning the sale thereof to the Department of Revenue

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 550, entitled:

An Act to further amend sections three and four of the act approved the thirteenth day of May one thousand nine hundred twenty-seven (P. L. 988) entitled "An act providing for and regulating the State registration of nurses and licensed attendants the annual recording of registration certificates and regulating the profession of nursing and repealing certain existing laws" by temporarily changing qualifications for registration

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 551, entitled:

An Act authorizing the Department of Public Instruction with the approval of the Board of Trustees of the Kutztown State Teachers College to contract with the borough of Kutztown for the right to connect the said college with the borough sewer system and the payment of a part of the cost of construction of such sewer system, and making an appropriation.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 566, entitled:

An Act to further amend section one of the act, approved the twenty-second day of June, one thousand nine hundred thirty-one (P. L. 662), entitled "An act relating to retirement from the Pennsylvania National Guard," by providing that Colonels having certain service shall be placed on retired list as Brigadier Generals.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 569, entitled:

An Act to amend section eleven of the act approved the fifth day of June, one thousand nine hundred forty-one, (P. L. 84), entitled "An act providing for and regulating the appointment, promotion and reduction in rank, suspension and removal of paid members of the police force in boroughs, incorporated towns and townships of the first class maintaining a police force of not less than three members; creating a civil service commission in each borough, incorporated town and township of the first class; defining the duties of such civil service commission; imposing certain duties and expense on boroughs, incorporated towns and townships of the first class; imposing penalties, and repealing inconsistent laws," providing for preference under preexisting law in favor of war veterans

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 571, entitled:

An Act empowering cities of the third class, boroughs, incorporated towns and townships to co-operate with each other, through joint agreements, in the exercise of their governmental powers, duties, and functions relating to the public health, recreation, zoning, and municipal planning.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 572, entitled:

An Act providing for fresh pursuit by military forces, and authorizing this State to cooperate with other states therein.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 578, entitled:

An Act relating to chattel mortgages on livestock, poultry, farm machinery, farm equipment and crops, grown, growing or to be grown designating the operation and effect of the lien of such mortgages; providing for the filing, indexing and docketing of such mortgages and related instruments in prothonotaries' offices and prescribing prothonotaries' fees, providing for the filing in Pennsylvania of similar lien instruments originally filed or recorded in other states; regulating the assignment, release, satisfaction and extension of the lien of such mortgages; prescribing methods of foreclosure; defining defaults and violations; and fixing penalties.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 581, entitled:

An Act to further amend section one thousand seven hundred seven of the act, approved the eighteenth day of May, one thousand nine hundred eleven (P. L. 309), entitled "An act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws, general, special or local, or any parts thereof, that are or may be inconsistent therewith," by allowing certain pupils to attend schools in other districts.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 590, entitled:

An Act requiring political subdivisions to refund takes and license fees erroneously and inadvertently paid thereto, and giving a right of action against such political subdivision for the recovery of such taxes and fees upon their failure to make such refunds, making the provisions of the act retroactive and repealing existing laws.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 604, entitled:

A Joint Resolution proposing an amendment to section two article twelve of the Constitution of the Commonwealth of Pennsylvania.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 605, entitled:

A Joint Resolution proposing an amendment to section eighteen article five of the Constitution of the Commonwealth of Pennsylvania.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 624, entitled:

An Act to further amend section two thousand six hundred twenty-three of the act, approved the eighteenth day of May, one thousand nine hundred eleven (P. L. 309), entitled "An act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws, general, special, or local, or any parts thereof, that are or may be inconsistent therewith," by providing for the fixing of the compensation of the controller auditing the accounts of second and third class school districts.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 629, entitled:

An Act to amend the title and sections one and fourteen of the act approved the fourth day of April one thousand nine hundred twenty-nine (P. L. 144) entitled "An act prescribing the powers and duties of the Department of Agriculture with regard to farm products; providing for cooperation with the Department of Internal Affairs to establish standard receptacles for farm products; authorizing the Department of Agriculture to establish and promulgate standards for the grade and other classification of farm products and to promulgate regulations for the enforcement thereof; defining farm products to in-

clude agricultural, horticultural, vegetable, fruit, and floricultural products of the soil, live stock and meats, wool, hides, poultry, eggs, dairy products, nuts, mushrooms, and honey; and providing penalties," by further defining farm products and placing canned farm products within the terms of the act.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with.

The Senate proceeded to the second reading and consideration of House Bill No. 650, entitled:

An Act to further amend section three hundred forty-eight of the act, approved the second day of May, one thousand nine hundred twenty-nine (P. L. 1278) entitled "An act relating to counties of the second, third, fourth, fifth, sixth, seventh and eighth classes; and revising, amending, and consolidating the laws relating thereto," authorizing counties of the third fourth and fifth classes during the war period to enter into contracts up to five hundred dollars without advertising for bids.

The first section was read.

On the question,

Will the Senate agree to the section?

Mr. HEYBURN offered the following amendment:

Amend Section 1, page 3, line 8, by inserting the word "second" after the word "the" and before the word "third."

It was agreed to.

The section was agreed to as amended.

The title was read and agreed to.

And said bill having been read at length the second time and agreed to, as amended,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 668, entitled:

An Act to further amend the act, approved the fifth day of May, one thousand nine hundred and thirty-three (P. L. 289), entitled "An act relating to nonprofit corporations; defining and providing for the organization, merger, consolidation, and dissolution of such corporations, conferring certain rights, powers, duties, and immunities upon them and their officers and members, prescribing the conditions on which such corporations may exercise their powers; providing for the inclusion of certain existing corporations of the first class within the provisions of this act; prescribing the terms and conditions upon which foreign nonprofit corporations may be admitted or may continue to do business within the Commonwealth: conferring powers and imposing duties on the courts of common pleas, prothonotaries of such courts, recorders of deeds, and certain State departments, commissions, and officers; authorizing certain local public officers and State departments to collect fees for services required to be rendered by this act; imposing penalties; and repealing certain acts and parts of acts relating to corporations," by authorizing nonprofit medical service corporations to provide limited medical service benefits to subscribers of over-income.

The first and second sections were separately read and agreed to.

The title was read.

On the question,

Will the Senate agree to the title?

Mr. HEYBURN offered the following amendments:

Amend the title, page 2, by striking out the word "limited" after the word "provide" and before the word "medical"; amend the title, page 2, by inserting the phrase "as herein defined" after the word "over-income."

They were agreed to.

The title was agreed to as amended.

And said bill having been read at length the second time and agreed to, as amended,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 669, entitled:

An Act to amend sections three, four, nine and nineteen of the act, approved the twenty-seventh day of June, one thousand nine hundred and thirty-nine (P. L. 1125), entitled "An act providing for the regulation and supervision of nonprofit medical service corporations organized to provide medical services to subscribers of low income by the Department of Health and the Insurance Department, and defining the functions of such departments with respect thereto; authorizing certain departments, commissions, officers, and other agencies of the State and its political subdivisions to subscribe, under certain circumstances, to the medical service plan of such corporations on behalf of persons of low income; prescribing legal investments for the funds of such corporations, and the rights of doctors of medicine to register with such corporations; conferring authority on the Department of Health and on the Insurance Commissioner, each within its own sphere of lawful activity, to regulate and supervise such corporations; conferring certain rights, powers, duties, and immunities upon such corporations and their officers and members; prescribing the conditions on which such corporations may exercise their powers; exempting such corporations from taxation; prohibiting any person, copartnership, association, common law trust or corporation, except a nonprofit medical service corporation, from providing medical services on a nonprofit plan in return for prepayment, periodical, or lump sum payments; providing penalties for the violation of, and mandatory and injunctive relief for the enforcement of, the provisions of this act," by authorizing nonprofit medical service corporations to provide limited medical service benefits to subscribers of over-income.

The first and second sections were separately read and agreed to.

The title was read.

On the question,

Will the Senate agree to the section?

Mr. HEYBURN offered the following amendments:

Amend title, page 2, by striking out the word "limited" after the word "provide" and before the word "medical"; amend title, page 2, by inserting the words "as herein defined" after the word "over-income."

They were agreed to.

The title was agreed to as amended.

And said bill having been read at length the second time and agreed to, as amended,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 711, entitled:

An Act to further amend section one thousand one hundred twenty-six of the act approved the eighteenth day of May, one thousand nine hundred eleven (P. L. 309), entitled "An act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same and the method of collecting such revenue; and repealing all laws, general, special or local, or any parts thereof, that are or may be inconsistent therewith" by further providing for the appointment of assistant county superintendents.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILLS OVER IN ORDER

Mr. HEYBURN. Mr. President, I ask unanimous consent that House Bill No. 722, on second reading, entitled:

An Act to amend section one of the act, approved the eighth day of July, one thousand nine hundred and nineteen (P. L. 782), entitled "An act providing that clerks assisting the register of wills in the collection of inheritance taxes, in counties having a population of less than one million five hundred thousand inhabitants, shall be appointed and their compensation fixed by the Auditor General; and prescribing the method of their payment and that of other expenses incident to the collection of said taxes," by providing that the Secretary of Revenue shall appoint and fix the compensation of clerks assisting the register of wills in the collection of inheritance taxes in counties other than the first and second class and requiring the approval of the Secretary of Revenue to pay the compensation from such taxes

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. HEYBURN. Mr. President, I ask unanimous consent that House Bill No. 723, on second reading, entitled:

An Act to amend sections one, two and three of the act, approved the fourth day of May, one thousand nine hundred and twenty-seven (P. L. 727) entitled "A supplement to the act, approved the twentieth day of June, one thousand nine hundred and nineteen (P. L. 521) entitled 'An act providing for the imposition and collection of certain taxes upon the transfer of property passing from a decedent who was a resident of this Commonwealth at the time of his death, and of property within this Commonwealth of a decedent who was a nonresident of the Commonwealth at the time of his death; and making it unlawful for any corporation of this Commonwealth, or national banking association located therein, to transfer the stock of such corporation or banking association, standing in the name of any such decedent, until the tax on the transfer thereof has been paid; and providing penalties; and citing certain acts for repeal,' authorizing the Auditor General to appoint investigators and appraisers and providing for their compensation," by giving the Secretary of Revenue complete supervision of appraisements in estates of resident decedents and the power to adopt rules and regulations; by conferring upon the Secretary of Revenue the power to employ necessary investigators and appraisers for the enforcement of the transfer inheritance tax laws and to fix the compensation of permanent appraisers

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 725, entitled:

An Act to amend paragraph seven A of section one thousand two hundred ten of the act, approved the eighteenth day of May, one thousand nine hundred and eleven (P. L. 309), entitled "An act to establish a public school system in the Commonwealth of Pennslyvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws, general, special or local, or any parts thereof, that are or may be inconsistent therewith," by regulating salaries of continuation teachers in first class districts.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILLS OVER IN ORDER

Mr. HEYBURN. Mr. President, I ask unanimous consent that House Bill No. 751, on second reading, entitled:

An Act to amend section twelve, and to further amend section fourteen, and to amend sections, fifteen, eighteen, twenty-two, twenty-three, twenty-six, twenty-nine, thirty-one, thirty-six, forty and forty-two of the act, approved the twentieth day of June, one thousand nine hundred and nineteen (P. L. 521), entitled "An act providing for the imposition and collection of certain taxes upon the transfer of property passing from a decedent who was a resident of this Commonwealth at the time of his death, and of property witin this Commonwealth of a decedent who was a nonresident of the Commonwealth at the time of his death; and making it unlawful for any corporation of this Commonwealth or national banking association located therein, to transfer the stock of such corporation or banking association, standing in the name of any such decedent, until the tax on the transfer thereof has been paid; and providing penalties; and citing certain acts for repeal," by providing for certification to the Secretary of Revenue as to the necessity for the appointment of expert appraisers or those possessed of technical knowledge and for the approval by the Secretary of Revenue of the appointment of such expert appraisers and of the statements rendered by them for compensation; and for the monthly transmittal by the Secretary of Revenue of the returns of such appraisers and the recording by him thereof; vesting in the Secretary of Revenue the powers of the register of wills in certain cases; requiring duplicate tax receipts and the bond and monthly return to be sent to the Secretary of Revenue; prohibiting transfer of stock without certificate from the Secretary of Revenue, and penalty for violation; providing for refunds for erroneous inheritance tax payments on proof of the Secretary of Revenue and for dismissal by the Secretary of Revenue of appraisers for accepting fees or rewards; vesting in the Secretary of Revenue the power to appoint and fix the compensation of additional appraisers or experts employed for appraisal purposes and for their payment; and providing further for the collection by the Secretary of Revenue of all inheritance taxes due the Commonwealth from nonresident decedents and making monthly reports thereon to the State Treasurer

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. HEYBURN. Mr. President, I ask unanimous consent that House Bill No. 768, on second reading, entitled:

An Act to amend sections four hundred seven and one thousand two hundred and one of the act, approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 343), entitled "An act relating to the finances of the State government; providing for the settlement, assessment, collection, and lien of taxes, bonus, and all other accounts due the Commonwealth, the collection and recovery of fees and other money or property due or belonging to the Commonwealth, or any agency thereof, including escheated property and the proceeds of its sale, the custody and disbursement or other disposition of funds and securities belonging to or in the possession of the Commonwealth, and the settlement of claims against the Commonwealth, the resettlement of accounts and appeals to the courts, refunds of moneys erroneously paid to the Commonwealth, auditing the accounts of the Commonwealth and all agencies thereof, of all public officers collecting moneys payable to the Commonwealth, or any agency thereof, and all receipts of appropriations from the Commonwealth and imposing penalties; affecting every department, board, commission, and officer of the State government, every political subdivision of the State, and certain officers of such subdivisions, every person, association, and corporation required to pay, assess, or collect taxes, or to make returns or reports under the laws imposing taxes for State purposes, or to pay license fees or other moneys to the Commonwealth, or any agency thereof, every State depository and every debtor or creditor of the Commonwealth," to further reorganize the Departments of Revenue and of the Auditor General in such manner as to vest in the Department of Revenue the appointment, the fixing of the compensation, and the approval of the expense accounts and supervision of clerks, investigators, appraisers, expert appraisers, permanent appraisers, and other employes necessary to enable the registers of wills of the several counties to collect transfer inheritance taxes; vesting in the Secretary of Revenue the power to credit the commissions and other expenses and costs of certain accounting officers in the collection of the transfer inheritance tax

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 770, entitled:

An Act to further amend section four of the act, approved the first day of May, one thousand nine hundred and thirteen (P. L. 138), entitled "An act defining vocational education; providing for the establishment and regulation of vocational schools; and providing for State aid in the maintenance thereof, and for the payment of tuition by certain school districts, and reimbursement thereof by the State," by adding clause (d), providing for future rehabilitation programs in public schools.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILLS OVER IN ORDER

Mr. HEYBURN. Mr. President, I ask unanimous consent that House Bill No. 816, on second reading, entitled:

An Act providing temporary increases in the salaries of certain members of the teaching and supervisory staffs of school districts authorizing additional appropriations and temporary loans therefor requiring the Commonwealth to reimburse school districts for the full amount of such increases authorizing the Superintendent of Public Instruction to withhold payments due from the Commonwealth in certain cases; authorizing additional temporary increases; and validating such increases heretofore made

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. HALUSKA. Mr. President, I ask unanimous consent that House Bill No. 828, on second reading, entitled:

An Act to further amend section one and paragraphs (a) and (b) of section three and sections four and seven and amend section five of the act approved the twenty-fifth day of July one thousand nine hundred thirteen (P. L. 1024) entitled "An act to protect the public health and welfare by regulating the employment of females in certain establishments with respect to their hours of labor and the conditions of their employment by establishing certain sanitary regulations in the establishments in which they work by requiring certain abstracts and notices to be posted by providing for the enforcement of this act by the Commissioner of Labor and Industry and others by prescribing penalties for violations thereof by defining the procedure in prosecutions and by repealing all acts and parts of acts inconsistent with the provisions thereof" by changing the definitions of "week" and "day" and by increasing the hours of labor and temporarily suspending certain restrictions on employment

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 835, entitled:

An Act to further amend section ten of the act approved the twenty-first day of May one thousand nine hundred and thirty-one (P. L. 149) entitled "An act imposing a State tax payable by those herein defined as distributors on liquid fuels used or sold and delivered within the Commonwealth which are ordinarily practically and commercially usable in internal combustion engines for the generation of power providing for the collection and lien of the tax and the distribution and use of the proceeds thereof requiring such distributors to secure permits to file corporate surety bonds and reports and to retain certain records imposing duties on retail dealers common carriers county commissioners and such distributors providing for rewards imposing certain costs on counties conferring powers and imposing duties on certain State officers and departments providing for refunds imposing penalties and making an appropriation" appropriating one-half cent per gallon of said tax for the maintenance construction reconstruction resurfacing and improvement of certain roads streets and bridges in certain political subdivisions.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 847, entitled:

An Act to amend the title and sections three and four of the act, approved the thirty-first day of July, one thousand nine hundred forty-one (P. L. 644), entitled "An act to authorize housing authorities to undertake the development or administration of projects to provide safe and sanitary dwellings for persons engaged in national defense activities who would not otherwise be able to secure such dwellings within the vicinity thereof; to limit the initiation of the development of such projects until December 31, 1943; to authorize housing authorities to cooperate with or act as agent of the Federal Government in the development and administration of such projects of the Federal Government, to acquire or lease such projects and to sell or lease certain projects to the Federal Government; to authorize public bodies to assist such projects of housing authorities and of the Federal Government to provide safe and sanitary dwellings for persons engaged in national defense activities," by extending the limitation of the initiation of such projects from December thirty-first, one thousand nine hundred forty-three, until December thirty-first, one thousand nine hundred forty-five.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 929, entitled:

An Act creating a commission to study the method of participation by the Commonwealth and local school districts in the maintenance of a thorough and efficient system of public schools, prescribing its powers and duties, and making an appropriation.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL RECOMMITTED

Mr. HOMSHER. Mr. President, I move that House Bill No. 929, the bill just read, be recommitted to the Committee on Appropriations.

Mr. HEYBURN. Mr. President, I second the motion.

The motion was agreed to.

BILLS ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 989, entitled:

An Act to amend clause three of section thirteen of article nineteen of the act, approved the twenty-fifth day of June, one thousand nine hundred and nineteen (P. L. 581), entitled "An act for the better government of cities of the first class of this Commonwealth," by providing that persons certified by the Civil Service Commission as eligible for appointment or promotion to various positions who are prevented from accepting such appointment or promotion because of their entrance into the armed forces of the United States Government during time of war, shall be retained on a preferred eligible list for such appointments or promotions until two years after the termination of hostilities in such war.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 1003, entitled:

An Act authorizing and directing the Department of Highways to erect and maintain, as a post war construction project, a toll bridge over the Allegheny River between a point in or near the Borough of Tarentum, Allegheny County, and a point in Westmoreland County, and to provide the necessary approaches and connections with State highways; providing for the acceptance of Federal aid empowering counties to pay certain damages; providing for the collection of tolls on such bridge; and making an appropriation.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

REPORT FROM COMMITTEE

Mr. WALKER. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. WALKER, from the Committee on Judiciary General, reported as committed, Senate Bill No. 633, entitled:

An Act to amend section twenty-one of the act, approved the seventh day of June, one thousand nine hundred seventeen (P. L. 429), entitled "An act relating to the descent and distribution of the real and personal property of persons dying intestate; and to provide for the recording and registering of the decrees of the orphans' court in connection therewith, and the fees therefor," by providing that the bar of said section may be pleaded by any relative or person concerned whose right in the estate will be defeated or diminished by the allowance of such claim and by the Commonwealth in the furtherance of its rights of escheat, but it may not be pleaded by the personal representatives of the estate in order to enable them to retain an estate or portion thereof to which they are not legally entitled, and that the provisions of this amendment be retroactive but any relatives or persons concerned whose claims would be sooner barred by this amendment, may lay legal claims to their respective shares within six months after the passage of this amendment; and further that this amendment shall not have the effect of removing the bar of this section as to any legal claim which may have been barred prior to the passage of this amendment.

BILLS ON FIRST READING

Mr. HEYBURN. Mr. President, I move that the Senate do now proceed to the first reading of all bills reported from committees for the first time at today's session.

Mr. BECKER. Mr. President, I second the motion.

The motion was agreed to.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 110, entitled:

An Act to authorize counties cities boroughs incorporated towns townships school districts poor districts and county institution districts to file tax and municipal claims not filed within the time specified by law and to file suggestions of nonpayment and averments of default or to sue out writs of scire facias on certain tax or municipal claims and to revive judgments where the lien of such claims or the judgments thereon have been lost and providing for the reinstatement of the liens of such claims and judgments.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 173, entitled:

An Act to amend the act approved the eleventh day of June one thousand nine hundred thirty-five (P. L. 326) entitled "An act relating to counties of the first class defining deceased service persons providing for contributions by the county to the funeral expenses for such persons and their widows providing for the erection and care of markers headstones and flags and for the compilation of war records" further clarifying the term "deceased service persons" and changing the provisions for the burial of deceased service persons and their widows and for markers and headstones on their graves and changing the name of the veterans' grave registrar to director of veterans' affairs.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 468, entitled:

An Act to further amend sections three hundred seven and five hundred one of the act approved the eleventh day of July on thousand nine hundred twenty-three (P. L. 998) entitled "An act for the prevention and treatment of mental diseases mental defect epilepsy and inebriety regulating the admission and commitment of mental patients to hospitals for mental diseases and institutions for mental defectives and epileptics governing the transfer discharge interstate rendition and deportation of mental patients providing for the payment of individuals counties or the Commonwealth of the cost of the admission care and discharge of mental patients and imposing penalties" imposing certain costs on the institution district.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 491, entitled:

An Act making an appropriation to the Department of Highways out of the Motor License Fund for the purpose of rebuilding county bridges carried away or destroyed by fire flood or other casualty and of carrying out the provisions of existing laws relating thereto.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 516, entitled:

An Act to provide protection to estates interests funds and property rights of minors mental and incompetents and absentees secured or to be secured by individual surety or sureties in courts of record or proceedings therein by specifying the requirements of such suretyship the qualifications of such sureties and imposing liens upon the collateral realty involved as well as providing for the revival thereof for execution thereon and for the release discharge or satisfaction thereof.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 589, entitled:

An Act to further amend section four hundred two of the act, approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 343), entitled "An act relating to the finances of the State government; providing for the settlement, assessment, collection, and lien of taxes, bonus, and all other accounts due the Commonwealth, the collection and recovery of fees and other money or property due or belonging to the Commonwealth, or any agency thereof, including escheated property and the proceeds of its sale, the custody and disbursement or other disposition of funds and securities belonging to or in the possession of the Commonwealth, and the settlement of claims against the Commonwealth, the resettlement of accounts and appeals to the courts, refunds of moneys erroneously paid to the Commonwealth, auditing the accounts of the Commonwealth and all agencies thereof, of all public officers collecting moneys payable to the Commonwealth, or any agency thereof, and all receipts of appropriations from the Commonwealth and imposing penalties; affecting every department, board, commission, and officer of the State government, every political subdivision of the State, and certain officers of such subdivisions, every person, association, and corporation required to pay, assess, or collect taxes, or to make returns or reports under the laws imposing taxes for State purposes or to pay license fees or other moneys to the Commonwealth, or any agency thereof, every State depository and every debtor or creditor of the Commonwealth" by providing for audit of the Department of the Auditor General and imposing certain duties upon the Governor of the Commonwealth.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 619, entitled:

An Act to further amend section four hundred fifty-two of the act, approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 177), entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative department, boards, commissions, and officers thereof, including the boards of trustees of State Normal Schools, or Teachers Colleges; abolishing, creating, reorganizing or authorizing the reorganization of certain administrative departments, boards, and commissions; defining the powers and duties of the Governor and other executive and administrative officers, and of the several administrative departments, boards, commissions, and officers; fixing the salaries of the Governor, Lieutenant-Governor, and certain other executive and administrative officers; providing for the appointment of certain administrative officers, and of all deputies and other assistants and employes in certain departments, boards, and commissions; and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments,

boards and commissions shall be determined," as amended by changing the provision regarding the maximum compensation of the State Civil Service Commission.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 633, entitled:

An Act to amend section twenty-one of the act, approved the seventh day of June, one thousand nine hundred seventeen (P. L. 429), entitled, "An act relating to the descent and distribution of the real and personal property of persons dying intestate; and to provide for the recording and registering of the decrees of the orphans' court in connection therewith, and the fees therefor," by providing that the bar of said section may be pleaded by any relative or person concerned whose right in the estate will be defeated or dismissed by the allowance of such claim and by the Commonwealth in the futherance of its right of escheat, but it may not be pleaded by the personal representatives of the estate in order to enable them to retain an estate or portion thereof to which they are not legally entitled, and that the provisions of this amendment be retroactive but any relatives or persons concerned whose claims would be sooner barred by this amendment, may lay legal claim to their respective shares within six months after the passage of this amendment; and further that this amendment shall not have the effect of removing the bar of this section as to any legal claim which may have been barred prior to the passage of this amendment.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 727, entitled:

An Act to further amend section twenty-seven of the act approved the first day of June one thousand eight hundred eighty-nine (P. L. 420) entitled "A further supplement to an act entitled 'An act to provide revenue by taxation' approved the seventh day of June Anno Domini one thousand eight hundred and seventy-nine" further limiting the application of the section.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 808, entitled:

An Act to provide for certain powers related to the war emergency to the Department of Public Assistance and county boards of assistance providing for assistance to individuals in distress because of enemy action or the danger thereof providing for the expenditure of State funds therefor and for the acceptance of reimbursement from the United States Government of funds so expended

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 924, entitled:

An Act making an appropriation to the Department of Forests and Waters for the purpose of reconstructing and maintaining dikes along Darby Creek in Tinicum and Darby Townships Delaware County and in Philadelphia.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 926, entitled:

An Act creating a commission to make a study of juvenile delinquency; directing such commission to make a report and recommendations to the General Assembly; conferring certain powers upon such commission, including the power to issue subpoenas, administer oaths and affirmations, retain employes and expend funds; and making an appropriation.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 931, entitled:

An Act making an appropriation out of the Motor License Fund to the Department of Highways for allocation to and expenditure in the second class townships of the Commonwealth for maintenance construction reconstruction resurfacing or improvement of township roads and bridges during the calendar years one thousand nine hundred forty-four and one thousand nine hundred forty-five permitting the use of the funds for maintenance and repair to township roads and bridges under certain conditions and providing for the method of payment to townships.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 948, entitled:

An Act making an appropriation to the Department of Military Affairs for the maintenance and education of children of certain soldiers sailors marines female field clerks yeomen (female) and nurses.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 950, entitled:

An Act making an appropriation to the Department of Labor and Industry for the rehabilitation of the deaf and hard of hearing and for the purpose of matching additional federal funds.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 952, entitled:

An Act making an appropriation from the Banking Department Fund to the State Employes' Retirement Board to meet the obligations of the Commonwealth to the State Employes Retirement System with respect to State Employes receiving compensation from the Banking Department Fund.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 953, entitled:

An Act making an appropriation from the Motor License Fund to the State Employes' Retirement Board to meet the obligations of the Commonwealth to the State employes' Retirement System with respect to State employes receiving compensation from the Motor License Fund.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 959, entitled:

An Act making an appropriation from the State Workmen's Insurance Fund to the State Employes' Retirement Board to meet the obligations of the Commonwealth to the State Employes' Retirement System with respect to State employes receiving compensation from the State Workmen's Insurance Fund.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 962, entitled:

An Act making an appropriation of moneys in the Motor License Fund to the Board of Finance and Revenue to meet interest and sinking fund requirements on the State debt.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 963, entitled:

An Act making an appropriation to the Department of Property and Supplies for the payment of rates rentals and other charges that may become due on leases and other contracts executed by The Pennsylvania State College with The General State Authority for the use and occupancy by such college of the various projects structures buildings and facilities of the Authority or for the services rendered by the Authority or its projects.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 965, entitled:

An Act making an appropriation from the State Stores Fund to the State Employes' Retirement Board to meet the obligations of the Commonwealth to the State Employes' Retirement System with respect to State employes receiving compensation from the State Stores Fund.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 966, entitled:

An Act making an appropriation from the Fish Fund to the State Employes' Retirement Board to meet the obligations of the Commonwealth to the State Employes' Retirement System with respect to State employes receiving compensation from the Fish Fund.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 969, entitled:

An Act making an appropriation of moneys in the Motor License Fund to the Board of Finance and Revenue for the payment of the Loan and Transfer Agent of the Commonwealth.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 970, entitled:

An Act making an appropriation to the Treasury Department out of various funds to pay replacement checks issued in lieu of outstanding checks when presented.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 971, entitled:

An Act making an appropriation to The General State Authority to defray the costs and expenses of the said Authority in connection with the organization administration and operation thereof.

And said bill having been read at length the first time. Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 977, entitled:

An Act making an appropriation to the Department of Labor and Industry to meet the obligation of the Commonwealth to pay a part of the compensation payable for certain occupational diseases.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 978, entitled:

An Act making an appropriation to the Department of Forests and Waters for the repair or reconstruction of a dam across the Lehigh River at Easton Northampton County and dredging in the Lehigh River and the entrance of the Delaware Division Canal.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order.

The Senate proceeded to the first reading and consideration of House Bill No. 979, entitled:

An Act making an appropriation from the Manufacturing Fund to the State Employes' Retirement Board to

meet the obligations of the Commonwealth to the State Employes' Retirement System with respect to State employes receiving compensation from the Manufacturing Fund.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 980, entitled:

An Act making an appropriation from the Game Fund to the State Employes' Retirement Board to meet the obligations of the Commonwealth to the State Employes' Retirement System with respect to State employes receiving compensation from the Game Fund.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

NOMINATION BY THE GOVERNOR

The Secretary to the Governor being introduced, presented communication in writing from His Excellency, the Governor of the Commonwealth, which was read as follows, and referred to the Committee on Executive Nominations.

MEMBER OF THE SNYDER COUNTY BOARD OF ASSISTANCE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, April 29, 1943.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate J. Barner Rine (Democrat), Beavertown, Snyder County, for appointment as a member of the Snyder County Board of Assistance, to serve until December 31, 1943, and until his successor is duly appointed and qualified, vice J. Howard Burns, resigned.

EDWARD MARTIN.

BILLS SIGNED

The PRESIDENT (Lieutenant-Governor John C. Bell, Jr.) announced that the Chief Clerk having reported that the following bills had passed both houses of the General Assembly and the same being correct, the titles were publicly read as follows:

House Bill No. 462, entitled:

An Act authorizing in certain cases the renewal of old motor vehicle operators' licenses for persons honorably discharged from the armed forces of the United States, or from any women's organization officially connected therewith, without a learner's permit, examination, or additional fee, and the temporary suspension of existing laws requiring the same.

House Bill No. 644, entitled:

An Act to further amend sections five hundred and eleven and six hundred and ten of the act, approved the first day of May, one thousand nine hundred and twenty-nine (P. L. 1005), entitled "Tractor Code," authorizing the issuance of special permits for the operation upon the highways of oversize and overweight quarry equipment and machinery; and fixing fees therefor.

House Bill No. 659, entitled:

An Act to amend clause (g) of section eighteen of the act, approved the twenty-ninth day of April, one thousand nine hundred thirty-seven (P. L. 487), entitled "The Permanent Registration Act for Boroughs, Towns and Townships," by changing the procedure relating to the registration of state and federal employes.

House Bill No. 662, entitled:

An Act to amend clause (k) of section three hundred two, and sections nine hundred fourteen and nine hundred seventy-seven of the act, approved the third day of June, one thousand nine hundred thirty-seven (P. L. 1333), entitled "Pennsylvania Election Code," by changing the time for the certification of returns to the Secretary of the Commonwealth; the time for the withdrawal of candidates for nomination or election at any primary and the time for filing objections to nomination petitions.

House Bill No. 694, entitled:

An Act to amend sections one, five, seven, nine and twelve, and to repeal section six of the act, approved the twenty-seventh day of May, one thousand nine hundred and thirty-seven (P. L. 901), entitled "An act for the protection of producers of farm produce; providing for the licensing, the bonding or holding collateral of and the regulation of certain dealers in farm produce, as herein defined, within this Commonwealth; conferring powers and imposing duties on the Department of Agriculture; providing for appeals and injunctions; and prescribing penalties," by changing definitions, the period of the license and the fee therefor, and the contents of records; eliminating the requirement for a bond, and adding to the reasons for refusing licenses.

House Bill No. 731, entitled:

An Act to further amend subsection (c) of section four hundred twelve of the act approved the third day of June, one thousand nine hundred thirty-seven (P. L. 1333), entitled "Pennsylvania Election Code," fixing the mileage of judges of election for transmitting returns of primaries and elections and ballot boxes.

House Bill No. 747, entitled:

An Act to further amend clause (f) and to amend clause (g) of section twenty of the act, approved the thirtieth day of March, one thousand nine hundred thirty-seven (P. L. 115), entitled "The First Class City Permanent Registration Act," by changing procedure relating to registration of state and federal employes.

House Bill No. 758, entitled:

An Act to further amend section fifty of the act, approved the second day of May, one thousand nine hundred twenty-five (P. L. 448), entitled "Fish Law of 1925," by eliminating the provisions thereof which prohibit the taking of fish by trolling from a moving boat electrically propelled or propelled by an internal combustion motor.

House Bill No. 844, entitled:

An Act to further amend the act, approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 177), entitled "Administrative Code of 1929," by providing that, under war time conditions, the Department of Property and Supplies may make certain purchases, and may authorize any department, board or commission, to make certain purchase without advertising, competitive bidding, or contract; authorizing departments, boards and commissions to make certain direct purchases of various publications; further providing as to the supervision of the Department of Property and Supplies over the construction and alteration of buildings and over the plans

and specifications therefor; and relieving the Department of Property and Supplies from the duty of supervising the operation of mechanical and electrical equipment used in connection with the operation of State institutions or other State buildings.

House Bill No. 993, entitled:

An Act to amend clause (g) of section two hundred four of the act, approved the twenty-second day of May, one thousand nine hundred and thirty-three (P. L. 853), entitled "The General County Assessment Law," by providing that the exemption from local taxation afforded to certain public property shall not extend to property otherwise taxable, which is owned or held by an agency of the Government of the United States.

House Bill No. 1092, entitled:

An Act to amend section twelve of the act, approved the fourteenth day of June, one thousand nine hundred twenty-three (P. L. 710), entitled "Boxing and Wrestling Law" changing the minimum age for participants in amateur boxing, sparring and wrestling matches and exhibitions and providing a penalty

Whereupon,

The PRESIDENT (Lieutenant-Governor John C. Bell, Jr.) in the presence of the Senate signed the same.

RECESS

Mr. HEYBURN. Mr. President, I move that the Senate do now take a short recess for a meeting of the Committee on Appropriations and a meeting of the Committee on Aeronautics.

Mr. SNOWDEN. Mr. President, I second the motion.

The motion was agreed to.

AFTER RECESS

The PRESIDENT. The time of recess having elapsed the Senate will be in order.

REPORTS FROM COMMITTEES

Mr. HEYBURN. Mr. President, I move that the Senate do now return to the order of business of reports of committees.

Mr. HOMSHER. Mr. President, I second the motion.

The motion was agreed to.

Mr. HOMSHER, from the Committee on Appropriations, reported as committed, House Bill No. 951, entitled:

An Act making an appropriation to the Board of Trustees of the Philadelphia Museum Philadelphia.

He also, from the Committee on Appropriations, reported as committed, House Bill No. 954, entitled:

An Act making an appropriation to the Downingtown Industrial and Agricultural School Downingtown Pennsylvania

He also, from the Committee on Appropriations, reported as committed, House Bill No. 955, entitled:

An Act making an appropriation from the Motor License Fund to the Department of Property and Supplies for the payment of the costs incurred by that Department in acting as purchasing agent for the Department of Highways.

He also, from the Committee on Appropriations, reported as committed, House Bill No. 957, entitled:

An Act making an appropriation to the Trustees of Temple University at Philadelphia Pennsylvania

He also, from the Committee on Appropriations, reported as committed, House Bill No. 960, entitled:

An Act making an appropriation to the Trustees of the University of Pennsylvania

He also, from the Committee on Appropriations, reported as committed, House Bill No. 961, entitled:

An Act making an appropriation to the National Farm School at Doylestown Pennsylvania

He also, from the Committee on Appropriations, reported as committed, House Bill No. 964, entitled:

An Act making an appropriation to Sleighton Farm School for Girls situate in Delaware County Pennsylvania

He also, from the Committee on Appropriations, reported as committed, House Bill No. 968, entitled:

An Act making an appropriation to aid certain school districts

He also, from the Committee on Appropriations, reported as committed, House Bill No. 973, entitled:

An Act making an appropriation to the Trustees of the University of Pittsburgh for the general maintenance of and the purchase of apparatus and equipment for the University of Pittsburgh and for the maintenance of teaching facilities in hospitals for students in the School of Medicine.

He also, from the Committee on Appropriations, reported as committed, House Bill No. 974, entitled:

An Act making an appropriation to the Trustees of the College of Lincoln University Chester County

Mr. STEVENSON, from the Committee on Appropriations, reported as amended, House Bill No. 106, entitled:

An Act making an appropriation to the Trustees of the Hahnemann Medical College and Hospital of Philadelphia Pennsylvania

He also, from the Committee on Appropriations, reported as amended, House Bill No. 191, entitled:

An Act making an appropriation to the Pennsylvania State College for expenditure by the School of Mineral Industries thereof under the Supervision of the Department of Mines for the purpose of developing new uses and markets for anthracite and bituminous coal.

He also, from the Committee on Appropriations, reported as amended, House Bill No. 179, entitled:

An Act making an appropriation to the Johnson Industrial School of Scranton Pennsylvania

He also, from the Committee on Appropriations, reported as amended, House Bill No. 946, entitled:

An Act making an appropriation to the Women's Medical College of Pennsylvania located at East Falls Philadelphia Pennsylvania

He also, from the Committee on Appropriations, reported as committed, House Bill No. 1098, entitled:

An Act making an appropriation to the Pennsylvania Historical Commission to cover the expenses of restoring and refurnishing the Daniel Boone Homestead

He also, from the Committee on Appropriations, reported as committed, House Bill No. 1030, entitled:

An Act making an appropriation to the Jefferson Medical College of Philadelphia Pennsylvania for medical education

He also, from the Committee on Appropriations, reported as committed, House Bill No. 1029, entitled:

An Act making an appropriation to the Trustees of the Pennsylvania State College for the use of the School of Agriculture for the purpose of conducting research and investigation of problems affecting livestock and agricultural products

He also, from the Committee on Appropriations, reported as committed, House Bill No. 1109, entitled:

An Act making an appropriation to the Department of Revenue for the payment of claims for legal services.

He also, from the Committee on Appropriations, reported as committed, House Bill No. 1105, entitled:

An Act making an appropriation to the Department of Property and Supplies for the restoration improvement and equipment of the Pottsgrove Mansion in the borough of Pottstown on the advice and subject to the approval of the Pennsylvania Historical Commission

Mr. STIEFEL, from the Committee on Appropriations, reported as committed, House Bill No. 1105, entitled:

An Act making an appropriation to the Cresson Volunteer Fire Company for the protection of State Property.

He also, from the Committee on Appropriations, reported as committed, House Bill No. 627, entitled:

An Act making an appropriation to the Department of Public Instruction for the use of the Pennsylvania Histroical Commission for the purpose of completing restoration and preparing for public use as a museum the property at Ambridge Beaver County Pennsylvania formerly owned and occupied by the Harmony Society and known as "Old Economy."

He also, from the Committee on Appropriations, reported as committed, House Bill No. 949, entitled:

An Act making an appropriation to the Department of Public Assistance and providing for certain allocations therefrom for the purpose of carrying out the Public Assistance Law for the two fiscal years beginning June first one thousand nine hundred forty-three and for the payment of assistance and expenses accrued or incurred prior to and remaining unpaid on May thirty-first one thousand nine hundred forty-three.

He also, from the Committee on Appropriations, reported as committed, House Bill No. 947, entitled:

An Act making an appropriation to the Pennsylvania Museum and School of Industrial Art Philadelphia

He also, from the Committee on Appropriations, reported as committed, House Bill No. 945, entitled:

An Act lapsing all unexpended or unencumbered balances of appropriations from all funds made by the General Assembly at its session of one thousand nine hundred and thirty-five and prior sessions and at its regular sessions of one thousand nine hundred and thirty-seven and one thousand nine hundred and thirty-nine and the Special Sessions of one thousand nine hundred and thirty-six and one thousand nine hundred and thirty-eight

Mr. JASPAN, from the Committee on Appropriations, reported as committed, House Bill No. 445, entitled:

An Act making an appropriation to the Pennsylvania Historical Commission for the preservation restoration and rebuilding of certain structures at the Ephrata Cloisters

He also, from the Committee on Appropriations, reported as committed, House Bill No. 493, entitled:

An Act making an appropriation to the Department of Forests and Waters for the use of the Pennsylvania State Park and Harbor Commission of Erie and for the joint use of the Federal Government and the Department of Forests and Waters of the Commonwealth of Pennsylvania

He also, from the Committee on Appropriations, reported as committed, House Bill No. 526, entitled:

An Act making an appropriation to the Pennsylvania Department of Highways

He also, from the Committee on Appropriations, reported as committed, House Bill No. 531, entitled:

An Act making an appropriation to the Pennsylvania State College to advance the tobacco interest of this Commonwealth

He also, from the Committee on Appropriations, reported as committed, House Bill No. 532, entitled:

An Act making an appropriation for aid to free public non-sectarian county libraries and for the purchase and transportation of books.

He also, from the Committee on Appropriations, reported as committed, House Bill No. 975, entitled:

An Act making an appropriation to the Department of Forests and Waters for the use of the Valley Forge Park Commission in payment of lands acquired by condemnation

He also, from the Committee on Appropriations, reported as committed, House Bill No. 976, entitled:

An Act making an appropriation to the Moore Institute of Art Science and Industry formerly Philadelphia School of Design for Women at Philadelphia Pennsylvania

Mr. CHAPMAN, from the Committee on Appropriations, reported as committed, House Bill No. 307, entitled:

An Act making an appropriation to the Department of Forests and Waters to be used for the acquisition of land within the limits of the "Bucktail State Park" and prescribing the uses to be made of such land.

He also, from the Committee on Appropriations, reported as committed, House Bill No. 327, entitled:

An Act making an appropriation to the several fire companies of the City of Harrisburg Pennsylvania

He also, from the Committee on Appropriations, reported as committed, House Bill No. 415, entitled:

An Act making an appropriation to the Department of Property and Supplies for the acquisition of lands and the erection of new buildings and service systems and the alterations and extension of existing buildings and service

systems for the use of the Soldiers' Orphans School at Scotland Pennsylvania

He also, from the Committee on Appropriations, reported as committed, House Bill No. 277, entitled:

An Act making an appropriation for the purpose of maintaining the public roads and improving and replacing bridges thereon through the Cornplanter Indian Reservation in Elk Township, Warren County, Pennsylvania.

He also, from the Committee on Appropriations, reported as committed, House Bill No. 81, entitled:

An Act making an appropriation to the Elwyn Training School at Elwyn in the County of Delaware Commonwealth of Pennsylvania and prescribing certain conditions upon which the appropriation will be available to the school

He also, from the Committee on Appropriations, reported as committed, House Bill No. 5, entitled:

An Act making an appropriation to The Glen Mills Schools situate in Delaware County Pennsylvania

He also, from the Committee on Appropriations, rereported as committed, House Bill No. 926, entitled:

An Act creating a commission to make a study of juvenile delinquency; directing such commission to make a report and recommendations to the General Assembly; conferring certain powers upon such commission, including the power to issue subpoenas, administer oaths and affirmations, retain employes and expend funds; and making an appropriation

He also, from the Committee on Appropriations, reported as committed, Senate Bill No. 634, entitled:

An Act to amend section one of the act, approved the thirty-first day of July, one thousand nine hundred forty-one (Appropriation Acts of 1941, P. L. 81), entitled "An act making an appropriation to the Thomas Jefferson Bicentennial Commission of Pennsylvania," by providing that the unexpended balance of the appropriation made by said act shall not lapse until the purposes for which it was made are fully completed, and the affairs of the Thomas Jegerson Bicentennial Commission of Pennsylvania are finally closed.

He also, from the Committee on Appropriations, reported as committed, House Bill No. 278, entitled:

An Act making an appropriation for the maintenance repair and improvement of the Port of Philadelphia

BILLS ON FIRST READING

Mr. BECKER. Mr. President, I move that the Senate do now proceed to the first reading of all bills reported from committees for the first time at today's session.

Mr. RUTH. Mr. President, I second the motion.

The motion was agreed to.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 5, entitled:

An Act making an appropriation to The Glen Mills Schools situate in Delaware County Pennsylvania.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 81, entitled:

An Act making an appropriation to the Elwyn Training School at Elwyn in the County of Delaware Commonwealth of Pennsylvania and prescribing certain conditions upon which the appropriation will be available to the school.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 106, entitled:

An Act making an appropriation to the Trustees of the Hahnemann Medical College and Hospital of Philadelphia Pennsylvania.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 179, entitled:

An Act making an appropriation to the Johnson Industrial School of Scranton Pennsylvania.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 191, entitled

An Act making an appropriation to the Pennsylvania State College for expenditure by the School of Mineral Industries thereof under the Supervision of the Department of Mines for the purpose of developing new uses and markets for anthracite and bituminous coal.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 277, entitled:

An Act making an appropriation for the purpose of maintaining the public roads and improving and replacing bridges thereon through the Cornplanter Indian Reservation in Elk Township Warren County Pennsylvania.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 278, entitled:

An Act making an appropriation for the maintenance repair and improvement of the Port of Philadelphia.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 307, entitled:

An Act making an appropriation to the Department of Forests and Waters to be used for the acquisition of land within the limits of the "Bucktail State Park" and prescribing the uses to be made of such land.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of House Bill No. 327, entitled:

An Act making an appropriation to the several fire companies of the City of Harrisburg Pennsylvania.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of House Bill No. 415, entitled:

An Act making an appropriation to the Department of Property and Supplies for the acquisition of lands and the erection of new buildings and service systems and the alteration and extension of existing buildings and service systems for the use of the Soldiers' Orphans School at Scotland Pennsylvania.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of House Bill No. 445, entitled:

An Act making an appropriation to the Pennsylvania Historical Commission for the preservation restoration and rebuilding of certain structures at the Ephrata Cloisters.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of House Bill No. 493, entitled:

An Act making an appropriation to the Department of Forests and Waters for the use of the Pennsylvania State Park and Harbor Commission of Erie and for the joint use of the Federal Government and the Department of Forests and Waters of the Commonwealth of Pennsylvania.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of House Bill No. 526, entitled:

An Act making an appropriation to the Pennsylvania Department of Highways.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of House Bill No. 531, entitled:

An Act making an appropriation to the Pennsylvania State College to advance the tobacco interest of this Commonwealth.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of House Bill No. 532, entitled:

An Act making an appropriation for aid to free public non-sectarian county libraries and for the purchase and transportation of books.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of House Bill No. 627, entitled:

An Act making an appropriation to the Department of Public Instruction for the use of the Pennsylvania Historical Commission for the purpose of completing restoration and preparing for public use as a museum the property at Ambridge Beaver County Pennsylvania formerly owned and occupied by the Harmony Society and known as "Old Economy."

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 634, entitled:

An Act to amend section one of the act, approved the thirty-first day of July, one thousand nine hundred forty-one (Appropriation Acts of 1941, P. L. 81), entitled "An act making an appropriation to the Thomas Jefferson Bicentennial Commission of Pennsylvania," by providing that the unexpended balance of the appropriation made by said act shall not lapse until the purposes for which it was made are fully completed, and the affairs of the Thomas Jefferson Bicentennial Commission of Pennsylvania are finally closed.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of House Bill No. 923, entitled:

An Act making an appropriation to the Cresson Volunteer Fire Company for the protection of State Property.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of House Bill No. 926, entitled:

An Act creating a commission to make a study of juvenile delinquenccy; directing such commission to make a report and recommendations to the General Assembly; conferring certain powers upon such commissions, including the power to issue subpoenas, administer oaths and affirmations, retain employes and expend funds; and making an appropriation.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of House Bill No. 945, entitled:

An Act lapsing all unexpended or unencumbered balances of appropriations from all funds made by the General Assembly at its session of one thousand nine hun-

dred and thirty-five and prior sessions and at its regular sessions of one thousand nine hundred and thirty-seven and one thousand nine hundred and thirty-nine and the Special Sessions of one thousand nine hundred and thirty-six and one thousand nine hundred and thirty-eight.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of House Bill No. 946, entitled:

An Act making an appropriation to the Women's Medical College of Pennsylvania located at East Falls Philadelphia Pennsylvania.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of House Bill No. 947, entitled:

An Act making an appropriation to the Pennsylvania Museum and School of Industrial Art Philadelphia.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of House Bill No. 949, entitled:

An Act making an appropriation to the Department of Public Assistance and providing for certain allocations therefrom for the purpose of carrying out the Public Assistance Law for the two fiscal years beginning June first one thousand nine hundred forty-three and for the payment of assistance and expenses accrued or incurred prior to and remaining unpaid on May thirty first one thousand nine hundred forty-three.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of House Bill No. 951, entitled:

An Act making an appropriation to the Board of Trustees of the Philadelphia Museum Philadelphia.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of House Bill No. 954, entitled:

An Act making an appropriation to the Downingtown Industrial and Agricultural School Downingtown Pennsylvania.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of House Bill No. 955, entitled:

An Act making an appropriation from the Motor License Fund to the Department of Property and Supplies for the payment of the costs incurred by that Department in acting as purchasing agent for the Department of Highways.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of House Bill No. 957, entitled:

An Act making an appropriation to the Trustees of Temple University at Philadelphia Pennsylvania.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of House Bill No. 960, entitled:

An Act making an appropriation to the Trustees of the University of Pennsylvania.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of House Bill No. 961, entitled:

An Act making an appropriation to the National Farm School at Doylestown Pennsylvania.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of House Bill No. 964, entitled:

An Act making an appropriation to Sleighton Farm School for Girls situate in Delaware County Pennsylvania.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of House Bill No. 968, entitled:

An Act making an appropriation to aid certain school districts.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of House Bill No. 973, entitled:

An Act making an appropriation to the Trustees of the University of Pittsburgh for the general maintenance of and the purchase of apparatus and equipment for the University of Pittsburgh and for the maintenance of teaching facilities in hospitals for students in the School of Medicine.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of House Bill No. 974, entitled:

An Act making an appropriation to the Trustees of the College of Lincoln University Chester County

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of House Bill No. 975, entitled:

An Act making an appropriation to the Department of Forests and Waters for the use of the Valley Forge Park Commission in payment of lands acquired by condemnation.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of House Bill No. 976, entitled:

An Act making an appropriation to the Moore Institute of Art Science and Industry formerly Philadelphia School of Design for Women at Philadelphia Pennsylvania.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of House Bill No. 1029, entitled:

An Act making an appropriation to the Trustees of the Pennsylvania State College for the use of the School of Agriculture for the purpose of conducting research and investigation of problems affecting livestock and agricultural products.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of House Bill No. 1030, entitled:

An Act making an appropriation to the Jefferson Medical College of Philadelphia Pennsylvania for medical education.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of House Bill No. 1098, entitled:

An Act making an appropriation to the Pennsylvania Historical Commission to cover the expenses of restoring and refurnishing the Daniel Boone Homestead.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of House Bill No. 1105, entitled:

An Act making an appropriation to the Department of Property and Supplies for the restoration improvement and equipment of the Pottsgrove Mansion in the borough of Pottstown on the advice and subject to the approval of the Pennsylvania Historical Commission.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of House Bill No. 1109, entitled:

An Act making an appropriation to the Department of Revenue for the payment of claims for legal services.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

ADJOURNMENT

Mr. BECKER. Mr. President, I move that the Senate do now adjourn until Monday, May 3, 1943, at 3:00 o'clock p. m. Eastern War Time.

Mr. STEVENSON. Mr. President, I second the motion.

The motion was agreed to.

The Senate adjourned at 6:49 o'clock, p. m. Eastern War Time until Monday, May 3, 1943, at 3:00 o'clock, p. m. Eastern War Time.

HOUSE OF REPRESENTATIVES

THURSDAY, April 29, 1943

The House met at 1. p. m.
The SPEAKER (Ira T. Fiss) in the Chair.

PRAYER

The Rev. Charles A. Lantz, pastor of Milroy Lutheran Church, a guest of the Chaplain, offered the following prayer:

Almighty and Eternal God, in whom we live and move and have our being, we come to Thee this day seeking Thy blessing. We are Thine, for Thou hast made us in Thine own image, and bestowed upon us the likeness of our Creator. Thou hast put into our hearts great hungerings, and great longings that the things of the world cannot satisfy. For Thou, O God, hast made us for Thyself, and our hearts will be at unrest until they rest in Thee.

We seek Thy divine guidance. Thou art the Supreme Law Giver, help us this day to make law that is in harmony with the divine law.

Bless our great country, and make us a people worthy of victory. Graciously regard the president of the United States, and the governor of this Commonwealth. Preserve and keep in body and soul all those who serve in the Armed Forces of our country; and may peace and good will cover the earth very soon. Through the same Jesus Christ Thy Son our Lord. Amen.

JOURNAL APPROVED

The SPEAKER. The Clerk will read the Journal of Wednesday, April 28, 1943.

The Clerk proceeded to read the Journal of Wednesday, April 28, 1943, when, on motion of Mr. JONES, unanimously agreed to, the further reading was dispensed with and the Journal approved.

SENATE MESSAGE

SENATE BILLS FOR CONCURRENCE

The Clerk of the Senate being introduced, presented for concurrence bills numbered and entitled as follows:

SENATE BILL No. 30.

An Act making an appropriation to The Franklin Institute of the State of Pennsylvania at Philadelphia.

Referred to the Committee on Appropriations.

SENATE BILL No. 94.

An Act making an appropriation to the Pennsylvania Museum and School of Industrial Art Philadelphia.

Referred to the Committee on Appropriations.

SENATE BILL No. 99.

A Joint Resolution proposing an amendment to Section one of article Fourteen of the Constitution of the Commonwealth of Pennsylvania by making sheriffs eligible to succeed themselves

Referred to the Committee on Constitutional Amendments.

SENATE BILL No. 121.

An Act to further amend the title and sections one and three of, and to add section four to, the act, approved the tenth day of April, one thousand nine hundred thirty-one (P. L. 23), entitled as amended "An act providing for the acceptance by the Commonwealth of a gift of lands from the American Petroleum Institute, located on the left bank of Oil Creek, in Oil Creek Township or Cherry Tree Township, or both, Venango County, to establish the Drake Well Memorial Park, under the control and supervision of the Department of Forests and Waters; empowering the Department of Property and Supplies to acquire additional lands for such Memorial Park without cost to the Commonwealth; and making an appropriation," changing the name of said memorial and placing it under the supervision and control of the Pennsylvania Historical Commission, defining the powers and duties of the commission relative thereto, authorizing the employment of certain employes and the payment of their salaries; and making an appropriation.

Referred to the Committee on Appropriations.

SENATE BILL No. 123.

An Act making an appropriation to the Moore Institute of Art, Science and Industry, formerly Philadelphia School of Design for Women, at Philadelphia, Pennsylvania.

Referred to the Committee on Appropriations.

SENATE BILL No. 171.

An Act making an appropriation to the Department of Forests and Waters, to be used for the purchase of lands in the vicinity of the tract now owned by the Commonwealth containing the birthplace of James Buchanan in Franklin County.

Referred to the Committee on Appropriations.

SENATE BILL No. 336.

An Act making an appropriation for The Dixmont Hospital, Dixmont, Allegheny County to provide for the repayment of a loan heretofore made by said hospital to provide funds necessary in the maintenance of said hospital.

Referred to the Committee on Appropriations.

SENATE BILL No. 338.

An Act making a certain deficiency appropriation to the Department of Welfare for The Dixmont Hospital, Dixmont, Allegheny County

Referred to the Committee on Appropriations.

SENATE BILL No. 339.

An Act making an appropriation to the Department of Welfare for the payment of the cost of an additional steam boiler a fire alarm a fire sprinkler system and certain repairs and improvements at The Dixmont Hospital Dixmont Allegheny County

Referred to the Committee on Appropriations.

SENATE BILL No. 349.

An Act making an appropriation to the Department of Forests and Waters to be used by the Navigation Commission for the Delaware River and its Navigable Tributaries for the removal of sunken wrecks from the tideway of the Delaware River and its navigable tributaries

Referred to the Committee on Appropriations.

SENATE BILL No. 361.

An Act regulating commercial strip mining imposing requirements to engage therein including the planting or sowing of certain lands giving powers and duties to the Secretary of the Department of Forests and Waters including issuing permits providing for appeals to the Court of Common Pleas of Dauphin County and prescribing penalties.

Referred to the Committee on Mines and Mining.

SENATE BILL No. 371.

An Act to further amend section three of an act approved the thirteenth day of May one thousand nine hundred and twenty-seven (P. L. 988) entitled "An act providing for and regulating the State registration of nurses and licensed attendants the annual recording of registration certificates and regulating the profession of nursing and repealing certain existing laws" providing for emergency registration of Nurses to meet the present war emergency and a period thereafter

Referred to the Committee on Public Health and Sanitation.

SENATE BILL No. 372.

An Act to amend section two hundred and twelve of the act, approved the fifth day of August, one thousand nine hundred forty-one (P. L. 752), entitled "An act regulating and improving the civil service of certain departments and agencies of the Commonwealth; vesting in the State Civil Service Commission and a Personnel Director certain powers and duties; providing for classification of positions, adoption of compensation schedules and certification of payrolls; imposing duties upon certain officers and employes of the Commonwealth; authorizing service to other State departments or agencies and political subdivisions of the Commonwealth in matters relating to civil service; defining certain crimes and misdemeanors; imposing penalties; making certain appropriations, and repealing certain acts and parts thereof," by providing for the support of the

commission on a revolving fund basis and appropriating moneys for this purpose.

Referred to the Committee on State Government.

SENATE BILL No. 378.

An Act making an appropriation to the Department of Forests and Waters for use by the Water and Power Resources Board in making necessary repairs to the Pymatuning Swamp project, and for the purpose of making further survey in connection therewith

Referred to the Committee on State Government.

SENATE BILL No. 412.

An Act authorizing the Department of Property and Supplies, with the approval of the Governor and the Board of Trustees of the Farview State Hospital, to acquire a certain tract of land for the use of said hospital, and making an appropriation therefor.

Referred to the Committee on Appropriations.

SENATE BILL No. 417.

An Act authorizing the Department of Property and Supplies with the approval of the Governor and the Board of Trustees fo the Pennhurst State School to acquire a certain tract of land for the use of the State Institution for the Feeble-Minded and Epileptic of Eastern Pennsylvania at Pennhurst and making an appropriation therefor.

Referred to the Committee on Appropriations.

SENATE BILL No. 433.

An Act relating to appointments reclassifications and promotions under civil service systems of all political subdivisions of this Commonwealth that shall hereafter be made until a period after the cessation of hostilities making such appointments reclassifications and promotions of war duration providing for the establishment of new employment and promotion lists and suspending inconsistent laws.

Referred to the Committee on State Government.

SENATE BILL No. 473.

An Act to further amend sections four five and nine of the act approved the twenty-eighth day of June one thousand nine hundred thirty-five (P. L. 463) entitled as amended "An act providing for [a limited period of time for] the incorporation as bodies corporate and politic of 'Authorities' for municipalities counties and townships defining the same prescribing the rights powers and duties of such authorities authorizing such Authorities to acquire construct improve maintain and operate projects and to borrow money and issue bonds therefor providing for the payment of such bonds and prescribing the rights of the holders thereof conferring the right of eminent domain on such Authorities authorizing such Authorities to enter into contracts with and to accept grants from the Federal Government or any agency thereof and for other purposes" by limiting the power of an Authority to acquire the title to projects subject to the jurisdiction of the Pennsylvania Public Utility Commission by requiring approval of said commission.

Referred to the Committee on Public Utilities.

SENATE BILL No. 477.

An Act to amend the act approved the twenty-fifth day of May one thousand nine hundred and thirty-three (P. L. 1001) entitled "An act providing for the regulation of aeronautics within this Commonwealth conferring powers and imposing duties upon the Department of Revenue in respect thereto providing for the licensing and registration of airman and aircraft establishing the legal status of air navigation providing for sovereignty in and ownership of space providing for lawfulness of flights regulating civil causes of action arising out of operation of aircraft fixing the status of contracts crimes and torts in by or by means of operation of aircraft imposing duties upon officers burgesses magistrates aldermen justices of the peace the courts and clerks thereof providing for denial or revocation of licenses providing for certain penalties and their disposition and repealing certain existing laws" by transferring to the Pennsylvania Public Utility Commission the Powers and duties conferred and imposed upon the Department of Revenue and directing that the cost of administering said act shall be segregated on the books of the commisison and changing disposition of penalties collected.

Referred to the Committee on Aeronautics.

SENATE BILL No. 575.

An Act to amend clause (d) of section six hundred two and one tenth of the act approved the eighteenth day of May one thousand nine hundred and eleven (P. L. 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" further regulating the power of directors of school districts in the sale of unused and unnecessary lands and buildings.

Referred to the Committee on Education.

SENATE BILL No. 582.

An Act making an appropriation to the Department of Forests and Waters for the permanent improvement and maintenance of the Delaware division of the Pennsylvania Canal.

Referred to the Committee on Appropriations.

SENATE BILL No. 602.

An Act making it lawful during the continuance of the present war and for six months thereafter for drug stores and pharmacies to operate subject to certain conditions and for limited periods without the necessity for a registered pharmacist or assistant pharmacist in attendance.

Referred to the Committee on Public Health and Sanitation.

SENATE BILL No. 609.

An Act relating to the release reduction or limitation of powers of appointment.

Referred to the Committee on Judiciary General.

SENATE BILL No. 613.

An Act to further amend section four of the act, approved the twenty-eighth day of June, one thousand nine hundred thirty-five (P. L. 452), entitled as amended "An act to promote the welfare of the people of the Commonwealth; creating a General State Authority as a body corporate and politic with power to construct, improve, equip, furnish, and operate projects, and to lease the same, and to fix and collect fees, rentals, and charges for the use thereof; authorizing and regulating the issuance of bonds by said Authority, and providing for the payment of such bonds, and the rights of the holders thereof; and to enter into agreements with the Government of the United States or any Federal agency; and authorizing the Department of Property and Supplies to grant, assign, convey, or lease

to the Authority lands of the Commonwealth and interests therein, and to acquire lands therefor; granting the right of eminent domain; and providing that no debt of the Commonwealth shall be incurred in the exercise of any of the powers granted by this act," empowering the General State Authority to lease any project constructed by it to any person, copartnership, association or corporation, for certain uses.

Referred to the Committee on State Government.

SENATE BILL No. [illegible].

An Act making an appropriation to the Department of Health for use in demonstration work dealing with the improvement of nutritional status of industrial workers and other civilians

Referred to the Committee on Appropriations.

SENATE BILL No. 570.

An Act relating to assessment for taxation in counties of the fourth, fifth, sixth, seventh and eight classes; designating the subjects, property and persons subject to and exempt from taxation for county, borough, town, township, school, except in cities, and county institution district, purposes; and providing for and regulating the assessment and valuation thereof for such purposes; creating in each such county a board for the assessment and revision of taxes; defining the powers and duties of such boards; providing for the acceptance of this act by cities; regulating the office of ward, borough, town and township assessors; abolishing the offices of assistant assessor and assistant triennial assessor in townships of the first class; providing for the appointment of a chief assessor, assistant assessors and other employes; providing for their compensation payable by such counties; prescribing certain duties of and certain fees to be collected by the recorder of deeds; and eliminating the triennial assessment.

Referred to the Committee on Counties.

SENATE BILL No. 571.

An Act to further amend sections twenty-six and thirty-five of the act, approved the eleventh day of May, one thousand nine hundred twenty-one (P. L. 522), entitled as amended "An act relating to dogs, and the protection of live stock, poultry, and game birds raised in captivity from damage by dogs; providing for the licensing of dogs by the Secretary of Agriculture; providing for the enumeration of dogs by assessors; regulating the keeping of dogs, and authorizing their destruction in certain cases; providing for the protection of licensed dogs, and for dogs temporarily imported for trial, show, and breeding purposes; prescribing certain privileges for hunting dogs and dogs owned or used by the Board of Game Commissioners; providing for the assessment of damages done to live stock, poultry, and game birds by dogs, and for live stock killed by, or dying from, rabies and for the illegal killing of licensed dogs, and the payment of such damages by the Commonwealth; imposing powers and duties on certain State, county, city, borough, town, and township officers and employes, directing the payment of all moneys collected into the State Treasury; and providing penalties," providing for payment by the Commonwealth for the Pasteur treatment against rabies; and fixing the Commonwealth's liability for enforcement of said act.

Referred to the Committee on Agriculture.

SENATE BILL No. 572.

An Act to add section 617.2 to the act approved the eighteenth day of May one thousand nine hundred eleven (P. L. 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" authorizing school districts of the third and fourth class to continue work on school buildings abandoned as projects by the Works Progress Administration or other Federal agency on contracts entered into pursuant to solicited bids in order to protect such buildings from loss or damage by the elements.

Referred to the Committee on Education.

SENATE BILL No. 615.

An Act to amend section sixty of the act approved the seventh day of June one thousand nine hundred and seventeen (P. L. 447) entitled as amended "An act relating to the administration and distribution of the estates of decedents and of minors and of trust estates including the appointment bonds rights powers duties liabilities accounts discharge and removal of executors administrators guardians and trustees herein designated as fiduciaries the administration and distribution of the estates of presumed decedents widow's and children's exemption debts of decedents rents of real estate as assets for payment thereof the lien thereof sales and mortgages of real estate for the payment thereof judgments and executions therefor and the discharge of real estate from the lien thereof contracts of decedents for the sale or purchase of real estate legacies including legacies charged on land the discharge or residuary estates and of real estate from the lien of legacies and other charges the appraisement of real estate devised at a valuation the ascertainment of the curtilage of dwelling houses or other buildings devised the abatement and survival of actions and the substitution of executors and administrators therein the survival of causes of action and suits thereupon by or against fiduciaries investments by fiduciaries the organization of corporations to carry on the business of decedents the audit and review of accounts of fiduciaries refunding bonds transcripts to the court of common pleas of balances due by fiduciaries the rights powers and liabilities of nonresident and foreign fiduciaries the appointment bonds rights powers duties and liabilities of trustees durante absentia the recording and registration of decrees reports and other proceedings and the fees therefor appeals in certain cases and also generally dealing with the jurisdiction powers and procedure of the orphans' court in all matters relating to fiduciaries concerned with the estates of decedents" further regulating the administration and distribution of the estates of missing persons prescribing the jurisdiction powers and duties of the orphans' court relative thereto and of the trustees appointed by said court for the management control and distribution of such estates and repealing existing laws.

Referred to the Committee on Judiciary General.

RESOLUTIONS INTRODUCED AND REFERRED

By Mr. BRETHERICK

(Concurrent) RESOLUTION No. 67.

In the House of Representatives, April 29, 1943.

Resolved (if the Senate concur), That the Legislative Reference Bureau of the Commonwealth of Pennsylvania be directed to prepare at an early date a compilation of the laws of the Commonwealth relating to county and city sealers of weights and measures, and that said compilation shall be printed as a legislative document, and shall be distributed and sold by the Department of Property and Supplies in the manner provided by law.

Referred to the Committee on State Government.

By Mr. BARTON (Concurrent) RESOLUTION No. 68.

In the House of Representatives, April 26, 1943.

George Washington and Thomas Jefferson, the first and

second Presidents of our Nation, the father of his country and the great liberator both not only believed that no President of the United States should serve more than two terms, but both refused to accept a third term.

Andrew Jackson also left the office more popular than he entered it, adhered to the tradition established by the great men who had preceded him.

Any President's serving more than two terms weakens the legislative branch and creates a subservient judiciary, thereby impairing the constitutional plan and framework of the Federal Government.

At this time when democracy is being challenged all over the world, it well behooves us to return to the tradition established by Washington, Jefferson and Jackson.

When the same President serves for more than a decade, many of the younger citizens, such as those who are now fighting and dying to preserve our ideals, become unfamiliar with the merits of the system and tradition under which there is periodically a change in the presidency of our country; therefore be it

Resolved (if the Senate concur), That the General Assembly of this Commonwealth hereby memorializes the Congress of the United States to propose an amendment to the Federal Constitution prohibiting any person thereafter from serving more than two successive terms as President of the United States; and be it further

Resolved, That copies of this resolution be transmitted by the Chief Clerk of the House of Representatives to the presiding officers of each House of Congress and to each United States Senator and Congressman from Pennsylvania.

Referred to the Committee on Rules.

By Mr. ROBERTSON (Not printed).

In the House of Representatives, April 28, 1943.

Honorable Martin Memolo born in Province Di Avelino, Italy on March 16, 1879, elected a Member of this House from Lackawanna County in 1924 and reelected in 1926, 1928 and 1930, died last Sunday April 25th.

In many capacities he served the public faithfully. Among the earlier public offices he held were those of burgess and controller of Old Forge, where he resided many years. Later he served as a clerk in the county commissioners' office, as chairman of the board of county assessors, and again as an employe of the Public Service Commission.

During his membership in the House he distinguished himself by outstanding service. In all his years of public service Mr. Memolo was a conscientious, energetic servant of the people. To him a public office was truly a public trust.

In his active career, Mr. Memolo was an organizer for the United Mine Workers of America, and throughout his life he always was sympathetic to the cause of the workingman. He did yeoman service in their behalf while a member of the House, and at the same time advanced the interests of his agricultural constituents in the rural districts of the sixth district. Mr. Memolo was an able champion of the underprivileged and was a supporter of all measures having for their objective adequate aid to the needy.

A kindly and friendly man, Mr. Memolo had a wide circle of friends not only in Lackawanna County but throughout the Commonwealth. He was a leader in Italian-American circles, prominent in fraternal movements; therefore be it

Resolved, That in his death the Lackawanna Valley has lost an outstanding citizen and sustained a real loss and from the roll of living ex-members of this House has been taken the name of one who faithfully and with ability served his constituants; and be it further

Resolved, That a copy of this resolution shall be forwarded by the Chief Clerk of the House to the surviving members of his family.

Referred to the Committee on Rules.

PETITIONS AND COMMUNICATIONS

The SPEAKER laid before the House the following petitions and communications which were read by the Clerk.

BUILDING AND LOAN ASSOCIATIONS

Communications from building and loan associations favoring passage of House Bill No. 486.

Referred to the Committee on Building and Loan Associations.

RECREATIONAL GROUNDS

A communication from the Westmoreland County Fair Board favoring passage of House Bill No. 538.

Referred to the Committee on Counties.

SCHOOLS

A communication from Mr. Aaron E. Beiler, Gap R. D. No. 1, favoring passage of Senate Bill No. 34.

A communication from the Philadelphia Federation of Teachers favoring passage of House Bill No. 933.

DAY CARE SERVICES

A communication from Local No. 119, United Electrical Radio and Machine Workers, Philadelphia, favoring passage of House Bill No. 41.

Referred to the Committee on Education.

BLUE LAWS

A communication from O. Bruce Poulson, Huntingdon, favoring passage of Senate Bills Nos. 4 and 116.

Referred to the Committee on Law and Order.

MINERS CERTIFICATES

A communication from the United Mine Workers of America, Local Union No. 1190, opposing passage of House Bill No. 842.

Referred to the Committee on Mines and Mining.

WORLD ORGANIZATION

Communications for and against House Resolution No. 58 on World Federation.

Referred to the Committee on Rules.

STREAM POLLUTION

Telegram from Mayor Bernard Samuel of Philadelphia, favoring passage of House Bill No. 57.

Referred to the Committee on Ways and Means.

FRATERNAL HOMES

A communication from the Odd Fellows Home of Pennsylvania, Middletown, favoring pasasge of House Bill No. 1023.

Referred to the Committee on Welfare.

UNEMPLOYMENT COMPENSATION ACT

Communications opposing passage of Senate Bill No. 177.

Referred to the Committee on Workmen's Compensation.

COMMUNICATION FROM THE GOVERNOR

The Secretary to the Governor being introduced, presented a communication in writing from His Excellency the Governor, which was read as follows:

APPROVAL OF HOUSE BILL No. 588

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, April 28, 1943.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 588, Printer's No. 231, entitled "An Act to amend paragraph four of subsection (c) of section two hundred two and to further amend section six hundred twenty-nine of the act approved the seventeenth day of May one thousand nine hundred twenty-one (P. L. 682) entitled 'An act relating to insurance amending revising and consolidating the law providing for the incorporation of insurance companies and the regulation supervision and protection of home and foreign insurance companies Lloyds associations reciprocal and inter-insurance exchanges and fire insurance rating bureaus and the regulation and supervision of insurance carried by such companies associations and exchanges including insurance carried by the State Workmen's Insurance Fund providing penalties and repealing existing laws' by extending the purposes for which certain companies may be incorporated to include insuring medical hospital surgical and funeral expenses in connection with certain kinds of liability insurance and insuring against loss or damage to property from certain causes for which the person insured is liable."

EDWARD MARTIN.

SENATE MESSAGES

HOUSE BILLS CONCURRED IN BY SENATE

The Clerk of the Senate being introduced, returned bills from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 659.

An Act to amend clause (g) of section eighteen of the act approved the twenty-ninth day of April one thousand nine hundred thirty-seven (P. L. 487) entitled "An act to provide for the permanent personal registration of electors in boroughs towns and townships as a condition of their right to vote at elections and primaries and their enrollment as members of political parties as a further condition of their right to vote at primaries prescribing certain procedure for the conduct of elections and primaries and the challenge and proof of qualifications of electors requiring the county commissioners of the various counties to act as a registration commission therefor and prescribing the powers and duties of citizens parties political bodies registration commissions commissioners registrars inspectors of registration and other appointees of registration commissions county election boards election officers municipal officers departments and bureaus police officers courts judges prothonotaries sheriffs county commissioners peace officers county treasurers county controllers registrars of vital statistics certain public utility corporations real estate brokers rental agents and boards of school directors and imposing penalties" by changing the procedure relating to the registration of State employes

HOUSE BILL No. 662.

An Act to amend clause (k) of section three hundred two and sections nine hundred fourteen and nine hundred seventy-seven of the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1333) entitled "An act concerning elections including general municipal special and primary elections the nomination of candidates primary and election expenses and election contests creating and defining membership of county boards of elections imposing duties upon the Secretary of the Commonwealth courts county boards of elections county commissioners imposing penalties for violation of the act and codifying revising and consolidating the laws relating thereto and repealing certain acts and parts of acts relating to elections" by changing the time for the certification of returns to the Secretary of the Commonwealth the time for the withdrawal of candidates for nomination or election at any primary and the time for filing objections to nomination petitions and nomination papers

HOUSE BILL No. 731.

An Act to further amend subsection (c) of section four hundred twelve of the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1333) entitled "An act concerning elections including general municipal special and primary elections the nomination of candidates primary and election expenses and election contests creating and defining membership of county boards of elections imposing duties upon the Secretary of the Commonwealth courts county boards of elections county commissioners imposing penalties for violation of the act and codifying revising and consolidating the laws relating thereto and repealing certain acts and parts of acts relating to elections" fixing the mileage of judges of election for transmitting returns of primaries and elections and ballot boxes

HOUSE BILL No. 747.

An Act to further amend clause (f) and to amend clause (g) of section twenty of the act approved the thirtieth day of March one thousand nine hundred thirty-seven (P. L. 115) entitled "An act to provide for the permanent personal registration of electors in cities of the first class as a condition of their right to vote at elections and primaries and their enrollment as members of political parties as a further condition of their right to vote at primaries prescribing certain procedure for the conduct of elections and primaries and the challenge and proof of qualifications of electors and prescribing the powers and duties of citizens parties bodies of electors registration commissions commissioners registrars inspectors of registration and other appointees of registration commission election officers municipal officers departments and bureaus police officers courts judges prothonotaries sheriffs county commissioners peace officers county treasurers county controllers registrars of vital statistics real estate brokers rental agents certain public service companies persons firms and corporations operating vehicles for moving furniture and household goods and boards of school directors and imposing penalties" by changing procedure relating to registration of State employes

HOUSE BILL No. 758.

An Act to further amend section fifty of the act approved the second day of May one thousand nine hundred twenty-five (P. L. 448) entitled "An act relating to fish and amending revising consolidating and changing the law relating to fish in the inland waters and the boundary lakes and boundary rivers of the Commonwealth" authorizing the board of Fish Commissioners to adopt certain rules and regulations governing the taking of fish by trolling from moving boats electrically propelled by internal combustion motors and making it unlawful to engage in such trolling in violation of the rules and regulations thus adopted.

HOUSE BILL No. 844.

An Act to further amend the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant-Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" by providing that under war time conditions the Department of Property and Supplies may make certain purchases and may authorize any department board or commission to make certain purchases without advertising or competitive bidding further providing as to the supervision of the Department of Property and Supplies over the construction and alteration of buildings and over the plans and specifications therefor relieving the Department of Property and Supplies from the duty of supervising the operation of mechanical and electrical equipment used in connection with the operation of State institutions or other State buildings and authorizing departments boards and commissions to make certain purchases of repair parts to contract for public utility services to rent machinery and equipment to employ labor on a temporary basis under certain conditions to subscribe to certain publications and to take memberships in certain organizations and societies.

HOUSE BILL No. 993.

An Act to amend clause (g) of section two hundred four of the act approved the twenty-second day of May one thousand nine hundred and thirty-three (P. L. 853) entitled "An act relating to taxation designating the subjects property and persons subject to and exempt from taxation for all local purposes providing for and regulating the assessment and valuation of persons property and subjects of taxation for county purposes and for the use of those municipal and quasi-municipal corporations which levy their taxes on county assessments and valuations amending revising and consolidating the law relating thereto and repealing existing laws" by providing that the exemption from local taxation afforded to certain public property shall not extend to propery otherwise taxable which is owned or held by an agency of the Government of the United States

HOUSE BILL No. 1092.

An Act to amend section twelve of the act approved the fourteenth day of June one thousand nine hundred twenty-three (P. L. 710) entitled "An act allowing and regulating boxing sparring and wrestling matches and exhibitions establishing a State Athletic Commission making an appropriation therefor and appropriating moneys received for monument and memorial purposes and prescribing penalties" changing the minimum age for participants in amateur boxing sparring and wrestling matches and exhibitions and providing a penalty.

With the information that the Senate has passed the same without amendment.

AMENDED HOUSE BILLS RECALLED FROM THE GOVERNOR CONCURRED IN BY SENATE

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 462.

An Act authorizing in certain cases the renewal of old motor vehicle operators' licenses for persons honorably discharged from the armed forces of the United States or from any women's organization officially connected therewith without a learners permit examination or additional fee and while in such service the operation of motor vehicles without renewal of operator's license and the temporary suspension of existing laws requiring the same

Said bill having been recalled from the Governor for the purpose of amendment, the vote had on final passage and third reading reconsidered in the House and the bill amended, in which amendments the Senate has concurred.

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 644.

An Act to further amend sections five hundred and eleven and six hundred and ten of the act approved the first day of May one thousand nine hundred and twenty-nine (P. L. 1005) entitled "An act relating to and regulating tractors and trailers and their operation providing for their registration and the licensing of certain operators by the Department of Revenue upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of tractors and trailers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns and townships within the Commonwealth liability for damages caused by the negligent operation of tractors and trailers imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" authorizing the issuance of special permits for the operation upon the highways of oversize and overweight quarry equipment and machinery and fixing fees therefor

Said bill having been recalled from the Governor for the purpose of amendment. the vote had on final passage and third reading reconsidered in the House and the bill amended, in which amendments the Senate has concurred.

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 694.

An Act to amend sections one five seven nine and twelve and to repeal section six of the act approved the twenty-seventh day of May one thousand nine hundred and thirty-seven (P. L. 901) entitled "An act for the protection of producers of farm produce providing for the licensing the bonding or holding collateral of and the regulation of certain dealers in farm produce as herein defined within this Commonwealth conferring powers and imposing duties on the Department of Agriculture providing for appeals and injunctions and prescribing penalties" by changing definitions the period of the license

and the fee therefor and the contents of records eliminating the requirement for a bond adding to the reasons for refusing licenses and increasing the penalties

Said bill having been recalled from the Governor for the purpose of amendment, the vote had on final passage and third reading reconsidered in the House and the bill amended, in which amendments the Senate has concurred.

BILLS READ FIRST TIME

Mr. WALTER E. ROSE. Mr. Speaker, I move that all bills reported from Committees as committed be read for the first time.

The motion was unanimously agreed to.

REPORTS FROM COMMITTEES

Mr. HARE, from the Committee on Public Utilities reported as committed, House Bill No. 852, entitled:

An Act to further amend the act, approved the twenty-eighth day of May, one thousand nine hundred and thirty-seven (P. L. 1053), entitled "An act relating to the regulation of public utilities; defining as public utilities certain corporations, companies, associations, and persons; providing for the regulation of public utilities, including, to a limited extent, municipalities engaging in public utility business, by prescribing, defining, and limiting their duties, powers, and liabilities, and regulating the exercise, surrender or abandonment of their powers, privileges, and franchises; defining and regulating contract carriers by motor vehicles and brokers in order to regulate effectively common carriers by motor vehicle; conferring upon the Pennsylvania Public Utility Commission the power and duty of supervising and regulating persons, associations, companies, and corporations, including, to a limited extent, municipal corporations, subject to this act, and administering the provisions of this act; authorizing the commission to fix temporary rates; placing the burden of proof on public utilities to sustain their rates and certain other matters; authorizing a permissive or mandatory sliding scale method of regulating rates; providing for the supervision of financial and contractual relations between public utilities and affiliated interests, and supervision and regulation of accounts and securities or obligations issued, assumed, or kept by persons, associations, companies, corporations or municipal corporations subject to this act; conferring upon the commission power to vary, reform, or revise certain contracts; conferring upon the commission the exclusive power to regulate or order construction, alteration, relocation, protection, or abolition of crossings of facilities of public utilities, and of such facilities by or over public highways, to appropriate property for the construction or improvement of such crossings, and to award or apportion resultant costs and damages; authorizing owners of such property to sue the Commonwealth for such damages; providing for ejectment proceedings in connection with the appropriation of property for crossings; conferring upon the commission power to control and regulate budgets of public utilities; imposing upon persons, associations, companies, and corporations (except municipal corporations) subject to regulation, the cost of administering this act; prescribing and regulating practice and procedure before the commission and procedure for review by the courts of commission action; giving the court of common pleas of Dauphin County exclusive original jurisdiction over certain proceedings; prescribing penalties, fines, and imprisonment for violations of the Provisions of this act and regulations and order of the commission, and the procedure for enforcing such fines and penalties; and repealing legislation supplied and superseded by or inconsistent with this act," by exempting from the provisions thereof the transportation of voting machines for and on account of political subdivisions for use in the conduct of any primary, general, or special election.

Mr. STOCKHAM, from the Committee on Appropriations reported as committed, House Bill No. 972, entitled:

An Act making appropriations for aid to free public non-sectarian county libraries, and for the purchase and transportation of books.

Mr. JAMES, from the Committee on Public Utilities reported as committed, House Bill No. 1050, entitled:

An Act to further amend the first paragraph of section four and section nine of the act, approved the twenty-eighth day of June, one thousand nine hundred and thirty-five (P. L. 463), entitled, as amended "An act providing for the incorporation, as bodies corporate and politic, of 'Authorities' for municipalities; counties, and townships; defining, the same; prescribing the rights, powers and duties of such Authorities; authorizing such Authorities to acquire, construct, improve, maintain, and operate projects, and to borrow money and issue bonds therefor; providing for the payment of such bonds, and prescribing the rights of the holders thereof; conferring the right of eminent domain on such Authorities; authorizing such Authorities to enter into contracts with and to accept grants from the Federal Government or any agency thereof; and for other purposes," by authorizing municipal authorities to acquire, construct, maintain, operate and lease, terminal facilities for the interchange of transportation of persons, property or any and all other things, including port, rail-river, rail-truck, rail-bus, rail-plane, river-truck, river-bus and river-plane terminals with warehouse and storage facilities; and authorizing the Commonwealth, political subdivisions thereof and other owners to transfer such terminal facilities to municipal authorities.

Mr. MORAN, from the Committee on Labor reported as committed, Senate Bill No. 344, entitled:

An Act to further amend clause (c) of section three of the act approved the first day of June one thousand nine hundred thirty-seven (P. L. 1168) entitled "An act to protect the right of employes to organize and bargain collectively creating the Pennsylvania Labor Relations Board conferring powers and imposing duties upon the Pennsylvania Labor Relations Board officers of the State government and courts providing for the right of employes to organize and bargain collectively declaring certain labor practices by employers to be unfair further providing that representatives of a majority of the employes be the exclusive representatives of all the employes authorizing the board to conduct hearings and elections and certify as to representatives of employes for purposes of collective bargaining empowering the board to prevent any person from engaging in any unfair labor practice and providing a procedure for such cases including the issuance of a complaint the conducting of a hearing and the making of an order empowering the board to petition a court of common pleas for the enforcement of its order and providing a procedure for such cases providing for the review of an order of the board by a court of common pleas on petition of any person aggrieved by such order and establishing a procedure for such cases providing for an appeal from the common pleas court to the Supreme Court providing the board with investigatory powers including the power to issue subpoenas and the compelling of obedience to them through application to the proper court providing for service of papers and process of the board prescribing certain penalties" including persons subject to the National Labor Relations Act in the definition of "employer" and defining the term "labor organization."

Mr. KENNEDY, from the Committee on Agriculture reported as committed, Senate Bill No. 444, entitled:

An Act to repeal the act approved the fourth day of May one thousand eight hundred eighty-nine (P. L. 87) entitled "An act relating to sales of provisions by description."

Mr. LEONARD, from the Committee on Labor reported as committed, Senate Bill No. 516, entitled:

An Act authorizing during the continuance of the present war and for a period thereafter the employment except during school hours or after the hour of eleven o'clock post meridian of certain minors as pin boys in bowling alleys; and suspending existing laws which prohibit such employment

Mr. McSURDY, from the Committee on Counties, reported as committed, Senate Bill No. 570, entitled:

An Act relating to assessment for taxation in counties of the fourth, fifth, sixth, seventh and eighth classes; designating the subjects, property and persons subject to and exempt from taxation for county, borough, town, township, school, except in cities, and county institution district, purposes; and providing for and regulating the assessment and valuation thereof for such purposes; creating in each such county a board for the assessment and revision of taxes; defining the powers and duties of such boards; providing for the acceptance of this act by cities; regulating the office of ward, borough, town and township assessors; abolishing the offices of assistant assessor and assistant triennial assessor in townships of the first class; providing for the appointment of a chief assessor, assistant assessors and other employes; providing for their compensation payable by such counties; prescribing certain duties of and certain fees to be collected by the recorder of deeds; and eliminating the triennial assessment

Mr. MADIGAN, from the Committee on Agriculture, re-reported as amended, House Bill No. 749, entitled:

An Act to further amend sections fifteen and eighteen of the act, approved the twelfth day of June, one thousand nine hundred nineteen (P. L. 466), entitled "An act to provide for the incorporation and regulation of cooperative agricultural associations not having a capital stock and not conducted for profit, and defining agriculture so as to include persons engaged in agriculture, dairying, livestock raising, poultry raising, beekeeping, and horticulture," by providing for the termination of memberships, and exempting associations from payment of certain State, county or municipal tax, and the filing of reports relative to such taxes.

Mr. MADIGAN, from the Committee on Agriculture, re-reported as amended, House Bill No. 892, entitled:

An Act to amend sections two, four, five, six, seventeen and twenty of the act, approved the thirtieth day of April, one thousand nine hundred and twenty-nine (P. L. 885), entitled "An act to provide for the incorporation and regulation of cooperative agricultural associations having capital stock; and defining agriculture so as to include persons engaged in agriculture, dairying, livestock raising, poultry raising, floriculture, mushroom growing, beekeeping, horticulture, and other allied occupations; and providing penalties," by providing for associations to be formed by two or more cooperative agricultural associations; removal of limitations on holding of common stock; further regulating preferred stock dividends and patronage, and further exempting certain classes of associations formed under such act from state, county and municipal taxation, and from the duty of filing certain tax reports.

BILLS ON FIRST READING

Pursuant to motion unanimously agreed to the following bills were read the first time.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 852, entitled:

An Act to further amend the act, approved the twenty-eighth day of May, one thousand nine hundred and thirty-seven (P. L. 1053), entitled "An act relating to the regulation of public utilities; defining as public utilities certain corporations, companies, associations, and persons; providing for the regulation of public utilities, including, to a limited extent, municipalities engaging in public utility business, by prescribing, defining, and limiting their duties, powers, and liabilities, and regulating the exercise, surrender or abandonment of their powers, privileges, and franchises; defining and regulating contract carriers by motor vehicle and brokers in order to regulate effectively common carriers by motor vehicle; conferring upon the Pennsylvania Public Utility Commission the power and duty of supervising and regulating persons, associations, companies, and corporations, including, to a limited extent, municipal corporations, subject to this act, and administering the provisions of this act; authorizing the commission to fix temporary rates; placing the burden of proof on public utilities to sustain their rates and certain other matters; authorizing a permissive or mandatory sliding scale method of regulating rates; providing for the supervision of financial and contractual relations between public utilities and affiliated interests, and supervision and regulation of accounts and securities or obligations issued, assumed, or kept by persons, associations, companies, corporations or municipal corporations subject to this act; conferring upon the commission power to vary, reform, or revise certain contracts; conferring upon the commission the exclusive power to regulate or order construction, alteration, relocation, protection, or abolition of crossings of facilities of public utilities, and of such facilities by or over public highways, to appropriate property for the construction or improvement of such crossings, and to award or apportion resultant costs and damages; authorizing owners of such property to sue the Commonwealth for such damages; providing for ejectment proceedings in connection with the appropriation of property for crossings; conferring upon the commission power to control and regulate budgets of public utilities; imposing upon persons, associations, companies, and corporations (except municipal corporations) subject to regulation, the cost of administering this act; prescribing and regulating practice and procedure before the commission and procedure for review by the courts of commission action; giving the court of common pleas of Dauphin County exclusive original jurisdiction over certain proceedings; prescribing penalties, fines, and imprisonment for violations of the Provisions of this act and regulations and orders of the commission, and the procedure for enforcing such fines and penalties; and repealing legislation supplied and superseded by or inconsistent with this act," by exempting from the provisions thereof the transportation of voting machines for and on account of political subdivisions for use in the conduct of any primary, general, or special election.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 972, entitled:

An Act making appropriations for aid to free public non-sectarian county libraries, and for the purchase and transportation of books.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1050, entitled:

An Act to further amend the first paragraph of section four and section nine of the act, approved the twenty-

eighth day of June, one thousand nine hundred and thirty-five (P. L. 463), entitled, as amended "An act providing for the incorporation, as bodies corporate and politic, of 'Authorities' for municipalities; counties, and townships; defining, the same; prescribing the rights, powers and duties of such Authorities; authorizing such Authorities to acquire, construct, improve, maintain, and operate projects, and to borrow money and issue bonds therefor; providing for the payment of such bonds, and prescribing the rights of the holders thereof; conferring the right of eminent domain on such Authorities; authorizing such Authorities to enter into contracts with and to accept grants from the Federal Government or any agency thereof; and for other purposes," by authorizing municipal authorities to acquire, construct, maintain, operate and lease, terminal facilities for the interchange of transportation of persons, property or any and all other things, including port, rail-river, rail-truck, rail-bus, rail-plane, river-truck, river-bus and river-plane terminals with warehouse and storage facilities; and authorizing the Commonwealth, political subdivisions thereof and other owners to transfer such terminal facilities to municipal authorities.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 344, entitled:

An Act to further amend clause (c) of section three of the act approved the first day of June one thousand nine hundred thirty-seven (P. L. 1168) entitled "An act to protect the right of employes to organize and bargain collectively creating the Pennsylvania Labor Relations Board conferring powers and imposing duties upon the Pennsylvania Labor Relations Board officers of the State government and courts providing for the right of employes to organize and bargain collectively declaring certain labor practices by employers to be unfair further providing that representatives of a majority of the employes be the exclusive representatives of all the employes authorizing the board to conduct hearings and elections, and certify as to representatives of employes for purposes of collective bargaining empowering the board to prevent any person from engaging in any unfair labor practice and providing a procedure for such cases including the issuance of a complaint the conducting of a hearing and the making of an order empowering the board to petition a court of common pleas for the enforcement of its order and providing a procedure for such cases providing for the review of an order of the board by a court of common pleas on petition of any person aggrieved by such order and establishing a procedure for such cases providing for an appeal from the common pleas court to the Supreme Court providing the board with investigatory powers including the power to issue subpoenas and the compelling of obedience to them through application to the proper court providing for service of papers and process of the board prescribing certain penalties" including persons subject to the National Labor Relations Act in the definition of "employer" and defining the term "labor organization."

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 444, entitled:

An Act to repeal the act approved the fourth day of May one thousand eight hundred eighty-nine (P. L. 87) entitled "An act relating to sales of provisions by description."

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 516, entitled:

An Act authorizing during the continuance of the present war and for a period thereafter the employment except during school hours or after the hour of eleven o'clock post meridian of certain male minors as pin boys in bowling alleys and suspending existing laws which prohibit such employment.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 570, entitled:

An Act relating to assessment for taxation in counties of the fourth fifth sixth seventh and eighth classes designating the subjects property and persons subject to and exempt from taxation for county borough town township school except in cities and county institution district purposes and providing for and regulating the assessment and valuation thereof for such purposes creating in each such county a board for the assessment and revision of taxes defining the powers and duties of such boards providing for the acceptance of this act by cities regulating the office of ward borough town and township assessors abolishing the offices of assistant assessor and assistant triennial assessor in township of the first class providing for the appointment of a chief assessor assistant assessors and other employes providing for their compensation payable by such counties prescribing certain duties of and certain fees to be collected by the recorder of deeds and eliminating the triennial assessment

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

RESOLUTIONS REPORTED FROM COMMITTEE

Mr. WALTER E. ROSE asked and obtained unanimous consent to report from the Committee on Rules a House Resolution (not printed) and for its immediate consideration.

The resolution was twice read, considered and adopted as follows:

In the House of Representatives, April 26, 1943.

George Washington and Thomas Jefferson, the first and second Presidents of our Nation, the father of his country and the great liberator both not only believed that no President of the United States should serve more than two terms, but both refused to accept a third term.

Andrew Jackson also left the office more popular than he entered it, adhered to the tradition established by the great men who had preceded him.

Any President's serving more than two terms weakens the legislative branch and creates a subservient judiciary, thereby impairing the constitutional plan and framework of the Federal Government.

At this time when democracy is being challenged all over the world, it well behooves us to return to the tradition established by Washington, Jefferson and Jackson.

When the same President serves for more than a decade, many of the younger citizens, such as those who are now fighting and dying to preserve our ideals, become unfamiliar with the merits of the system and tradition under which there is periodically a change in the presidency of our country; therefore be it

Resolved (if the Senate concur), That the General Assembly of this Commonwealth hereby memoralizes the Congress of the United States to propose an amendment to the Federal Constitution prohibiting any person hereafter from serving more than two successive terms as President of the United States; and be it further

Resolved, That copies of this resolution be transmitted by the Chief Clerk of the House of Representatives to the presiding officers of each House of Congress and to each United States Senator and Congressman from Pennsylvania.

Ordered, That the Clerk present the same to the Senate for concurrence.

LEAVES OF ABSENCE

By unanimous consent leaves of absence were granted as follows:

Mr. Lichtenwalter for Messrs. McATEE and GREENWOOD for the remainder of the week.

Mr. FREED for himself after 3:30 p. m. for the remainder of the week.

Mr. AUKER for himself after 2:45 p. m. for the remainder of the week.

Mr. James for Mr. GATES for the remainder of the week.

Mr. GYGER for himself for today's session after 3:30 p. m.

Mr. FLEMING for himself for today's session after 2:45 p. m.

Mr. Fleming for Mr. HANNON for the remainder of the week.

Mr. O'BRIEN for himself for the remainder of the week after 4 p. m.

Mr. ELLIOTT for himself after 4:30 p. m. today.

Mr. B. Frank Hunter for Mr. SARRAF for today's session.

Mr. Hoffman for Mr. KITCHEN for this afternoon's session.

Mr. CROOP for himself after 2:30 p. m. today.

Mr. Longo for Mr. BENTZEL for this afternoon's session.

Mr. OWEN for himself after 2:30 p. m.

Mr. Duffy for Mr. HERSCH after 2:30 p. m.

Mr. DUFFY for himself after 2:30 p. m.

Mr. BOORY for himself after this afternoon's session.

Mr. Yester for Mr. BENTLEY for this afternoon's session.

Mr. STONIER for himself after 2:30 p. m.

Mr. ALSPACH for himself after this afternoon's session.

Mr. LEYDIC for himself after 1:45 p. m. today.

Mr. O'CONNOR for himself after 4 p. m. today.

Mr. READINGER for himself and Messrs. PAUL A. BRUNNER and GRANT after 4 p. m. today.

Mr. KENNEDY for himself after this afternoon's session.

Mr. JONES for himself and Mr. HOFFMAN after 3:30 p. m. today.

PERMISSION TO ADDRESS HOUSE

Mr. HERMAN asked and obtained unanimous consent to address the House.

Mr. Speaker, on January 19th his Excellency the Governor of Pennsylvania addressed the Assembly and among other things he said:

> Today, as the Governor of all the people of Pennsylvania I ask for united support in order that during our term of office we may accomplish the maximum good for the greatest number of people. This war effort must go on, move forward and its tempo must be increased. In this country we recognize that the interests of the worker and the employer are basically the same. Both working together, have helped to mould and create this mighty Republic.

Mr. Speaker, we have passed quite a bit of legislation in favor of employers in Pennsylvania. But so far as the worker is concerned we have passed here next to nothing. He has been neglected. I would like to have the Members of the House consider the various vital wartime problem of Workmen's Compensation, as developed in House Bills 227, 229, 244, 437 and 438, introduced in this House by me last February the 8th. These bills deal with the very serious subject which vitally affects that extremely large number of workers who are casualties of industry. They are crippled and maimed by physical accidents or victims of occupational disease and consequently become quite a heavy burden on their helpless dependents.

Since the war began these casualties have increased rapidly and tragically, as could be expected from speeding up of industry, long hours, the entrance of inexperienced workers in a great effort to defeat this Nation's enemies, in this great war.

According to statistics industrial accidents have increased tremendously in the past three years. I have obtained some statistics from the Department of Labor and Industry of this Commonwealth, prepared by the Bureau of Research and Information, which show that in 1940, 109,475 workers were injured in industry. In 1941 this number increased to 130,403 workers injured. In 1942 there were 139,565 workers injured, and from present indications in 1943 there will be about 175,000 workers injured in industry. These do not include, however, those who are incapacitated as a result of occupational disease. My bills deal with two particular problems in workmen's compensation and occupational disease legislation as met under the Pennsylvania acts; first, employers' responsibility and, second, benefits paid.

The present laws provide for the payment of compensation by such employers as voluntarily come under the acts. Employers can take them or leave them alone. Employers who leave them alone take their chances in suits for damages or face other settlement with the victims of industrial accidents and diseases, or make no payment whatever, resulting in many injustices and hardships.

Employers who accept the acts have to satisfy the Department of Labor and Industry that they are financially capable of paying compensation awards. It is optional with the employers as to what form of insurance they carry.

But employers who do not accept the present law, or refuse to come under it are not required to prove they are financially capable of meeting court damage awards or other settlements. Such employers as do not meet their obligations or chisel on them therefore have a definite competitive advantage over fair employers who make good.

House Bills Nos. 227 and 229 provide amendments to the Occupational Disease and Workmen's Compensation Acts by adding Section 205. By this provision employers who do not come under the act would have to prove their financial responsibility no less than employers who come under the act.

House Bill No. 244 would authorize the State Fund to accept and carry all employers who desire to use that

form of insurance to meet workmen's compensation and occupational disease obligations.

House Bills Nos. 437 and 438 deal with benefits.

Pennsylvania today ranks about 28th in the list of states for payment of workmen's compensation.

There can be no justification for such utter disregard of the miserable condition in which workers are left, those whose misfortune it is to be maimed or stricken at their jobs, and, whose injuries deprive their dependents of breadwinners.

The present state acts likewise have many other shortcomings so that compensation payments are hard to get as well as inadequate compared with the other large industrial states.

The state Occupational Disease Act covers only certain limited cases. New York, Massachusetts, Connecticut, Ohio, Indiana, Illinois, Wisconsin, Missouri and California are great industrial states which provide compensation for all occupational diseases. Pennsylvania should be in this humane class.

Without going into further detail of the many particulars in which the present state acts are behind other important states. I desire to impress upon you that if House Bills Nos. 227, 229, 244, 437 and 438 were considered on their merits and adopted, Pennsylvania would take the place in which it rightfully belongs; especially now when such injuries have increased enormously in war production.

House Bills Nos. 227, 229 and 244 were referred to the Workmen's Compensation Committee on February 9. House Bills Nos. 437 and 438 went to that Committee on February 24.

As this session of the General Assembly draws to a close, there seems no disposition on the part of that Committee to take up these bills, and give them proper consideration

PERMISSION TO ADDRESS HOUSE

Mr. LICHTENWALTER asked and obtained unanimous consent to address the House.

Mr. Speaker, on the members' desks I think there is a copy of House Bill No. 549, Printer's No. 653, which has been recalled from the Governor for amendment. The amendments have been inserted. It is very necessary that this bill be concurred in by the Senate and signed by the Governor today.

I would like to ask unanimous consent to act on this bill immediately. The reason is that this is the bill which will allow the State Treasurer, with the approval of the Governor, to invest funds of the Commonwealth in Government war bonds. There is an issue of bonds to be on sale tomorrow, of which the Commonwealth is greatly interested in purchasing a considerable amount. It is very necessary that this bill be concurred in by the Senate and be on the Governor's desk today. So, Mr. Speaker, I ask unanimous consent of the House in advance of the calendar to consider this bill immediately.

UNANIMOUS CONSENT REQUESTED

Mr. LICHTENWALTER asked unanimous consent to call up out of order House Bill No. 549, Printer's No. 653, on page 20 of today's calendar, bills on final passage recalled from the Governor.

The SPEAKER. Will the House give its unanimous consent? Is there objection?

Mr. LOVETT. Mr. Speaker, I would like to interrogate the gentleman from Lehigh, Mr. Lichtenwalter.

The SPEAKER. Will the gentleman from Lehigh permit himself to be interrogated?

Mr. LICHTENWALTER. I shall, Mr. Speaker.

Mr. LOVETT. Mr. Speaker, I would like to have the gentleman tell us in what particular bonds the state is particularly interested.

Mr. LICHTENWALTER. I understand, Mr. Speaker, that there is a series of war bonds, government bonds, to be put on sale tomorrow, Friday, April 30, and they are very much interested, I believe, in purchasing a considerable amount of them; investing the Commonwealth's money, which this bill will allow them to do. They are short term bonds which the act that we passed two weeks ago described and which may be purchased by the Commonwealth. That is the only reason for the haste. The bill had to be recalled from the Governor because of an amendment that had been inserted in the Senate, and it was taken care of in the title of the bill.

Mr. LOVETT. Mr. Speaker, may I ask the gentleman if these bonds are to be offered only, or put on sale only for one or two days or one week?

Mr. LICHTENWALTER. Mr. Speaker, I understand that this type of bonds may be purchased by the Commonwealth, and I believe other municipalities in the Commonwealth. There are usually bids on these bonds, and unless the bid goes in before the time the issue is released it is very difficult to obtain the bonds until another sale is held. These sales are held at various times and at those times are released for sale to the public. That is the only reason, I believe, for our haste on this occasion.

Mr. LOVETT. Mr. Speaker, may I ask the gentleman if he could designate the particular bonds, is it E bonds, B bonds, H bonds or what particular type of bonds?

Mr. LICHTENWALTER. I cannot, Mr. Speaker. However, I know they are government bonds and war bonds, and certainly the State Treasurer of the Commonwealth of Pennsylvania with the approval of the Governor does not care what series it is, whether A, B, C, or D, or whatever it may be. I have been so confused in the last few years in the alphabet, the way it is being used, that I don't care what series it is. The money is going to be invested in government war bonds. We are all interested in having this government of ours receive the support of everybody, and here is the Commonwealth ready and willing through the State Treasurer, with the approval of the Governor, to invest money in these bonds to purchase the things that are so necessary to the war effort. I don't think the gentleman on the other side should now question whether they are series A, B, C, D, E or what series. It makes no difference as long as the money is going to be invested in short term war loans, which is going to be a benefit in the crisis in which we find ourselves.

Mr. LOVETT. Mr. Speaker, I realize that the gentleman is probably confused in the alphabet. I also realize that there are quite a number of different types of bonds. We are interested in seeing that the state buys the type of bonds in which we feel that they will receive the best security that they can receive when they purchase the

bonds. That is the only reason I asked the gentleman if he could designate the particular type of bonds, because we realize that some types of bonds are better than others.

Mr. BROWN. We have the calendar on file now and House Bill No. 549 is on the desk. It will just save our procedure if we get hold of the calendar and call up this bill.

The SPEAKER. Unanimous consent would still be required to call it up.

Mr. BROWN. Mr. Speaker, I understood the request of the gentleman was that we call it up without the calendar. If he will strike that out of his remarks our record will show that we had the calendar.

Mr. LICHTENWALTER. Mr. Speaker, it is perfectly agreeable to me to strike out that portion because the calendar is now on file. I would still ask unanimous consent to call it up for immediate consideration and action.

The SPEAKER. On page 20, the gentleman from Lehigh, Mr. Lichtenwalter, asks unanimous consent to call up House Bill No. 549, Printer's No. 653. Is there objection? The Chair hears none and consent is granted.

BILL ON FINAL PASSAGE

Agreeably to order,

The House proceeded to the consideration on final passage of House Bill No. 549, as follows:

An Act to further amend sections three hundred one and three hundred three of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 343) entitled "An act relating to the finances of the State government providing for the settlement assessment collection and lien of taxes bonus and all other accounts due the Commonwealth the collection and recovery of fees and other money or property due or belonging to the Commonwealth or any agency thereof including escheated property and the proceeds of its sale the custody and disbursement or other disposition of funds and securities belonging to or in the possession of the Commonwealth and the settlement of claims against the Commonwealth the resettlement of accounts and appeals to the courts refunds of moneys erroneously paid to the Commonwealth auditing the accounts of the Commonwealth and all agencies thereof of all public officers collecting moneys payable to the Commonwealth or any agency thereof and all receipts of appropriations from the Commonwealth and imposing penalties affecting every department board commission and officer of the State government every political subdivision of the State and certain officers of such subdivisions every person association and corporation required to pay assess or collect taxes or to make returns or reports under the laws imposing taxes for State purposes or to pay license fees or other moneys to the Commonwealth or any agency thereof every State depository and every debtor or creditor of the Commonwealth" by authorizing the Treasury Department with the approval of the Governor to invest State deposits in short-term obligations of the United States government and to dispose of the same and conferring certain powers and duties upon the Treasury Department with respect to such obligations

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 That section three hundred one of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 343) entitled "An act relating to the finances of the State government providing for the settlement assessment collection and lien of taxes bonus and all other accounts due the Commonwealth the collection and recovery of fees and other money or property due or belonging to the Commonwealth or any agency thereof including escheated property and the proceeds of its sale the custody and disbursement or other disposition of funds and securities belonging to or in the possession of the Commonwealth and the settlement of claims against the Commonwealth the resettlement of accounts and appeals to the courts refunds of moneys erroneously paid to the Commonwealth auditing the accounts of the Commonwealth and all agencies thereof of all public officers collecting moneys payable to the Commonwealth or any agency thereof and all receipts of appropriations from the Commonwealth and imposing penalties affecting every department board commission and officer of the State government every political subdivision of the State and certain officers of such subdivisions every person association and corporation required to pay assess or collect taxes or to make returns or reports under the laws imposing taxes for State purposes or to pay license fees or other moneys to the Commonwealth or any agency thereof every State depository and every debtor or creditor of the Commonwealth" as last amended by the act approved the seventh day of June one thousand nine hundred thirty-five (P. L. 283) is hereby further amended to read as follows

Section 301 Deposit of Moneys The Treasury Department shall deposit all moneys of the Commonwealth received by it including moneys not belonging to the Commonwealth but of which the Treasury Department or the State Treasurer is custodian in State depositories approved by the Board of Finance and Revenue

The Treasury Department shall not at any time have in all active depositories more than an aggregate of such total sum as the Board of Finance and Revenue shall by resolution have prescribed and shall not deposit in any one inactive depository an amount in excess of twenty-five per centum of its paid-in capital and surplus nor in excess of five hundred thousand dollars Provided however That in the case of any particular depository these limitations may be waived by the Board of Finance and Revenue so as to permit the State Treasurer to deposit State moneys not in excess of one million dollars in any bank banking institution or trust company designated as an inactive depository

All departments boards or commissions having in their possession any moneys belonging to the Commonwealth shall deposit them in State depositories approved by the Board of Finance and Revenue In all such cases the depositing department board or commission shall forthwith upon opening the account notify the Department of the Auditor General and the Treasury Department of the name of the depository and the nature of the funds to be deposited in the account

The Board of Finance and Revenue with the approval of the Governor may from time to time invest in direct short-term obligations of the United States government such amounts of the moneys of the Commonwealth with the exception of moneys in any fund authorized by law to be invested by any other board commission or State officer on deposit from time to time in State depositories as shall have accumulated beyond the ordinary needs of various funds The Board of Finance and Revenue with the Governor's approval shall from time to time as necessary sell such short term obligations and credit the proceeds to the funds out of which the purchases were made

Section 2 That section three hundred three of said act as amended by the act approved the first day of June one thousand nine hundred thirty-one (P. L. 318) is hereby further amended to read as follows

Section 303 Securities The Treasury Department shall

(a) Safely keep all securities delivered to it or to the State Treasurer as custodian thereof by any department board or commission under authority of any act of Assembly

(b) From time to time collect dividends interest or any other income accruing on such securities and credit the proceeds of such collections to the proper fund

(c) In proper cases surrender such securities for redemption and credit the proceeds thereof to the proper fund

(d) Upon receipts of written authorization from the department board or commission which deposited them

make delivery of any such securities lawfully sold by such department board or commission [and]

(e) Safely keep all short-term obligations of the United States government purchased by it under the provisions of this act from time to time collect interest or other income accruing on such short-term obligations and credit the same to the proper funds

[(e)] (f) From time to time to advise the Department of Revenue and the departments boards or commissions affected of amounts credited to any funds hereunder

The Treasury Department is authorized to carry such insurance against the loss of all or any cash and securities of which it or the State Treasurer is custodian through theft burglary or otherwise and such insurance to cover forgeries of all kinds on checks drafts warrants and requisitions as the department shall deem advisable The Treasury Department is also authorized to make settlement for to take delivery of and to have held for the account of the funds out of which purchased any of the short term obligations of the United States Government which may be purchased under the terms of this act at the Federal Reserve Bank of Philadelphia or the Pittsburgh branch of the Federal Reserve Bank of Cleveland

Section 3 This act shall become effective immediately upon its final enactment

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—170

Alspach,	Garber,	Levy,	Rose, S.
Barrett,	Gardner,	Lichtenwalter,	Rose, W. E.,
Baker,	Gillan,	Livingstone,	Rowley,
Barton,	Goodling,	Longo,	Royer,
Bonawitz,	Gorman,	Lovett,	Salus,
Boorse,	Goodwin,	Lyons,	Sarge,
Bower,	Grant,	Madigan,	Scanlon,
Boyd,	Green,	Mahany,	Schuster,
Bretherick,	Gross,	Maxwell,	Serrill,
Brice,	Haberlen,	McClester,	Simons,
Brigerman,	Hall,	McKinney,	Smith,
Brown,	Hamilton,	McMillen,	Snider,
Brunner, C. H.,	Hare,	McSurdy,	Sollenberger,
Brunner, P. A.,	Harris,	Menna,	Sorg,
Burns,	Haudenshield,	Mihm,	Stank,
Calvin,	Heatherington,	Miller,	Stockham,
Campbell,	Helm,	Mintess,	Stonier,
Chudoff,	Herman,	Mock,	Tahl,
Cohen,	Hewitt,	Mooney,	Tate,
Cook,	Hocke,	Moore,	Taylor,
Cooper,	Hoffman,	Moran,	Thrasher,
Cordier,	Hoggard,	Muir,	Thompson,
Corrigan,	Holmes,	Munley,	Tiemann,
Costa,	Hoopes,	Murray,	Trent,
Coulson,	Hunter, B. F.,	Nowak,	Trout,
Cullen,	Hunter, W. M.,	O'Brien,	Turbett,
Dague,	Huntley,	O'Connor,	Verona,
Dalrymple,	Imbrie,	O'Dare,	Wachhaus,
Denman,	Irvin,	O'Neill,	Wagner, K. H.,
Dennison,	James,	Petrosky,	Wagner, P. L.,
Depuy,	Jones,	Pettit,	Wallin,
Dillon,	Kennedy,	Polaski,	Walton,
Dix,	Kirley,	Powers,	Watkins,
Elder,	Kline,	Readinger,	Weiss,
Elliott,	Kolankiewicz,	Reagan,	Welsh,
Ely,	Kowalski,	Reese, D. P.,	Wood, N.,
Erb,	Krepps,	Reese, R. E.,	Worley,
Ewing,	Krise,	Regan,	Wright,
Figlock,	Lane,	Reilly,	Yeakel,
Finnerty,	Laughner,	Reynolds,	Yester,
Flack,	Lee,	Riley,	Fiss,
Foor,	Leisey,	Robertson,	Speaker.
Fox,	Leonard,	Root,	

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

PERMISSION GRANTED COMMITTEE TO MEET DURING SESSION

Mr. SARGE asked and obtained permission for the Committee on State Government to meet during the session of the House.

PERMISSION TO ADDRESS HOUSE

Mr. LONCO asked and obtained unanimous consent to address the House.

Mr. Speaker and Members of the House—I introduced, on March 16th, a series of bills dealing with the social welfare of the citizens of this Commonwealth.

These bills have reference to the establishment of hospitals for the care and treatment of persons afflicted with venereal disease; authorizing the Governor to direct the head of the Pennsylvania State Police to create a State Vice Squad; authorizing the Secretary of Revenue to suspend or revoke registration plates and licenses of car owners who use or permit the use of their vehicles for the purpose of prostitution or for the purpose of transporting prostitutes from one locality to another; penalizing policemen for failure to report bawdy houses in the district which they patrol; authorizing judges to confine, for the duration of the war, persons convicted of being procurers, panderers and prostitutes; and lastly, a bill simplifying the rules of evidence necessary to convict persons arrested for prostitution.

The subject matter of these bills is free from politics. Therefore, none of them should create a political issue. These bills, however, do affect corrupt and unscrupulous public officials and police officers whose salaries are paid from public funds and for whom the people of Pennsylvania hold no brief. Why have these bills not been reported out? Is there anything wrong in the establishment of hospitals for the care and treatment of persons afflicted with venereal disease? Is there anything wrong with the Governor directing the head of the Pennsylvania State Police to create a State Vice Squad? Is there anything wrong with the Secretary of Revenue suspending or revoking registration plates and licenses of car owners who use or permit the use of their vehicles for purposes of prostitution or for the purpose of transporting prostitutes from one locality to another? Is there anything wrong with penalizing policemen for failure to report bawdy houses in the district which they patrol? Is there anything wrong with authorizing judges to confine, for the duration of the war, persons convicted of being procurers, panderers and prostitutes? Is there anything wrong with the simplifying of the rules of evidence necessary to convict persons arrested for prostitution? Just recently, three of my bills were discussed in committee, without proper study and without any investigation, they were tabled, which, of course, means that these bills have been given a "solemn burial."

However, on leaving this Committee and after its adjournment, a Republican member of the Committee, in an attempt to console me after he observed my dislike for the action taken by the Committee, informed me of his regret in not being able to "go along" with my bills.

Upon inquiry from this member, I learned that a new lobby composed of persons commonly known as pimps were and are actively opposed to these bills. Gentlemen of the House, in my experience as a member of the House, I have met and discussed many problems with various Lobbyists, but never did I believe that a group of racketeers, underworld hoodlums and pimps were organized into a lobby. This situation is disgraceful and shameful, and leaves me as it must leave the members of the House, in a quandary to judge the strength and fortitude behind the sinister and evil forces which would stymie legislation intended for the protection of the health and welfare of the general public and aid in hindering the war effort. This along in my opinion is sufficient reason for the support and passage of this legislation.

In discussing House Bill No. 784 with the Chairman of the Motor Vehicle Committee, I was further amazed to learn that this bill was not released because it received no favor.

Favor for whom? What decent member of this House, or what decent administrator or executive of this Commonwealth would reject proposed legislation authorizing the Secretary of Revenue to suspend or revoke registration licenses of motor vehicles (which include trailors) used for purposes of prostitution and for transporting prostitutes from one locality to another. Is there anything wrong with such a bill? It appears bewildering, and I am sure the people of Pennsylvania will find disfavor with this Assembly for its failure to remove from our highways automobiles used for illicit purposes, especially in these times of National Peril.

House Bill No. 765 pertains to an appropriation of $600.000 for the establishment of hospitals to cope with the increasing menace of venereal diseases and prevent its spread and the destruction of human life. Gov. Martin, in a number of press releases, expressed a desire and declared the necessity for the establishment of these hospitals. Action on this bill cannot be delayed if we are to curb the spread of these horrible diseases in this State. The problem is gaining in proportion and gravity. Shall it be permitted to reach a point beyond control? Our failure to act will leave the residents of the State of Pennsylvania in great danger. Our manpower will be decreased. Women will undergo great suffering, our institutions will be flooded with mental and physical wrecks.

J. Edgar Hoover, Chief of the Federal Bureau of Investigation, in a speech delivered at the graduation exercises of the F.B.I.'s annual academy, attended by specially elected local police officers, said "Something has happened to our moral fibers—to the Nation's youth under voting age—the arrest of girls under twenty-one years of age for offense against common decency increased 76 per cent. Now is the time to start a counter offensive to keep the home front clean, wholesome and strong."

On another occasion Mr. Hoover pointed out that prostitution and commercialized vice among minor girls increased 64.8 per cent while those arrested for other sex offenses increased 104.7 per cent.

All the authorities agree that there is an alarming increase in venereal disease, in many parts of the country. The consequence to the State and to the Nation will be tragic unless increased effort is given to the prevention of infection. Members of the House, shall we remain complacent in the face of these conditions.

It is very true that morality should not be based merely on the threat of venereal disease. We hope that our young people will conduct their life on a high plane, not because they fear infection, but because they understand and respect the dignity of the human body. The major responsibility for developing this healthy attitude rests on the home, the church and the school. That last statement was made by R. A. Vonderlehr, Assistant Surgeon General, Division of Venereal Diseases, U. S. Public Health Service.

The homes, the churches, and the schools of Pennsylvania have the right to demand the cooperation of the Commonwealth of Pennsylvania and its General Assembly.

Wartime delinquency is not merely a crop of wild oats, to be forgotten when family life is more stable. From these tragic incidents of today will come our postwar crop of vice, disease and crime. Back of every tragedy of promiscuity and venereal disease stands the shadow of delinquent law enforcement. Every father in uniform leaves a double responsibility with this Assembly and all public officials. Every mother on the production line adds the same responsibility.

If we do not become deeply conscious, and at once, of the importance of the subject matter of these bills too many of our mothers and fathers of the future will have a sordid background of immorality and venereal disease.

The Committee Judiciary Special has three bills pertaining to this subject matter. The Committee on Law and Order has one. The Committee on State Government has one and the Committee on Motor Vehicles has one.

Members of the House—these bills have been in the committees since March 16th, 1943, which is more than ten days and not one of them was reported out for your consideration. Will the members of this Assembly permit these bills to die in Committee without affording the members of this House the opportunity of expressing their opinions on the subject? Or shall it be assumed that the hoodlums and racketeers of the underworld have made the necessary contacts. Shall this Assembly be labeled the protectors of vice and bawdy houses in this Commonwealth?

Mr. Speaker, believing that the Committee to which these bills were referred have been derelict and neglectful in the exercise of their duty, I offer the following resolutions that the Committee on Judiciary Special, the Committee on Law and Order, the Committee on Motor Vehicles and the Committee on State Government be discharged from further consideration of these bills to the end that they might come before this body for proper consideration and disposition, and I ask for the roll call Mr. Speaker on all of the resolutions.

RESOLUTION TO DISCHARGE COMMITTEE

Mr. LONGO offered a resolution which was twice read by the Clerk as follows:

In the House of Representatives, April 29, 1943.

Resolved, That the Committee on Judiciary Special be discharged from further consideration of House Bill No. 782 entitled "An act to amend section five hundred twelve of the act, approved the twenty-fourth day of June, one thousand nine hundred thirty-nine (P. L. 872), entitled 'The Penal Code,', by providing that in any prosecution for prostitution, proof of the presence of the

accused in a house of prostitution shall constitute prima facie proof of the commission of prostitution," said bill having been in the hands of said committee more than ten calendar days from the date of its reference thereto.

On the question,
Will the House adopt the resolution?

RESOLUTION TABLED

Mr. LICHTENWALTER. Mr. Speaker, I move that the resolution be laid on the table.

On the question,
Will the House agree to the motion?

PARLIAMENTARY INQUIRY

Mr. TATE. Mr. Speaker, I rise to a question of parliamentary inquiry.

The SPEAKER. The gentleman will state his question of parliamentary inquiry.

Mr. TATE. Mr. Speaker, after a motion has been made to discharge a committee and a roll call has been asked for on the question of discharging the committee, can such motion be placed on the table?

The SPEAKER. A motion to lay on the table has precedence over the original question before the House.

Mr. TATE. I thank you, Mr. Speaker.

QUESTION OF INFORMATION

Mr. LOVETT. Mr. Speaker, I rise to a question of information.

The SPEAKER. The gentleman from Westmoreland will state his question of information.

Mr. LOVETT. Mr. Speaker, may I ask whether it is permissible for me now to ask a question regarding the resolution to discharge?

The SPEAKER. Discussion of the resolution is not permissible, and the motion to lay on the table is not debatable.

Mr. LOVETT. Mr. Speaker, may I ask that the gentleman withdraw his motion so that I may ask one question in regard to the motion to discharge?

The SPEAKER. Will the gentleman from Lehigh withdraw his motion?

Mr. LICHTENWALTER. Mr. Speaker, I disagree with the gentleman from Northampton on this matter of bringing up the resolution at this time. I cannot go along in prolonging this matter with any further questioning or anything further on it at this time. I therefore will not withdraw my motion.

Mr. LOVETT. May I say, Mr. Speaker, that there is only one question.

The SPEAKER. The gentleman declines to withdraw his motion.

Mr. LONGO. Mr. Speaker, I merely want to inform the Members of the House of the agreement that was made. Due to the fact that it would take too much time to have roll calls on all these matters it was agreed between me and the leaders on both sides that there would be no verification of the roll.

On the question recurring,
Will the House agree to the motion?

The yeas and neys were required by Mr. Longo and Mr. Weiss and were as follows:

YEAS—98

Auker,	Freed,	Leisey,	Royer,
Barton,	Garber,	Leydic,	Sarge,
Bonawitz,	Gardner,	Lichtenwalter,	Serrill,
Boorse,	Gillan,	Livingstone,	Simons,
Bower,	Goodling,	Lyons,	Smith,
Bretherick,	Gorman,	Madigan,	Sollenberger,
Brice,	Gross,	Mahany,	Sorg,
Campbell,	Gyger,	McKinney,	Stockham,
Cook,	Hannon,	McSurdy,	Stonier,
Cooper,	Hare,	Menna,	Taylor,
Cordier,	Haudenshield,	Miller,	Thrasher,
Costa,	Helm,	Mintess,	Trout,
Coulson,	Hocke,	Mock,	Turbett,
Dague,	Hoffman,	Moore,	Wachhaus,
Denman,	Holmes,	Muir,	Wagner, K. H.,
Dennison,	Hoopes,	Murray,	Wagner, P. L.,
Depuy,	Hunter, W M.,	Nowak,	Wallin,
Dix,	Huntley,	O'Dare,	Walton,
Ely,	James,	Readinger,	Watkins,
Erb,	Jones,	Reese, D. P.,	Wood, N.,
Ewing,	Kennedy,	Reilly,	Worley,
Figlock,	Kline,	Riley,	Yeakel,
Fleming,	Kowalski,	Robertson,	Fiss,
Foor,	Krise,	Rose, W. E.,	Speaker.
Fox,	Laughner,	Rowley,	

NAYS—50

Baker,	Hamilton,	Mihm,	Reynolds,
Barrett,	Harris,	Mooney,	Scanlon,
Boory,	Heatherington,	Moran,	Schuster,
Brunner, P. A.,	Hersch,	Munley,	Snider,
Burns,	Hoggard,	O'Brien,	Stank,
Chudoff,	Hunter, B. F.,	O'Connor,	Tate,
Cohen,	Kirley,	O'Neill,	Thompson,
Croop,	Kolankiewicz,	Pettit,	Trent,
Cullen,	Lane,	Polaski,	Weiss,
Elliott,	Leonard,	Reagan,	Welsh,
Goodwin,	Longo,	Reese, R. E.,	Wright,
Grant,	Lovett,	Regan,	Yester,
Haberlen,	Maxwell,		

So the question was determined in the affirmative and the motion was agreed to.

RESOLUTION TO DISCHARGE COMMITTEE

Mr. LONGO offered a resolution which was twice read by the Clerk as follows:

In the House of Representatives, April 29, 1943.

Resolved, That the Committee on Law and Order be discharged from further consideration of House Bill No. 781 entitled "An act providing for the establishment of a 'Vice Squad' as an agency in the Pennsylvania Motor Police force, to be used for the elimination and control of prostitution and other immoral and indecent offenses throughout the Commonwealth," said bill having been in the hands of said committee more than ten calendar days from the date of its reference thereto.

On the question,
Will the House adopt the resolution?

RESOLUTION LAID ON TABLE

Mr. LICHTENWALTER. Mr. Speaker, I move that the resolution be laid on the table.

On the question,
Will the House agree to the motion?

The yeas and nays were required by Mr. Longo and Mr. Weiss and were as follows:

YEAS—98

Auker,	Freed,	Leisey,	Royer,
Barton,	Garber,	Leydic,	Sarge,
Bonawitz,	Gardner,	Lichtenwalter,	Serrill,
Boorse,	Gillan,	Livingstone,	Simons,
Bower,	Goodling,	Lyons,	Smith,

Bretherick,	Gorman,	Madigan,	Sollenberger,
Brice,	Gross,	Mahany,	Sorg,
Campbell,	Gyger,	McKinney,	Stockham,
Cook	Hannon,	McSurdy,	Stonier,
Cooper,	Hare,	Menna,	Taylor,
Cordier,	Haudenshield,	Miller,	Thrasher,
Costa,	Helm,	Mintess,	Trout,
Coulson,	Hocke,	Mock,	Turbett,
Dague,	Hoffman,	Moore,	Wachhaus,
Denman,	Holmes,	Muir,	Wagner, K. H.,
Dennison,	Hoopes,	Murray,	Wagner, P. L.,
Depuy,	Hunter, W. M.,	Nowak,	Wallin,
Dix,	Huntley,	O'Dare,	Walton,
Ely,	James,	Reagan,	Watkins,
Erb,	Jones,	Reese, D. P.,	Wood, N.,
Ewing,	Kennedy,	Reilly,	Worley,
Figlock,	Kline,	Riley,	Yeakel,
Fleming,	Kowalski,	Robertson,	Fiss,
Foor,	Krise,	Rose, W. E.,	Speaker.
Fox,	Laughner,	Rowley,	

NAYS—50

Baker,	Hamilton,	Mihm,	Reynolds,
Barrett,	Harris,	Mooney,	Scanlon,
Boory,	Heatherington,	Moran,	Schuster,
Brunner, P. A.,	Hersch,	Munley,	Snider,
Burns,	Hoggard,	O'Brien,	Stank,
Chudoff,	Hunter, B. F.,	O'Connor,	Tate,
Cohen,	Kirley,	O'Neill,	Thompson,
Croop,	Kolankiewicz,	Pettit,	Trent,
Cullen,	Lane,	Polaski,	Weiss,
Elliott,	Leonard,	Readinger,	Welsh,
Goodwin,	Longo,	Reese, R. E.,	Wright,
Grant,	Lovett,	Regan,	Yester,
Haberlen,	Maxwell,		

So the question was determined in the affirmative and the motion was agreed to.

PARLIAMENTARY INQUIRY

Mr. BROWN. Mr. Speaker, I rise to a question of parliamentary inquiry.

Mr. BROWN. Cannot the House, Mr. Speaker, by unanimous consent make one roll call for all the resolutions, to save the time of the House?

The SPEAKER. The House can do that by unanimous consent.

Mr. BROWN. Mr. Speaker, may I interrogate the gentleman from Northampton, Mr. Longo?

The SPEAKER. Will the gentleman from Northampton permit himself to be interrogated?

Mr. LONGO. I shall, Mr. Speaker.

Mr. BROWN. Mr. Speaker, will the gentleman from Northampton, Mr. Longo, object to having one vote by unanimous consent on all the resolutions that are now on the desk to save the time of the House?

Mr. LONGO. Mr. Speaker, I am not entering my objection, but of course, it is not according to the terms of the agreement, Mr. Speaker, and I will insist that if there is to be a rollcall on one bill it shall include all of the resolutions, and then I would ask for a verification of the roll.

PARLIAMENTARY INQUIRY

Mr. BROWN. Mr. Speaker, I rise to a question of parliamentary inquiry.

The SPEAKER. The gentleman from Allegheny will state his question of parliamentary inquiry.

Mr. BROWN. Mr. Speaker, I do not want to object to any agreement but it seems to me it would be better to have one verification and one rollcall than to have four rollcalls, therefore, I ask unanimous consent of the House that the four resolutions be read as one and that the gentleman be allowed one verification. Certainly, one rollcall and one verification is better than four rollcalls on all of the resolutions.

The SPEAKER. Will the House give its unanimous consent?

Mr. LICHTENWALTER. I have no objection, Mr. Speaker, if the gentleman will agree.

Mr. COHEN. I have no objection, Mr. Speaker.

Mr. BROWN. I request unanimous consent, Mr. Speaker, that the four resolutions be combined and that a rollcall be had on one resolution, which will apply to the other three.

The SPEAKER. And the roll verified?

Mr. BROWN. And the roll verified on the roll call.

The SPEAKER. Will the House give its unanimous consent to have one rollcall on all the resolutions to discharge committees? If there objection? The Chair hears none and consent is granted.

RESOLUTIONS TO DISCHARGE COMMITTEES

Mr. LONGO offered the following resolutions which were twice read by the Clerk as follows:

In the House of Representatives, April 29, 1943.

Resolved, That the Committee on Judiciary Special be discharged from further consideration of House Bill No. 783 entitled "An act to amend section five hundred twelve of the act, approved the twenty-fourth day of June, one thousand nine hundred and thirty-nine (P. L. 872), entitled 'The Penal Code,' by authorizing the court to sentence women convicted of prostitution to undergo imprisonment in a public institution maintained by the Department of Welfare and set apart for such purpose; and authorizing the court in its discretion, during the continuance of the present war, to sentence women convicted of prostitution to undergo imprisonment until the termination of this war," said bill having been in the hands of said committee more than ten calendar days from the date of its reference thereto.

In the House of Representatives, April 29, 1943.

Resolved, That the Committee on Motor Vehicles be discharged from further consideration of House Bill No. 784, entitled "An act to further amend clause (a) of section four hundred twelve and clause (b) of section six hundred fifteen of the act, approved the first day of May, one thousand nine hundred and twenty-nine (P. L. 905), entitled 'Vehicle Code,' by providing for the suspension of registrations, operators' licenses and learners' permits in certain cases in which vehicles are used for purposes of prostitution, assignation, pandering, fornication, or other immoral purposes," said bill having been in the hands of said committee more than ten calendar days from the date of its reference thereto.

In the House of Representatives, April 29, 1943.

Resolved, That the Committee on Judiciary Special be discharged from further consideration of House Bill No. 887 entitled "An act authorizing the suspension of certain local police officers for failure to discover and report bawdy houses in the locality over which they have supervision, or for their failure to take other appropriate action with respect thereto, in any case in which the Pennsylvania Motor Police has made arrests for the keeping of such bawdy houses," said bill having been in the hands of said committee more than ten calendar days from the date of its reference thereto.

In the House of Representatives, April 29, 1943.

Resolved, That the Committee on State Government be discharged from further consideration of House Bill No. 765 entitled "An act authorizing the Department of Property and Supplies to lease suitable land and buildings to be used for the confinement, treatment and re-

habilitation of women convicted of sexual crimes and to make any necessary alterations or improvements to such property; providing for the operation and maintenance of such property by the Department of Welfare; directing the making of certain researches and investigations by the Department of Welfare into problems related to venereal diseases; and making an appropriation," said bill having been in the hands of said committee more than ten calendar days from the date of its reference thereto.

On the question,

Will the House adopt the resolutions?

RESOLUTIONS LAID ON TABLE

Mr. LICHTENWALTER. Mr. Speaker, I move that these four resolutions be laid on the table.

On the question,

Will the House agree to the motion?

Mr. LOVETT. Mr. Speaker, may I interrogate the Majority Floor Leader, the gentleman from Lehigh, Mr. Lichtenwalter, on the motion?

The SPEAKER. Will the gentleman from Lehigh permit himself to be interrogated?

Mr. LICHTENWALTER. I shall, Mr. Speaker.

Mr. LOVETT. Mr. Speaker, may I ask the gentleman what number of votes it takes in the House of Representatives to discharge a committee?

Mr. LICHTENWALTER. A constitutional majority, I believe, one hundred and five, Mr. Speaker.

Mr. LOVETT. Mr. Speaker, may I ask the gentleman if at any time in the House of Representatives it did not take one hundred and five votes?

Mr. LICHTENWALTER. Not that I know of, Mr. Speaker, although I believe there was a time during the 1935 and 1937 sessions when the rules of the House were changed and as I recall probably at that time it did not require a constitutional majority.

Mr. LOVETT. Mr. Speaker, does the gentleman recall how many votes it took at that time to discharge a committee?

Mr. LICHTENWALTER. Mr. Speaker, I do not. I think eighty-five. I am not exactly positive, but I remember we had a reduction of the number required under the Rules of the House at that time.

Mr. LOVETT. Mr. Speaker, does the gentleman recall when the Rules of the House were changed to make it a majority.

Mr. LICHTENWALTER. In 1939, Mr. Speaker.

Mr. LOVETT. May I ask the gentleman if during the time of the change in the rules, when it took eighty-five to discharge a committee, if there was ever a motion on the floor of this House to discharge a committee under those rules?

Mr. LICHTENWALTER. I do not recall, Mr. Speaker.

On the question recurring,

Will the House agree to the motion?

The yeas and nays were required by Mr. Longo and Mr. Weiss.

Messrs. Longo, Lovett and Weiss requested a verification of the roll.

The roll was verified and was as follows:

YEAS—104

Alspach,	Fox,	Krise,	Rose, W. E.,
Auker,	Freed,	Laughner,	Rowley,
Barton,	Garber,	Leisey,	Royer,
Bonawitz,	Gardner,	Lichtenwalter,	Sarge,
Boorse,	Goodling,	Livingstone,	Serrill,
Bower,	Gorman,	Lyons,	Simons,
Bretherick,	Gross,	Madigan,	Smith,
Brice,	Gyger,	Mahany,	Sollenberger,
Campbell,	Hannon,	McClester,	Sorg,
Cook,	Hare,	McKinney,	Stockham,
Cooper,	Haudenshield,	McMillen,	Stonier,
Cordier,	Helm,	McSurdy,	Taylor,
Costa,	Hewitt,	Menna,	Thrasher,
Coulson,	Hocke,	Miller,	Tiemann,
Dague,	Hoffman,	Mintess,	Trout,
Denman,	Holmes,	Mock,	Turbett,
Dennison,	Hoopes,	Moore,	Wachhaus,
Dix,	Hunter, W. M.,	Muir,	Wagner, K. H.,
Elder,	Huntley,	Murray,	Wagner, P. L.,
Ely,	Imbrie,	Nowak,	Wallin,
Erb,	James,	O'Dare,	Walton,
Ewing,	Jones,	Reagan,	Watkins,
Figlock,	Kennedy,	Reese, D. P.,	Wood, N.,
Flack	Kline,	Reilly,	Worley,
Fleming,	Kowalski,	Riley,	Yeakel,
Foor,	Krepps,	Robertson,	Fiss,
			Speaker.

NAYS—48

Baker,	Haberlen,	Mooney,	Reynolds,
Barrett,	Hamilton,	Moran,	Scanlon,
Brigerman,	Harris,	Munley,	Schuster,
Brown,	Heatherington,	O'Brien,	Snider,
Brunner, P. A.,	Hoggard,	O'Connor,	Stank,
Chudoff,	Hunter, B. F.,	O'Neill,	Tate,
Cohen,	Kolankiewicz,	Pettit,	Thompson,
Croop,	Leonard,	Polaski,	Trent,
Cullen,	Longo,	Powers,	Weiss,
Elliott,	Lovett,	Readinger,	Welsh,
Goodwin,	Maxwell,	Reese, R. E.,	Wright,
Grant,	Mihm,	Regan,	Yester,

So the question was determined in the affirmative and the motion was agreed to.

RESOLUTION

RECALLING HOUSE BILL No. 390 FROM THE GOVERNOR

Messrs. SCHUSTER and BARRETT offered the following resolution which was twice read, considered and adopted:

In the House of Representatives, April 29, 1943.

Resolved (if the Senate concur), that House Bill No. 390, Printer's No. 428, entitled "An act to further amend section three and section thirty of the act approved the eleventh day of May one thousand nine hundred twenty-one (P. L. 522) entitled as amended 'An act relating to dogs and the protection of live stock poultry and game birds raised in captivity from damage by dogs providing for the licensing of dogs by the Secretary of Agriculture providing for the enumeration of dogs by assessors regulating the keeping of dogs and authorizing their destruction in certain cases providing for the protection of licensed dogs and for dogs temporarily imported for trial show and breeding purposes prescribing certain privileges for hunting dogs and dogs owned or used by the Board of Game Commissioners providing for the assessment of damages done to live stock poultry and game birds by dogs and for live stock killed by or dying from rabies and for the illegal killing of licensed dogs and the payment of such damages by the Commonwealth imposing powers and duties on certain State county city borough town and township officers and employes directing the payment of all moneys collected into the State Treasury and providing penalties' by providing for the issuing of free licenses for seeing-eye dogs and by increasing the amount of certain payments to be made to the Commonwealth for damages caused by dogs or rabies" be recalled from the Governor for the purpose of further consideration.

Ordered, That the Clerk return the same to the Senate for concurrence.

BILLS ON THIRD READING

Mr. LICHTENWALTER asked and obtained unanimous consent of the House to take up the Third Reading calendar beginning on page 23.

BILLS PASSED OVER

There being no objection House Bill No. 944, Printer's No. 359, was passed over the request of the SPEAKER.

There being no objection Senate Bill No. 347, Printer's No. 301, was passed over the request of Mr. LICHTENWALTER.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 211, as follows:

An Act to further amend section nine hundred eight subsection A of section one thousand six and subsection B of section one thousand one hundred nine of the act approved the fifteenth day of May one thousand nine hundred and thirty-three (P. L. 624) entitled "An act relating to the business of banking and to the exercise of fiduciary powers by corporations providing for the organization of corporations with fiduciary powers and of banking corporations with or without fiduciary powers including the conversion of National banks into State banks and for the licensing of private bankers defining the rights powers duties liabilities and immunities of such corporations of existent corporations authorized to engage in a banking business with or without fiduciary powers of private bankers and of the officers directors trustees shareholders attorneys and other employes of all such corporations or private bankers or of affiliated corporations associations or persons restricting the exercise of banking powers by any other corporation association or person and of fiduciary powers by any other corporation conferring powers and imposing duties upon the courts prothonotaries recorders of deeds and certain State departments commissions and officers imposing penalties and repealing certain acts and parts of acts" by further providing for the powers and duties and limitations upon powers of corporations and persons authorized to engage in a banking or fiduciary business or both

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section nine hundred eight of the act approved the fifteenth day of May one thousand nine hundred and thirty-three (P. L. 624) entitled "An act relating to the business of banking and to the exercise of fiduciary powers by corporations providing for the organization of corporations with fiduciary powers and of banking corporations with or without fiduciary powers including the conversion of National banks into State banks and for the licensing of private bankers defining the rights powers duties liabilities and immunities of such corporations of existent corporations authorized to engage in a banking business with or without fiduciary powers of private bankers and of the officers directors trustees shareholders attorneys and other employes of all such corporations or private bankers or of affiliated corporations associations or persons restricting the exercise of banking powers by any other corporation association or person and of fiduciary powers by any other corporation conferring powers and imposing duties upon the courts prothonotaries recorders of deeds and certain State departments commissions and officers imposing penalties and repealing certain acts and parts of acts" as last amended by the act approved the twenty-second day of April one thousand nine hundred and thirty-seven (P. L. 349) is hereby further amended to read as follows

Section 908 Reserve Fund Against Deposits and Demand Liabilities A Except as otherwise provided in this act every bank bank and trust company or private bank shall establish and maintain a reserve fund in an amount [equal to at least] to be fixed from time to time by the department with the approval of the Banking Board provided however that such reserve fund shall not be required to be established and maintained in an amount exceeding fifteen per centum of the total of its demand deposits and demand liabilities plus seven and one-half per centum of its total time deposits as herein defined

B Except in the case of a savings bank the term "demand deposits" shall be construed to refer to all deposits payment of which can legally be required on demand or within any period less than thirty days after demand

The term "demand liabilities' shall be construed to refer to all obligations of the institutions other than deposits payment of which can legally be required on demand

Except in the case of a savings bank the term "time deposits" shall be construed to refer to all deposits payment of which cannot legally be required within thirty days

C Except in the case of a savings bank the total of such reserve fund may and [at least one-third of the reserve fund against demand deposits and demand liabilities shall unless the department gives its written approval of a lesser amount] in the case of the reserve fund against demand deposits and demand liabilities at least such amount thereof as may be fixed from time to time by the department with the approval of the Banking Board shall consist of gold bullion gold coin silver coin United States gold or silver certificates notes or bills issued by any national banking association or Federal bank or any other form of currency of the United States and be kept on hand at the place of business of the institution unpledged unassigned and unhypothecated

[One-third] Such amount of such reserve fund as shall be fixed from time to time by the department with the approval of the Banking Board may consist of bonds or other interest-bearing obligations of the United States the Commonwealth of Pennsylvania or any political subdivision thereof Such bonds while being carried in the reserve fund shall be computed at their current market value They shall be the absolute property of the institution and shall not be pledged assigned or hypothecated in any manner whatsoever

Any part of such reserve fund not required to consist of gold bullion gold coin or any form of currency kept on hand at the place of business of the institution may consist of an actual net balance of moneys on deposit subject to call without notice in any reserve agent as hereinbefore defined

D Every savings bank shall establish and maintain a reserve fund in an amount equal to at least seven and one-half per centum of the total of its deposits

E In the case of savings banks the total of such reserve fund may and at least one-third thereof shall consist of gold bullion gold coin silver coin United States gold or silver certificates notes or bills issued by any national banking association or Federal reserve bank or any other form of currency of the institution unpledged unassigned and unhypothecated or an actual net balance of moneys on deposit subject to call without notice in any reserve agent as hereinbefore defined

The balance of such reserve fund may consist of bonds or other interest-bearing obligations of the United States the Commonwealth of Pennsylvania or any political subdivisions thereof Such bonds while being carried in the reserve fund shall be computed at their current market value They shall be the absolute property of the institution and shall not be pledged assigned or hypothecated in any manner whatsoever

F The reserve fund prescribed by this section may be increased [or decreased] or decreased by the department with the approval of the Banking Board However the reserve fund shall not at any time be required to be more than double the maximum amount provided in clause A hereof and in the case of savings banks the amount prescribed in clause D hereof [amount prescribed by this section] nor in the case of savings banks shall it be decreased to less than the amount prescribed by this section In the case of a savings bank the additional

reserve fund provided for by this paragraph may consist of bonds or other interest-bearing obligations of the United States or of the Commonwealth of Pennsylvania

G The department may upon written application of a bank a bank and trust company or a private bank approve a lesser amount of cash reserve than that fixed pursuant to the provisions of this section to be kept on hand at the place of business of such institution but in all other respects any regulation issued pursuant to the provisions of this section by the department with the approval of the Banking Board fixing the amount of the reserve fund to be established and maintained or the component parts thereof shall apply uniformly to all banks bank and trust companies private banks and savings banks as the case may be

H Until six months after the cessation of hostilities in the present war an insitution shall not be required to maintain any reserve against deposits payable to the United States arising solely as the result of subscriptions made by or through such institution for the United State Government securities issued under authority of the Second Liberty Bond Act as amended

Section 2 Subsection A of section one thousand six of said act as last amended by the act approved the twenty-fourth day of June one thousand nine hundred and thirty-nine (P. L. 737) is hereby further amended to read as follows

Section 1006 Limitations upon Loans to One Corporation or Person A A bank or a bank and trust company shall not directly or indirectly lend to any corporation or person an amount which including any extension of credit to such corporation or person by means of letters of credit or by acceptance of drafts for or the discount or purchase of the notes bills of exchange or other commercial paper of such corporation or person shall exceed ten per centum of the unimpaired capital and ten per centum of the unimpaired surplus of the bank or bank and trust company However this restriction shall have no application whatsoever to the following

(1) Loans to the United States or loans secured by not less than the face amount of bonds or other interest bearing obligations of the United States or bonds or other interest-bearing obligations for the payment of the principal and interest on which the faith and credit of the United States is pledged or loans or portions thereof heretofore or hereafter granted the payment of the principal and interest on which has been guaranteed by or for which a written commitment to guarantee has been made by or for the purchase of which a written commitment has been made by the United States War Department Navy Department or Maritime Commission pursuant to the provisions of the Executive Order of the President Number nine thousand one hundred twelve dated the twenty-sixth day of March one thousand nine hundred and forty-two

(2) Loans to the Commonwealth of Pennsylvania or any county city borough township incorporated town or school district thereof or any Authority which has been created as a body corporate and politic under any law of this Commonwealth or loans secured by bonds or other interest-bearing obligations of the Commonwealth or of any county city borough township incorporated town or school district thereof or of any Authority which has been created as a body corporate and politic under any law of the Commonwealth or bonds or other interest-bearing obligations for the payment of the principal and interest on which the faith and credit of the Commonwealth or any county city borough township incorporated town or school district thereof or of any Authority which has been created as a body corporate and politic under any law of this Commonwealth is pledged

(3) The discount of drafts or bills of exchange drawn in good faith against actual existing values

(4) The discount of trade acceptances or other commercial paper actually owned by the corporation or person negotiating it to the bank or bank and trust company and endorsed without restriction by such corporation or person

(5) The discount of notes secured by shipping documents warehouse receipts or other similar documents conveying or securing title to readily marketable nonperishable staple goods including live-stock when the actual market value of the property securing the obligations is not at any time less than one hundred fifteen per centum of the face amount of the notes secured by such documents and when such property is fully covered by insurance

Section 3

Subsection B of Section one thousand one hundred nine of the said act as last amended by the act approved the twenty-fourth day of June one thousand nine hundred thirty-nine (P. L. 726) is hereby further amended to read as follows

Section 1109 Common Trust Funds

* * * * *

B If the instrument under which a trust company or a bank and trust company acts as fiduciary whether such fiduciary capacity arose before or is created after this act takes effect shall limit or restrict the investment of moneys of the estate in assets of the class authorized by law as legal investments the trust company or bank and trust company may in its capacity as sole fiduciary or with the consent of any person acting with it in a fiduciary capacity invest and reinvest moneys of the estate in any such common trust fund maintained by the trust company or bank and trust company provided the assets composing such fund consist solely of assets of the class authorized as legal investments for funds held by fiduciaries

If the instrument under which a trust company or bank and trust company acts as fiduciary whether such fiduciary capacity arose before or is created after this act takes effect shall authorize the investment of moneys of the estate in a common trust fund or in investments other than those designated by law as legal investments or shall authorize the trust company or bank and trust company either alone or in conjunction with any person acting with it in a fiduciary capacity to exercise its or their discretion with respect to the investment of moneys of the estate the trust company or bank and trust company may in its capacity as sole fiduciary or with the consent of any person acting with it in a fiduciary capacity invest and reinvest moneys of the estate in any such common trust fund maintained by the trust company or bank and trust company Any such common trust fund consisting solely of moneys of estates contributed thereto by the trust company or bank and trust company pursuant to authority contained in any such instruments creating the fiduciary capacity to invest moneys of the estates in a common trust fund or in investments other than such legal investments or pursuant to such discretionary power with respect to the investment of moneys of the estates as contained in any such instruments creating the fiduciary capacity may be composed of investments other than those of the class designated by law as legal investments for funds held by fiduciaries including common and preferred stock

Bonds secured by mortgages and securities of the class authorized by law as legal investments for fiduciaries shall be deemed proper investments for any such common trust funds Provided however That no investment for a common trust fund shall be made or maintained in bonds secured by mortgages which would cause the total amount of the investment for such fund in bonds secured by mortgages to exceed forty per centum of the value of all the assets comprising such fund

No moneys of any one estate [in excess of twenty-five thousand dollars] shall be invested in any one or more of such common trust funds as may be maintained by a trust company or bank and trust company if such investment would result in such estate having an interest in excess of ten per centum of the value of the assets of such common trust funds or funds or the sum of twenty-five thousand dollars whichever is less at the time of investment In applying this limitation if two or more trusts are created by the same settlor or settlors and as much as one-half of the income or principal or both of each trust is payable or applicable to the use of the same person or persons such trusts shall be considered as one

Section 4. This act shall become effective immediately upon final enactment

On the question,
Will the House agree to the bill on third reading?
It was agreed to.
On the question,
Shall the bill pass finally?

Mr. COHEN. Mr. Speaker, may I state briefly on this bill that the original reading of the bill left some doubt in my mind as to its propriety. However, I have taken the matter up with several different persons in the Banking Department and with persons outside the Banking Department who know something about the subject, and I find that briefly what the bill does is: Under the present law the Banking Department may require reserves in banks anywhere from fifteen to thirty percent. This bill would make it from nothing to fifteen percent. The real intent of the bill is to permit the reserve of coin and cash required under the law, to be used for the purpose of purchasing war bonds.

Further, Mr. Speaker, this would put our State banks in the same position as the National banks, put them under the same type of regulation, the Federal Reserve System, as now required in the case of National banks. Therefore, I ask the Members of the House to support the bill.

On the question recurring,
Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—170

Alspach,	Garber,	Levy,	Rose, S.
Barrett,	Gardner,	Lichtenwalter,	Rose, W. E.,
Baker,	Gillan,	Livingstone,	Rowley,
Barton,	Goodling,	Longo,	Royer,
Bonawitz,	Gorman,	Lovett,	Salus,
Boorse,	Goodwin,	Lyons,	Sarge,
Bower,	Grant,	Madigan,	Scanlon,
Boyd,	Green,	Mahany,	Schuster,
Bretherick,	Gross,	Maxwell,	Serrill,
Brice,	Haberlen,	McClester,	Simons,
Brigerman,	Hall,	McKinney,	Smith,
Brown,	Hamilton,	McMillen,	Snider,
Brunner, C. H.,	Hare,	McSurdy,	Sollenberger,
Brunner, P. A.,	Harris,	Menna,	Sorg,
Burns,	Haudenshield,	Mihm,	Stank,
Calvin,	Heatherington,	Miller,	Stockham,
Campbell,	Helm,	Mintess,	Stonier,
Chudoff,	Herman,	Mock,	Tahl,
Cohen,	Hewitt,	Mooney,	Tate,
Cook,	Hocke,	Moore,	Taylor,
Cooper,	Hoffman,	Moran,	Thrasher,
Cordier,	Hoggard,	Muir,	Thompson,
Corrigan,	Holmes,	Munley,	Tiemann,
Costa,	Hoopes,	Murray,	Trent,
Coulson,	Hunter, B. F.,	Nowak,	Trout,
Cullen,	Hunter, W. M.,	O'Brien,	Turbett,
Dague,	Huntley,	O'Connor,	Verona,
Dalrymple,	Imbrie,	O'Dare,	Wachhaus,
Denman,	Irvin,	O'Neill,	Wagner, K. H.,
Dennison,	James,	Petrosky,	Wagner, P. L.,
Depuy,	Jones,	Pettit,	Wallin,
Dillon,	Kennedy,	Polaski,	Walton,
Dix,	Kirley,	Powers,	Watkins,
Elder,	Kline,	Readinger,	Weiss,
Elliott,	Kolankiewicz,	Reagan,	Welsh,
Ely,	Kowalski,	Reese, D. P.,	Wood, N.,
Erb,	Krepps,	Reese, R. E.,	Worley,
Ewing,	Krise,	Regan,	Wright,
Figlock,	Lane,	Reilly,	Yeakel,
Finnerty,	Laughner,	Reynolds,	Yester,
Flack,	Lee,	Riley,	Fiss,
Foor,	Leisey,	Robertson,	Speaker.
Fox,	Leonard,	Root,	

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

BILLS PASSED OVER

There being no objection
Senate Bill No. 48, Printers' No. 342, and
Senate Bill No. 49, Printer's No. 164
were passed over at the request of Mr. LICHTENWALTER.

Agreeably to order,
The House proceeded to the third reading and consideration of House Bill No. 79, entitled:

An Act to amend section nineteen and to further amend section twenty-three of the act approved the twenty-fifth day of May one thousand nine hundred and thirty-seven (P. L. 849) entitled "An act to provide for the permanent personal registration of electors in cities of the third class as a condition of their right to vote at elections and primaries and their enrollment as members of political parties as a further condition of their right to vote at primaries prescribing certain procedure for the conduct of elections and primaries and the challenge and proof of qualifications of electors and prescribing the powers and duties of citizens parties political bodies registration commissions commissioners registrars inspectors of registration and other appointees of registration commissions county election boards election officers municipal officers departments and bureaus police officers courts judges prothonotaries sheriffs county commissioners peace officers county treasurers county controllers registrars of vital statistics certain public utility corporations real estate brokers rental agents and boards of school directors imposing penalties and repealing existing legislation" permitting registrations before aldermen.

On the question,
Will the House agree to the bill on third reading?

BILL DROPPED FROM CALENDAR

Mr. KRISE. Mr. Speaker, I move that this bill be dropped from the calendar.

The motion was agreed to.

BILLS PASSED OVER

There being no objection
House Bill No. 904, Printer's No. 485;
House Bill No. 933, Printer's No. 487;
Senate Bill No. 506, Printer's No. 233;
House Bill No. 517, Printer's No. 510;
House Bill No. 1019, Printer's No. 511;
House Bill No. 853, Printer's No. 520; and
Senate Bill No. 142, Printer's No. 154,
were passed over at the request of Mr. LICHTENWALTER.

Agreeably to order,
The House proceeded to the third reading and consideration of Senate Bill No. 207, as follows:

An Act providing for commissioning as police officers certain employes of institutions maintained in whole or in part by the Commonwealth conferring upon them the powers of constables in certain cases and imposing duties on wardens and keepers of jails police stations and lock-ups

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The head of each administrative department having under its jurisdiction any penal reformatory or correctional institution mental hospital or any institution for feeble-minded or epileptic persons for inebriates or for juvenile delinquents and defectives or any medical and surgical hospital for crippled children sanitorium or any charitable institution whatsoever within this Commonwealth maintained in whole or in part by the Commonwealth and whose boards of inspectors managers trustees or directors are appointed by the Governor shall certify to the Governor the names of employes of such institutions to act as police officer thereat If the Governor shall approve the persons designated he shall issue to each a commission under which each employe shall have and exercise full power to make arrests without warrant for all violations of law which they may witness upon any part of the premises of the institution at which they are employed and to serve and execute warrants issued by the proper local authorities for any violation of law committed thereon and to arrest with or without warrant anywhere within this Commonwealth any inmate of such institution that may have escaped therefrom and to return him or her thereto For such purposes and generally on the premises of the institution at which they are employed the persons so commissioned shall have all the powers and prerogatives conferred by law upon constables of the Commonwealth

Section 2 It shall be the duty of the warden of every county jail and the keeper of every city borough town or township police station or lock-up to receive every person arrested by any employe of an institution so commissioned by the Governor under the authority hereby conferred and to detain him or her until discharged by proper authority in accordance with law

Section 3 All acts and parts of acts inconsistent herewith are hereby repealed

Section 4 The provisions of this act shall become effective immediately upon final enactment

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. COHEN. Mr. Speaker, may I say briefly for the information of the Members of the House that I have examined this bill and consulted with the Department. The only purpose of the bill is to permit the employes who are given the authority to act as police officers of institutions, to act as police officers only on the grounds of the institution itself and nowhere else. It is just to help keep trespassers off of state property and the institutions' grounds and I think we should approve the bill.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—168

Alspach,	Garber,	Leonard,	Root,
Baker,	Gardner,	Levy,	Rose, S.,
Barrett,	Gillan,	Lichtenwalter,	Rose, W. E.,
Barton,	Goodling,	Livingstone,	Rowley,
Bonawitz,	Goodwin,	Longo,	Royer,
Boorse,	Gorman,	Lyons,	Salus,
Bower,	Grant,	Madigan,	Sarge,
Boyd,	Green,	Mahany,	Scanlon,
Bretherick,	Gross,	Maxwell,	Schuster,
Brice,	Haberlen,	McClester,	Serrill,
Brigerman,	Hall,	McKinney,	Simons,
Brown,	Hamilton,	McMillen,	Smith,
Brunner, C. H.,	Hare,	McSurdy,	Snider,
Brunner, P. A.,	Harris,	Menna,	Sollenberger,
Burns,	Haudenshield,	Mihm,	Sorg,
Calvin,	Heatherington,	Miller,	Stank,
Campbell,	Helm,	Mintess,	Stockham,
Chudoff,	Herman,	Mock,	Stonier,
Cohen,	Hewitt,	Mooney,	Tahl,
Cook,	Hocke,	Moore,	Tate,
Cooper,	Hoffman,	Moran,	Taylor,
Cordier,	Hoggard,	Muir,	Thompson,
Corrigan,	Holmes,	Munley,	Thrasher,
Costa,	Hoopes,	Murray,	Tiemann,
Coulson,	Hunter, B. F.,	Nowak,	Trent,
Dague,	Hunter, W. M.,	O'Brien,	Trout,
Dalrymple,	Huntley,	O'Connor,	Turbett,
Denman,	Imbrie,	O'Dare,	Verona,
Dennison,	Irvin,	O'Neill,	Wachhaus,
Depuy,	James,	Petrosky,	Wagner, K. H.,
Dillon,	Jones,	Pettit,	Wagner, P. L.,
Dix,	Kennedy,	Polaski,	Wallin,
Duffy,	Kirley,	Powers,	Walton,
Elder,	Kline,	Readinger,	Watkins,
Elliott,	Kolankiewicz,	Reagan,	Weiss,
Ely,	Kowalski,	Reese, D. P.,	Welsh,
Erb,	Krepps,	Reese, R. E.,	Wood, N.,
Ewing,	Krise,	Regan,	Worley,
Figlock,	Lane,	Reilly,	Wright,
Finnerty,	Laughner,	Reynolds,	Yeakel,
Flack,	Lee,	Riley,	Yester,
Foor,	Leisey,	Robertson,	Fiss,
Fox,			Speaker.

NAYS—2

Cullen,	Lovett,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

BILL PASSED OVER

There being no objection

Senate Bill No. 297, Printer's No. 136, and

Senate Bill No. 310, Printer's No. 197

were passed over at the request of Mr. LICHTENWALTER.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 502, entitled:

An Act authorizing the Department of Property and Supplies to sell and convey a lot or piece of land in Delaware County.

On the question,

Will the House agree to the bill on third reading?

Mr. WALTER E. ROSE. Mr. Speaker, I ask uninamous consent to offer an amendment at this time.

The SPETKER. The amendment will be read by the Clerk for information.

The Clerk read the amendment as follows:

Amend Sec. 1, page 1, line 7, by striking out the word "bound" and inserting in lieu thereof: "bounded."

The SPEAKER. Will the House give unanimous consent to the offering of an amendment at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendment?

It was agreed to.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, that the bill as amended lie over for printing.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 218, as follows:

An Act to further amend Section 601 602 and 605 of and to add Sections 601.1 601.2 and 601.3 to the act approved the fourth day of May one thousand nine hundred twenty-seven (P. L. 519) entitled "An act concerning boroughs and revising amending and consolidating the law relating to boroughs" changing and further providing procedure to create change or establish boundaries of wards in boroughs imposing additional duties on borough councils providing in certain cases for local option and terminating unfinished proceedings heretofore commenced for such purposes

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section 601 of the act approved the fourth day of May one thousand nine hundred twenty-seven (P. L. 519) entitled "An act concerning boroughs and revising amending and consolidating the law relating to boroughs" is hereby amended to read as follows

Section 601 Power of Court to Erect and Change Wards and To Alter and Establish Lines [The] Upon certification from the council of any borough of a resolution adopted by the said council in favor of any of the following changes and petitioning the court to make such change or changes or upon a certified report of the results of any election held in any borough under the provisions of this article showing that the vote of the electors of such borough was in favor of any of the following changes the court of quarter sessions [upon petition] may in accordance with such petition or affirmative vote on such question divide [boroughs] the borough into wards erect new wards consolidate two or more wards into one ward out of two or more adjoining wards or parts thereof attach lands annexed to [a] the borough to an adjacent ward or wards divide any ward already erected into two or more wards or alter the lines of any two or more adjoining wards and may cause the lines or boundaries of wards to be ascertained and established

Section 2 Said act is hereby amended by adding thereto after Section 601 three new sections to read as follows

Section 601.1 Proceedings Instituted by Petition to Council Favorable Action Certified to Clerk of Court Whenever a petition signed by residents of the borough equal in number to at least ten per centum of the registered electors in said borough shall be presented to the borough council by filing with the secretary of the council requesting any of the changes in the wards of such borough or the lines thereof as described in section one of this act the borough council may any time within ninety days thereafter by resolution duly adopted agree to the change or changes in said ward or wards as set forth in the petition and a copy of such resolution together with a copy of the petition aforesaid shall be certified to the clerk of the court of quarter sessions of the county with its petition to the court to make the changes therein set forth

Section 601.2 Unfavorable Action by Council Question Submitted to Electors If within ninety days after the filing of said petition with the borough council it shall have failed to adopt a resolution in favor of the change or changes petitioned for or shall have adopted a resolution against such change or changes the council shall forthwith certify such failure or refusal to agree to the changes petitioned for together with a copy of the petition to the election board of the county with a request that a question to determine the will of the electors of said borough with respect to the division of the borough into wards or the erection of new wards or the consolidation of two or more wards or parts thereof into one ward or the attachment of land annexed to a borough to an adjacent ward or wards or the division of any ward into two or more wards or the alteration of the lines of any two or more adjoining wards or the ascertainment and establishment of the lines or boundaries of certain wards as the case may be shall be placed on the ballots or on voting machines for the said borough at the first primary election occurring at least sixty days thereafter

The said question shall be placed on the ballots or voting machines for the aforesaid primary as provided by law

Section 601.3 Results of Election Certified to Clerk of Court The votes cast on such question shall be counted and returns thereof made in accordance with the provisions of the Pennsylvania Election Code relating to special elections in so far as applicable The county election board shall keep a record of such vote on file and open to the public and shall within thirty days after such election make a certified report of the results of such election to the secretary of the council of the borough concerned and to the clerk of the court of quarter sessions of the county

Section 3 Sections 602 and 605 of said act are hereby amended to read as follows

Section 602 [Signing Petition] Appointment of Commissioners Report [The petition shall be signed by twenty freehold residents of the borough or of the ward whose limits it is proposed to change] Upon [its presentation] receiving the aforesaid certification and petition or the certified report of the results of an election showing the affirmative vote of the electors of a borough as aforesaid the court shall appoint three impartial men as commissioners to inquire into the manner of making the changes petitioned or voted for The commissioners or any two of them shall make a report to the next term of the court and shall accompany it with a plot showing the boundary of the borough and wards before and after the proposed change whenever the same cannot be fully designated by natural lines

Section 605 Payment of Costs [Bond] Such compensation and all costs and expenses incurred in such proceeding shall be paid by the [county during the term of court to which the report is made to be reimbursed by the petitioners as directed by the court To secure such reimbursement the court may require the petitioners to file a bond with their petition All other costs and expenses incurred in the erection division or alteration of wards shall be paid by the petitioners without liability upon the county] borough

Section 4 If any proceeding has heretofore been commenced by petition to court of twenty or more freehold residents of a borough as hereinbefore provided by Section 601 of the act herein amended and if such proceeding has not been finally concluded and the report of the commissioners confirmed and made absolute as provided by said act at the time this amendment becomes effective such proceeding is hereby terminated and no further action therein shall be taken by the court nor by any party interested in or appointed by said court and all costs in such proceeding including the compensation of the commissioners appointed by said court shall be paid by the borough

Section 3 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—170

Alspach,	Garber,	Levy,	Rose, S.
Barrett,	Gardner,	Lichtenwalter,	Rose, W. E.,
Baker,	Gillan,	Livingstone,	Rowley,
Barton,	Goodling,	Longo,	Royer,
Bonawitz,	Gorman,	Lovett,	Salus,
Boorse,	Goodwin,	Lyons,	Sarge,
Bower,	Grant,	Madigan,	Scanlon,
Boyd,	Green,	Mahany,	Schuster,
Bretherick,	Gross,	Maxwell,	Serrill,

Brice,	Haberlen,	McClester,	Simons,
Brigerman,	Hall,	McKinney,	Smith,
Brown,	Hamilton,	McMillen,	Snider,
Brunner, C. H.,	Hare,	McSurdy,	Sollenberg,
Brunner, P. A.,	Harris,	Menna,	Sorg,
Burns,	Haudenshield,	Mihm,	Stank,
Calvin,	Heatherington,	Miller,	Stockham,
Campbell,	Helm,	Mintess,	Stonier,
Chudoff,	Herman,	Mock,	Tahl,
Cohen,	Hewitt,	Mooney,	Tate,
Cook,	Hocke,	Moore,	Taylor,
Cooper,	Hoffman,	Moran,	Trasher,
Cordier,	Hoggard,	Muir,	Thompson,
Corrigan,	Holmes,	Munley,	Tiemann,
Costa,	Hoopes,	Murray,	Trent,
Coulson,	Hunter, B. F.,	Nowak,	Trout,
Cullen,	Hunter, W. M.,	O'Brien,	Turbett,
Dague,	Huntley,	O'Connor,	Verona,
Dalrymple,	Imbrie,	O'Dare,	Wachhaus,
Denman,	Irvin,	O'Neill,	Wagner, K. H.,
Dennison,	James,	Petrosky,	Wagner, P. L.,
Depuy,	Jones,	Pettit,	Wallin,
Dillon,	Kennedy,	Polaski,	Walton,
Dix,	Kirley,	Powers,	Watkins,
Elder,	Kline,	Readinger,	Weiss,
Elliott,	Kolankiewicz,	Reagan,	Welsh,
Ely,	Kowalski,	Reese, D. P.,	Wood, N.,
Erb,	Krepps,	Reese, R. E.,	Worley,
Ewing,	Krise,	Regan,	Wright,
Figlock,	Lane,	Reilly,	Yeakel,
Finnerty,	Laughner,	Reynolds,	Yester,
Flack,	Lee,	Riley,	Fiss,
Foor,	Leisey,	Robertson,	Speaker.
Fox,	Leonard,	Root,	

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

BILL PASSED OVER

There being no objection House Bill No. 809, Printer's No. 612, was passed over at the request of Mr. LICHTENWALTER.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 313, as follows:

An Act authorizing for a limited period of time the Department of Public Instruction to act as agent for the several school districts and vocational school districts in the purchase without bids and distribution among such districts of material supplies and equipment subject to priorities and on which prices have been stabilized to be used in vocational education of workers on war work and validating such action heretofore taken

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 In lieu of cash purchases that the several school districts and vocational school districts are now authorized to make the Department of Public Instruction shall have power to act as the agents of the several school districts and vocational school districts desiring the same in the purchase for and distribution among the school districts and vocational school districts of material supplies and equipment to be used for training or retraining workers and prospective workers for industries essential to the proper conduct of the war without advertising for or soliciting bids whenever such material supplies or equipment is subject to priorities imposed by the Federal Government and the prices thereof have been stabilized by action of an agency of the Federal Government and the same are to be paid for entirely from Federal funds appropriated or to be appropriated to vocational education for national defense or for carrying on of the war

Section 2 The action of the Department of Public Instruction in making any such purchases for and in making distribution among any school districts or vocational school districts prior to the effective date of this act and the action of any school district or vocational school district in making purchases of such material supplies or equipment through the Department of Public Instruction acting as the agent of such school district or vocational school district are hereby ratified confirmed and made valid to the same extent and with the same effect as though the same had been previously authorized by law

Section 3 The provisions of this act shall become effective immediately upon its final enactment and shall remain in force until the cessation of hostilities in the present war

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—170

Alspach,	Garber,	Levy,	Rose, S.
Barrett,	Gardner,	Lichtenwalter,	Rose, W. E.,
Baker,	Gillan,	Livingstone,	Rowley,
Barton,	Goodling,	Longo,	Royer,
Bonawitz,	Gorman,	Lovett,	Salus,
Boorse,	Goodwin,	Lyons,	Sarge,
Bower,	Grant,	Madigan,	Scanlon,
Boyd,	Green,	Mahany,	Schuster,
Bretherick,	Gross,	Maxwell,	Serrill,
Brice,	Haberlen,	McClester,	Simons,
Brigerman,	Hall,	McKinney,	Smith,
Brown,	Hamilton,	McMillen,	Snider,
Brunner, C. H.,	Hare,	McSurdy,	Sollenberger,
Brunner, P. A.,	Harris,	Menna,	Sorg,
Burns,	Haudenshield,	Mihm,	Stank,
Calvin,	Heatherington,	Miller,	Stockham,
Campbell,	Helm,	Mintess,	Stonier,
Chudoff,	Herman,	Mock,	Tahl,
Cohen,	Hewitt,	Mooney,	Tate,
Cook,	Hocke,	Moore,	Taylor,
Cooper,	Hoffman,	Moran,	Trasher,
Cordier,	Hoggard,	Muir,	Thompson,
Corrigan,	Holmes,	Munley,	Tiemann,
Costa,	Hoopes,	Murray,	Trent,
Coulson,	Hunter, B. F.,	Nowak,	Trout,
Cullen,	Hunter, W. M.,	O'Brien,	Turbett,
Dague,	Huntley,	O'Connor,	Verona,
Dalrymple,	Imbrie,	O'Dare,	Wachhaus,
Denman,	Irvin,	O'Neill,	Wagner, K. H.,
Dennison,	James,	Petrosky,	Wagner, P. L.,
Depuy,	Jones,	Pettit,	Wallin,
Dillon,	Kennedy,	Polaski,	Walton,
Dix,	Kirley,	Powers,	Watkins,
Elder,	Kline,	Readinger,	Weiss,
Elliott,	Kolankiewicz,	Reagan,	Welsh,
Ely,	Kowalski,	Reese, D. P.,	Wood, N.,
Erb,	Krepps,	Reese, R. E.,	Worley,
Ewing,	Krise,	Regan,	Wright,
Figlock,	Lane,	Reilly,	Yeakel,
Finnerty,	Laughner,	Reynolds,	Yester,
Flack,	Lee,	Riley,	Fiss,
Foor,	Leisey,	Robertson,	Speaker.
Fox,	Leonard,	Root,	

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same with amendments in which the concurrence of the Senate is requested.

BILL PASSED OVER

There being no objection Senate Bill No. 478, Printer's No. 352, was passed over at the request of Mr. LICHTENWALTER.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 521, entitled.

An Act relating to reservation of powers of the Commonwealth municipalities and political subdivisions thereof with respect to lands purchased or condemned by the United States

On the question,

Will the House agree to the bill on third reading?

BILL RECOMMITTED

Mr. LICHTENWALTER. Mr. Speaker, I move that this bill be recommitted to the Committee on State Government.

The motion was agreed to.

BILL PASSED OVER

There being no objection Senate Bill No. 68, Printer's No. 304, was passed over at the request of Mr. LICHTENWALTER.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 137, as follows:

An Act to validate and quiet the title to real estate in this Commonwealth held by a foreign corporation unauthorized to transact business in Pennsylvania and heretofore conveyed to a citizen of the United States or a corporation authorized to hold such real estate

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The title to any real estate situate in this Commonwealth which may have been held prior to the fifteenth day of April one thousand nine hundred forty-three by any foreign corporation not authorized under the laws of Pennsylvania to transact business in Pennsylvania the title to which real estate has been heretofore conveyed by such foreign corporation to a citizen of the United States or to any corporation incorporated under the laws of this Commonwealth or of any other state or Commonwealth in the United States and authorized to hold such real estate is hereby declared to be good and valid and free and clear of any right of escheat by the Commonwealth and such citizen or corporation grantee as aforesaid and his or its respective heirs successors and assigns shall hold and may convey such title and estate indefeasibly as to any right of escheat which the Commonwealth might otherwise have by reason of said unauthorized holding and conveyance by such foreign corporation and all such conveyance heretofore made are hereby ratified and confirmed.

Section 2 All acts and parts of acts inconsistent herewith are hereby repealed

Section 3 This act shall become effective immediately upon final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—170

Alspach,	Garber,	Levy,	Rose, S.
Barrett,	Gardner,	Lichtenwalter,	Rose, W. E.,
Baker,	Gillan,	Livingstone,	Rowley,
Barton,	Goodling,	Longo,	Royer,
Bonawitz,	Gorman,	Lovett,	Salus,
Boorse,	Goodwin,	Lyons,	Sarge,
Bower,	Grant,	Madigan,	Scanlon,
Boyd,	Green,	Mahany,	Schuster,
Bretherick,	Gross,	Maxwell,	Serrill,
Brice,	Haberlen,	McClester,	Simons,
Brigerman,	Hall,	McKinney,	Smith,
Brown,	Hamilton,	McMillen,	Snider,
Brunner, C. H.,	Hare,	McSurdy,	Sollenberger,
Brunner, P. A.,	Harris,	Menna,	Sorg,
Burns,	Haudenshield,	Mihm,	Stank,
Calvin,	Heatherington,	Miller,	Stockham,
Campbell,	Helm,	Mintess,	Stonier,
Chudoff,	Herman,	Mock,	Tahl,
Cohen,	Hewitt,	Mooney,	Tate,
Cook,	Hocke,	Moore,	Taylor,
Cooper,	Hoffman,	Moran,	Thrasher,
Cordier,	Hoggard,	Muir,	Thompson,
Corrigan,	Holmes,	Munley,	Tiemann,
Costa,	Hoopes,	Murray,	Trent,
Coulson,	Hunter, B. F.,	Nowak,	Trout,
Cullen,	Hunter, W. M.,	O'Brien,	Turbett,
Dague,	Huntley,	O'Connor,	Verona,
Dalrymple,	Imbrie,	O'Dare,	Wachhaus,
Denman,	Irvin,	O'Neill,	Wagner, K. H.,
Dennison,	James,	Petrosky,	Wagner, P. L.,
Depuy,	Jones,	Pettit,	Wallin,
Dillon,	Kennedy,	Polaski,	Walton,
Dix,	Kirley,	Powers,	Watkins,
Elder,	Kline,	Readinger,	Weiss,
Elliott,	Kolankiewicz,	Reagan,	Welsh,
Ely,	Kowalski,	Reese, D. P.,	Wood, N.,
Erb,	Krepps,	Reese, R. E.,	Worley,
Ewing,	Krise,	Regan,	Wright,
Figlock,	Lane,	Reilly,	Yeakel,
Finnerty,	Laughner,	Reynolds,	Yester,
Flack,	Lee,	Riley,	Fiss,
Foor,	Leisey,	Robertson,	Speaker.
Fox,	Leonard,	Root,	

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same with amendments in which the concurrence of the Senate is requested.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 560, as follows:

An Act to further amend section four hundred two of the act approved the fifth day of December one thousand nine hundred thirty-six (P. L. 2897 1937) entitled "An act establishing a system of unemployment compensation to be administered by the Department of Labor and Industry and its existing and newly created agencies with personnel (with certain exceptions) selected on a civil service basis requiring employers to keep records and make reports and certain employers to pay contributions based on payrolls to provide moneys for the payment of compensation to certain unemployed persons providing procedure and administrative details for the determination payment and collection of such contributions and the payment of such compensation providing for cooperation with the Federal Government and its agencies creating certain special funds in the custody of the State Treasurer and prescribing penalties" to correct an error in previous amendment in connection with provisions covering ineligibility for compensation

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section four hundred two of the act approved the fifth day of December one thousand nine hundred thirty-six (P. L. 2897 1937) entitled "An act establishing a system of unemployment compensation to be administered by the Department of Labor and Industry and its existing and newly created agencies with personnel (with certain exceptions) selected on a civil service basis requiring employers to keep records and make reports and

certain employers to pay contributions based on payrolls to provide moneys for the payment of compensation to certain unemployed persons providing procedure and administrative details for the determination payment and collection of such contributions and the payment of such compensation providing for cooperation with the Federal Government and its agencies creating special funds in the custody of the State Treasurer and prescribing penalties" as last amended by section three of the act approved the twenty-third day of April one thousand nine hundred forty-two (P. L. 60) is further amended to read as follows

Section 402 Ineligibility for Compensation An employe shall be ineligible for compensation or waiting period credit for any week

(a) In which his unemployment is due to failure without good cause either to apply for suitable work at such time and in such manner as the department may prescribe or to accept suitable work when offered to him by the employment office or by his previous employer In determining whether or not any work is suitable for an individual the department shall consider the degree of risk involved to his health safety and morals his physical fitness and prior training and experience and the distance of the available work from his residence

(b) In which his unemployment is due to voluntarily leaving work without good cause Provided That no employes shall be deemed to be ineligible under this section where as a condition of continuing in employment such employe would be required to join or remain a member of a company union or to resign from or refrain from joining any bona fide labor organization or to accept wages hours or conditions of employment not desired by a majority of the employes in the establishment or the occupation or would be denied the right of collective bargaining under generally prevailing conditions

(c) With respect to which or a part of which he has received or is seeking unemployment benefits under an unemployment compensation law of any other state or of the United States Provided That if the appropriate agency of such other state or of the United States finally determines that he is not entitled to such unemployment benefits the disqualification shall not apply

(d) In which the employe's total unemployment is due to a voluntary suspension of work resulting from an industrial dispute but this disqualification shall apply only to the week in which the suspension occurred and for the three consecutive weeks of total unemployment which immediately follow such week

Section 2 The provisions of this act shall become effective immediately upon its final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—170

Alspach,	Garber,	Levy,	Rose, S.
Barrett,	Gardner,	Lichtenwalter,	Rose, W. E.,
Baker,	Gillan,	Livingstone,	Rowley,
Barton,	Goodling,	Longo,	Royer,
Bonawitz,	Gorman,	Lovett,	Salus,
Boorse,	Goodwin,	Lyons,	Sarge,
Bower,	Grant,	Madigan,	Scanlon,
Boyd,	Green,	Mahany,	Schuster,
Bretherick,	Gross,	Maxwell,	Serrill,
Brice,	Haberlen,	McClester,	Simons,
Brigerman,	Hall,	McKinney,	Smith,
Brown,	Hamilton,	McMillen,	Snider,
Brunner, C. H.,	Hare,	McSurdy,	Sollenberger,
Brunner, P. A.,	Harris,	Menna,	Sorg,
Burns,	Haudenshield,	Mihm,	Stank,
Calvin,	Heatherington,	Miller,	Stockham,
Campbell,	Helm,	Mintess,	Stonier,
Chudoff,	Herman,	Mock,	Tahl,
Cohen,	Hewitt,	Mooney,	Tate,
Cook,	Hocke,	Moore,	Taylor,
Cooper,	Hoffman,	Moran,	Thrasher,
Cordier,	Hoggard,	Muir,	Thompson,
Corrigan,	Holmes,	Munley,	Tiemann,
Costa,	Hoopes,	Murray,	Trent,
Coulson,	Hunter, B. F.,	Nowak,	Trout,
Cullen,	Hunter, W. M.,	O'Brien,	Turbett,
Dague,	Huntley,	O'Connor,	Verona,
Dalrymple,	Imbrie,	O'Dare,	Wachhaus,
Denman,	Irvin,	O'Neill,	Wagner, K. H.,
Dennison,	James,	Petrosky,	Wagner, P. L.,
Depuy,	Jones,	Pettit,	Wallin,
Dillon,	Kennedy,	Polaski,	Walton,
Dix,	Kirley,	Powers,	Watkins,
Elder,	Kline,	Readinger,	Weiss,
Elliott,	Kolankiewicz,	Reagan,	Welsh,
Ely,	Kowalski,	Reese, D. P.,	Wood, N.,
Erb,	Krepps,	Reese, R. E.,	Worley,
Ewing,	Krise,	Regan,	Wright,
Figlock,	Lane,	Reilly,	Yeakel,
Finnerty,	Laughner,	Reynolds,	Yester,
Flack,	Lee,	Riley,	Fiss,
Foor,	Leisey,	Robertson,	Speaker.
Fox,	Leonard,	Root,	

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 714, as follows:

An Act to further amend section five hundred nine of the act approved the eleventh day of July one thousand nine hundred twenty-three (P. L. 998) entitled "An act for the prevention and treatment of mental diseases mental defect epilepsy and inebriety regulating the admission and commitment of mental patients to hospitals for mental diseases and institutions for mental defectives and epileptics governing the transfer discharge interstate rendition and deportation of mental patients providing for the payment by individuals counties or the Commonwealth of the cost of the admission care and discharge of mental patients and imposing penalties" by providing for the payment in certain cases of a portion of the sums collected by the Commonwealth from private sources to the political subdivisions which have contributed to the cost of care and maintenance of such patients

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section five hundred nine of the act approved the eleventh day of July one thousand nine hundred twenty-three (P. L. 998) entitled "An act for the prevention and treatment of mental diseases mental defect epilepsy and inebriety regulating the admission and commitment of mental patients to hospitals for mental diseases and institutions for mental defectives and epileptics governing the transfer discharge interstate rendition and deportation of mental patients providing for the payment by individuals counties or the Commonwealth of the cost of the admission care and discharge of mental patients and imposing penalties" as added to said act by the act approved the twenty-fifth day of April one thousand nine hundred twenty-nine (P. L. 700) and as last amended by the act approved the eleventh day of October one thousand nine hundred thirty-eight (P. L. 63) is hereby further amended to read as follows

Section 509 All moneys [whatsoever] due to the Commonwealth from the estate of a mental patient or the persons liable under existing laws for such patient's support for the care and maintenance including clothing of such patient in a mental hospital owned and operated by the Commonwealth shall be collected by the Department of Revenue as collection agency for such institution and shall be promptly transmitted by the Department of Revenue to the State Treasurer For amounts due the

Commonwealth from the counties under existing laws for the care and maintenance including clothing of the criminal insane in a mental hospital owned and operated by the Commonwealth the Department of Revenue shall promptly after the last day of each calendar month transmit to the county commissioners of the several counties a certified account of the expenses of the care and maintenance including clothing of insane prisoners for such calendar month together with an order payable to the Department of Revenue drawn on the county commissioners of the county who shall accept and promptly pay same to the Department of Revenue Provided however That whenever any county institution district or other political subdivision of the Commonwealth has heretofore paid to the Commonwealth an amount chargeable against it for its part of the cost of the care and maintenance of any indigent or partly indigent insane patient in a State hospital and the cost of such care and maintenance or any portion thereof has been or shall be collected by the Commonwealth from such patient patient's estate or any other person or persons then one-half of the amount so collected or so much of such one-half thereof as has not already been paid to the said county institution district or other political subdivision which has contributed towards the cost of care and maintenance of such indigent or partly indigent insane patient shall be paid by the Commonwealth to such county institution district or other political subdivision

Section 2 This act shall become effective immediately upon final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—170

Alspach,	Garber,	Levy,	Rose, S.
Barrett,	Gardner,	Lichtenwalter,	Rose, W. E.,
Baker,	Gillar.,	Livingstone,	Rowley,
Barton,	Goodling,	Longo,	Royer,
Bonawitz,	Gorman,	Lovett,	Salus,
Boorse,	Goodwin,	Lyons,	Sarge,
Bower,	Grant,	Madigan,	Scanlon,
Boyd,	Green,	Mahany,	Schuster,
Bretherick,	Gross,	Maxwell,	Serrill,
Brice,	Haberlen,	McClester,	Simons,
Brigerman,	Hall,	McKinney,	Smith,
Brown,	Hamilton,	McMillen,	Snider,
Brunner, C. H.,	Hare,	McSurdy,	Sollenberger,
Brunner, P. A.,	Harris,	Menna,	Sorg,
Burns,	Haudenshield,	Mihm,	Stank,
Calvin,	Heatherington,	Miller,	Stockham,
Campbell,	Helm,	Mintess,	Stonier,
Chudoff,	Herman,	Mock,	Tahl,
Cohen,	Hewitt,	Mooney,	Tate,
Cook,	Hocke,	Moore,	Taylor,
Cooper,	Hoffman,	Moran,	Trasher,
Cordier,	Hoggard,	Muir,	Thompson,
Corrigan,	Holmes,	Munley,	Tiemann,
Costa,	Hoopes,	Murray,	Trent,
Coulson,	Hunter, B. F.,	Nowak,	Trout,
Cullen,	Hunter, W. M.,	O'Brien,	Turbett,
Dague,	Huntley,	O'Connor,	Verona,
Dalrymple,	Imbrie,	O'Dare,	Wachhaus,
Denman,	Irvin,	O'Neill,	Wagner, K. H.,
Dennison,	James,	Petrosky,	Wagner, P. L.,
Depuy,	Jones,	Pettit,	Wallin,
Dillon,	Kennedy,	Polaski,	Walton,
Dix,	Kirley,	Powers,	Watkins,
Elder,	Kline,	Readinger,	Weiss,
Elliott,	Kolankiewicz,	Reagan,	Welsh,
Ely,	Kowalski,	Reese, D. P.,	Wood, N.,
Erb,	Krepps,	Reese, R. E.,	Worley,
Ewing,	Krise,	Regan,	Wright,
Figlock,	Lane,	Reilly,	Yeakel,
Finnerty,	Laughner,	Reynolds,	Yester,
Flack,	Lee,	Riley,	Fiss,
Foor,	Leisey,	Robertson,	Speaker.
Fox,	Leonard,	Root,	

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 721, as follows:

An Act to amend section six of the act approved the third day of June one thousand nine hundred and fifteen (P. L. 954) entitled "An act to protect the public health and safety By regulating the erection alteration repair use occupancy maintenance sanitation and condemnation of dwellings two-family dwellings rooming-houses and tenements by regulating the use maintenance and sanitation of the ground surrounding the same the adjoining buildings and all vacant land in cities of the first class providing for their inspection the abatement of nuisances the vacating of uninhabitable houses and the filing of liens creating a Division of Housing and Sanitation and providing penalties for violations of the provisions thereof and repealing all laws inconsistent therewith" by providing for certain exceptions to the applicability of the provisions of that section

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section six of the act approved the third day of June one thousand nine hundred and fifteen (P. L. 954) entitled "An act to protect the public health and safety By regulating the erection alteration repair use occupancy maintenance sanitation and condemnation of dwellings two-family dwellings rooming-houses and tenements by regulating the use maintenance and sanitation of the grounds surrounding the same the adjoining buildings and all vacant land in cities of the first class providing for their inspection the abatement of nuisances the vacating of uninhabitable houses and the filing of liens creating a Division of Housing and Sanitation and providing penalties for violations of the provisions thereof and repealing all laws inconsistent therewith" is hereby amended to read as follows

Section 6 No building shall be occupied as a tenement unless it shall have appurtenant to it in the rear or at the side and as a part of the lot upon which it is located an open space equal to at least twenty per centum of the entire area of such lot which open space shall be unobstructed by any overhanging structure except fire-escapes required by law unless however such tenement shall be located upon a corner of two streets neither of which is less than twenty feet in width in which case said tenement shall have an open space attached to it in the rear or at the side next the adjoining lot equal in area to at least ten percentum of the entire area of the lot upon which said tenement is located which open space shall be unobstructed by any overhanging structure except fire-escapes required by law and any such tenement located upon a lot bounded on three sides by streets none of which is less than twenty feet in width may cover the entire area of said lot Provided That at least one window not less than the minimum size hereinafter provided opening from each of the rooms in such tenement shall open upon one of the streets Such open space attached to every tenement shall be at least eight feet in width throughout its entire length No court or open space between tenements or between wings of a tenement shall be of a less width than twelve feet except in buildings erected prior to June seventh one thousand eight hundred and ninety-five and which are not over three stories in height where the open space is between the walls of the walls of the wings of tenements there shall be an approved open space five feet in width provided the length of such wing or wings is not more than thirty feet and for each additional ten feet in length there shall be an additional foot in width provided there is at the rear or at the side of the lot upon which the building is erected an open space equal to at least twenty per centum of the entire lot area which

open space shall be unobstructed by any overhanging structure except fire-escapes required by law If such tenement is situated on a lot which is bounded on two opposite sides by streets then at least one end of every such open space shall abut upon one of said streets Every court or shaft furnishing light or air to any such tenement shall open upon one side into a street or into a yard or open space except such shafts as are used solely for ventilation of water-closets or bath-rooms which for the purpose of cleaning same shall have a door or window giving sufficient access for such purposes on the ground floor leading thereto Buildings erected as tenements or physically altered into tenements prior to June seventh one thousand eight hundred and ninety-five shall be exempt from the provisions of this section governing the percentage of the lot occupied the width between the wings and the width of the court and such other buildings shall likewise be exempt as have been listed on the records of the Department of Public Health and Charities and consecutively occupied as tenements prior to the passage of this act Provided however that whenever any building which had been erected prior to January first one thousand nine hundred forty-three is about to be or has been converted into a tenement the Board of Adjustment of any city of the first class authorized to be established by the act approved the sixth day of May one thousand nine hundred and twenty-nine (P. L. 1551) shall have the authority after investigation and public hearing to determine that the area of open space required under the terms of this section to be appurtenant to tenements is not necessary for the protection of the public health and welfare and to issue a certificate of variance as respects said open space In such case the provisions herein contained respecting the area requirement of open space shall not be applicable

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—170

Alspach,	Garber,	Levy,	Rose, S.
Barrett,	Gardner,	Lichtenwalter,	Rose, W. E.,
Baker,	Gillar.,	Livingstone,	Rowley,
Barton,	Goodling,	Longo,	Royer,
Bonawitz,	Gorman,	Lovett,	Salus,
Boorse,	Goodwin,	Lyons,	Sarge,
Bower,	Grant,	Madigan,	Scanlon,
Boyd,	Green,	Mahany,	Schuster,
Bretherick,	Gross,	Maxwell,	Serrill,
Brice,	Haberlen,	McClester,	Simons,
Brigerman,	Hall,	McKinney,	Smith,
Brown,	Hamilton,	McMillen,	Snider,
Brunner, C. H.,	Hare,	McSurdy,	Sollenberger,
Brunner, P. A.,	Harris,	Menna,	Sorg,
Burns,	Haudenshield,	Mihm,	Stank,
Calvin,	Heatherington,	Miller,	Stockham,
Campbell,	Helm,	Mintess,	Stonier,
Chudoff,	Herman,	Mock,	Tahl,
Cohen,	Hewitt,	Mooney,	Tate,
Cook,	Hocke,	Moore,	Taylor,
Cooper,	Hoffman,	Moran,	Thrasher,
Cordier,	Hoggard,	Muir,	Thompson,
Corrigan,	Holmes,	Munley,	Tiemann,
Costa,	Hoopes,	Murray,	Trent,
Coulson,	Hunter, B. F.,	Nowak,	Trout,
Cullen,	Hunter, W. M.,	O'Brien,	Turbett,
Dague,	Huntley,	O'Connor,	Verona,
Dalrymple,	Imbrie,	O'Dare,	Wachhaus,
Denman,	Irvin,	O'Neill,	Wagner, K. H.,
Dennison,	James,	Petrosky,	Wagner, P. L.,
Depuy,	Jones,	Pettit,	Wallin,
Dillon,	Kennedy,	Polaski,	Walton,
Dix,	Kirley,	Powers,	Watkins,
Elder,	Kline,	Readinger,	Weiss,
Elliott,	Kolankiewicz,	Reagan,	Welsh,
Ely,	Kowalski,	Reese, D P.,	Wood, N.,
Erb,	Krepps,	Reese, R. E.,	Worley,
Ewing,	Krise,	Regan,	Wright,
Figlock,	Lane,	Reilly,	Yeakel,
Finnerty,	Laughner,	Reynolds,	Yeakel,
Flack,	Lee,	Riley,	Fiss,
Foor,	Leisey,	Robertson,	Speaker.
Fox,	Leonard,	Root,	

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. [illegible], as follows:

An Act to further amend clauses six and nine of section one of the act approved the twenty-seventh day of June one thousand nine hundred twenty-three (P. L. 858) entitled "An act establishing a State employes' retirement system and creating a retirement board for the administration thereof establishing certain funds from contributions by the Commonwealth and contributing State employes defining the uses and purposes thereof and the manner of payments therefrom and providing for the guaranty by the Commonwealth of certain of said funds imposing powers and duties upon the heads of departments in which State employes serve excepting annuities allowances returns benefits and rights from taxation and judicial process and providing penalties" further defining State employes and original members

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Clauses six and nine of section one of the act approved the twenty-seventh day of June one thousand nine hundred twenty-three (P. L. 858) entitled "An act establishing a State employes' retirement system and creating a retirement board for the administration thereof establishing certain funds from contributions by the Commonwealth and contributing State employes defining the uses and purposes thereof and the manner of payments therefrom and providing for the guaranty by the Commonwealth of certain of said funds imposing powers and duties upon the heads of departments in which State employes serve excepting annuities allowances returns benefits and rights from taxation and judicial process and providing penalties" as last amended by the act approved the twenty-fifth day of June one thousand nine hundred forty-one (P. L. 202) and by the act approved the eighteenth day of May one thousand nine hundred thirty-seven (P. L. 683) respectively are hereby further amended to read as follows

Section 1 Be it enacted That the following words and phrases as used in this act unless a different meaning is plainly required by the context shall have the following meanings

* * * * *

6 "State employe" shall mean any person holding a State office or position under the Commonwealth of Pennsylvania employed and paid on a yearly or monthly basis by the State Government of the Commonwealth of Pennsylvania in any capacity whatsoever and shall include also any attorney solicitor investigator appraiser and clerk employed by the year or by the month in the office of any register of wills howsoever appointed whose compensation is actually paid from Commonwealth moneys and shall also include all judges of the several courts of this Commonwealth whose salaries are paid by the Commonwealth and also all clerks and secretaries employed by judges and paid on a yearly or monthly basis by such judges from moneys appropriated by the Commonwealth for such purposes and also all officers and employes of the Pennsylvania State College paid on a yearly or monthly basis other than those paid wholly from Federal funds and also all officers and employes of the Delaware River Joint Commission and of the Delaware River Joint Toll Bridge Commission paid on a

yearly or monthly basis if the Delaware River Joint Commission and the Delaware River Joint Toll Bridge Commission shall agree to contribute and contributes to the State Employes' Retirement Fund from time to time the moneys required to build up the reserves necessary for the payment of the State annuities of such officers and employes without any liability on the part of the Commonwealth to make appropriations for such purposes and also but only for the purposes of this act all officers and employes of any separate independent public corporation created by act of assembly (not including however any municipal or quasi-municipal corporation) who immediately prior to their employment by such public corporation were employes of the Commonwealth so long as they remain officers or employes of such public corporation if such public corporation shall agree to contribute and contributes to the State Employes' Retirement Fund from time to time the moneys required to build up the reserve necessary for the payment of the State annuities of such officers and employes without any liability on the part of the Commonwealth to make appropriations for such purposes [But the] Employes of the respective institutions acquired by the Commonwealth from counties cities or institution districts for actual use as State mental hospitals under the provisions of the act approved the twenty-ninth day of September one thousand nine hundred thirty-eight (P. L. 53) shall for the purposes of this act be deemed to have been "State employes" from the time they first entered the employ of such institution even though the same may have been prior to the acquisition of the institution by the Commonwealth The term "State employe" shall not include those persons defined as employes in section one paragraph seven of the act approved the eighteenth day of July one thousand nine hundred and seventeen (P. L. 1043) entitled "An act establishing a public school employes' retirement system and creating a retirement board for the administration thereof establishing certain funds from contributions by the Commonwealth and contributing employes defining the uses and purposes thereof and the manner of payments therefrom and providing for the guaranty by the Commonwealth of certain of said funds imposing powers and duties upon boards having the employment of public school employes exempting annuities allowances returns benefits and rights from taxation and judicial process and providing penalties" as amended by section one paragraph seven of the act approved the twenty-first day of April one thousand nine hundred and twenty-one (P. L. 245) excepting such officers and employes of the Department of Public Instruction as are not members of or who may withdraw from the public school employes' retirement association provided by said act and no member shall be deprived of credit for prior service as a State employe because of the fact that such service was rendered while he or she was a member of the public school employes retirement association

The term "State employe" shall also include all State officers and employes regularly employed by the year or by the month at a fixed annual or monthly compensation when the General Assembly is not in session but who during a legislative session instead of a fixed annual or monthly salary or compensation are paid upon a per diem basis or by a fixed salary or compensation from the legislative session

In all cases of doubt the retirement board shall determine whether any person is a State employe as defined in this paragraph and its decision shall be final

* * * * *

9 "Original members" of the retirement association shall mean a State employe who was at any time a State employe prior to January first one thousand nine hundred twenty-five whether or not such employment has been continuous and who shall have become a member of the retirement association on or before December thirty-first one thousand nine hundred thirty-five or any State employe who is an employe of any of the respective institutions acquired by the Commonwealth from any county city or institution district for actual use as a State mental hospital under the provisions of the act approved the twenty-ninth day of September one thousand nine hundred thirty-eight (P. L. 53) who was at any time an employe of such institution prior to January first one thousand nine hundred twenty-five whether or not such employment has been continuous and who shall have become a member of the retirement association on or before December thirty-first one thousand nine hundred forty-three

Any such State employe who shall become an original member of the association after the approval of this amendment including those who having heretofore become a new member thereof shall become an original member under the provisions hereof shall pay to the retirement association a sum equal to all the back payments which such person would have made had he or she become a member of the retirement association when the retirement system was established Such back payments may be spread over a period of years by having such regular payroll deduction of such person increased by not less than one-third of the amount thereof which deduction increase shall be credited to such back payments owing and shall be continued until the amount thereof shall be paid in full unless such member is retired under the provisions of this act before such back payments have been completed Any such deduction increase may be anticipated in full by the member at any time and shall be anticipated in full at the time of retirement before a retirement allowance is granted and if not so anticipated then the member's annuity shall be calculated on the total accumulated deductions standing to his credit and his State annuity shall be reduced by an amount equivalent to the reduction which occurs in the member's annuity due to the amount of the back payments not so anticipated

Original member of the retirement association shall also mean any judge in service on the second Monday of January one thousand nine hundred thirty who shall elect to become a member of the retirement association at any time during the term for which he was then elected or appointed and any person hereafter elected or appointed a judge who at the time of his election or appointment is an original member of the retirement association or who was retired voluntarily or involuntarily as an original member and is at the time of his election or appointment as a judge receiving a retirement allowance as an original member

Section 2 This act shall become effective immediately upon its final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—170

Alspach,	Garber,	Levy,	Rose, S.
Barrett,	Gardner,	Lichtenwalter,	Rose, W. E.,
Baker,	Gillan,	Livingstone,	Rowley,
Barton,	Goodling,	Longo,	Royer,
Bonawitz,	Gorman,	Lovett,	Salus,
Boorse,	Goodwin,	Lyons,	Sarge,
Bower,	Grant,	Madigan,	Scanlon,
Boyd,	Green,	Mahany,	Schuster,
Bretherick,	Gross,	Maxwell,	Serrill,
Brice,	Haberlen,	McClester,	Simons,
Brigerman,	Hall,	McKinney,	Smith,
Brown,	Hamilton,	McMillen,	Snider,
Brunner, C. H.,	Hare,	McSurdy,	Sollenberger,
Brunner, P. A.,	Harris,	Menna,	Sorg,
Burns,	Haudenshield,	Mihm,	Stank,
Calvin,	Heatherington,	Miller,	Stockham,
Campbell,	Helm,	Mintess,	Stonier,
Chudoff,	Herman,	Mock,	Tahl,
Cohen,	Hewitt,	Mooney,	Tate,
Cook,	Hocke,	Moore,	Taylor,
Cooper,	Hoffman,	Moran,	Thrasher,
Cordier,	Hoggard,	Muir,	Thompson,
Corrigan,	Holmes,	Munley,	Tiemann,
Costa,	Hoopes,	Murray,	Trent,
Coulson,	Hunter, B. F.,	Nowak,	Trout,
Cullen,	Hunter, W. M.,	O'Brien,	Turbett,
Dague,	Huntley,	O'Connor,	Verona,

Dalrymple,	Imbrie,	O'Dare,	Wachhaus,
Denman,	Irvin,	O'Neill,	Wagner, K. H.,
Dennison,	James,	Petrosky,	Wagner, P. L.,
Depuy,	Jones,	Pettit,	Wallin,
Dillon,	Kennedy,	Polaski,	Walton,
Dix,	Kirley,	Powers,	Watkins,
Elder,	Kline,	Readinger,	Weiss,
Elliott,	Kolankiewicz,	Reagan,	Welsh,
Ely,	Kowalski,	Reese, D. P.,	Wood, N.,
Erb,	Krepps,	Reese, R. E.,	Worley,
Ewing,	Krise,	Regan,	Wright,
Figlock,	Lane,	Reilly,	Yeakel,
Finnerty,	Laughner,	Reynolds,	Yester,
Flack,	Lee,	Riley,	Fiss,
Foor,	Leisey,	Robertson,	Speaker.
Fox,	Leonard,	Root,	

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 763, as follows:

An Act to amend section one of the act approved the sixteenth day of July one thousand nine hundred forty-one (P. L. 405) entitled "An act providing a method for supplying perfecting and recording birth records of certain persons whose births have not heretofore been made a public record or whose record of birth is incomplete or incorrect making such records competent legal evidence prescribing fees and imposing certain duties upon the orphans' court and the Bureau of Vital Statistics of the Department of Health authorizing the orphans' court to appoint masters for the determination of certain questions and requiring counties to pay the compensation of such masters" further regulating the proofs required

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section one of the act approved the sixteenth day of July one thousand nine hundred forty-one (P. L. 405) entitled "An act providing a method for supplying perfecting and recording birth records of certain persons whose births have not heretofore been made a public record or whose record of birth is incomplete or incorrect making such records competent legal evidence prescribing fees and imposing certain duties upon the orphans' court and the Bureau of Vital Statistics of the Department of Health authorizing the orphans' court to appoint masters for the determination of certain questions and requiring counties to pay the compensation of such masters" is hereby amended to read as follows

Section 1 Any person having been born in the Commonwealth of Pennsylvania prior to January first one thousand nine hundred and six whose record of birth is not contained in the records of the orphans' court of the county in which he was born or whose record of birth is incomplete or incorrect may have a record of his birth filed and recorded or corrected in the office of the clerk of the orphans' court of the county in which he was born by presenting a petition to said orphans' court alleging the fact that no record of his birth exists or that said record is incomplete or incorrect and setting forth so much of the following information as is available and a statement that the information not supplied cannot be obtained and the reasons therefor

(a) Place and date of birth including state county city borough town township or village If in a hospital or other institution the name of the same shall be given as well as the residence of the parents and the post office address of the parents

(b) Full name

(c) Sex

(d) Whether a twin or other plural birth

(e) Whether the birth was legitimate or illegitimate

(f) Full name of father when legitimate

(g) Color or race of father

(h) Birthplace of father and age at birth of applicant if known

(i) Occupation of father if known

(j) Residence of parents if living and known

(k) Occupation

(l) Maiden name of mother

(m) Color or race of mother

(n) Birthplace of mother and age at birth of applicant if known

(o) Occupation of mother if known

(p) Number of children of this mother if known and number of children of this mother now living if known

(q) (1) A certificate written in the English language signed by the doctor or midwife in attendance at the birth of such person [and] or

(2) A certificate written in the English language signed by such person accompanied by a baptismal record kept by a bona fide ecclesiastical body and certified by a priest minister or other officer of said body or if it is impossible to obtain such records then an affidavit to that effect by such priest minister or other officer [and] or

(3) A certificate written in the English language signed by such person and by a parent or near relative of such person who has lived with the person or family and has knowledge of the facts contained in such affidavit [and] or

(4) A certificate written in the English language signed by such person and by two other persons who have had adequate means of knowledge of the facts contained in such affidavit or of the family tradition thereon Provided That such last mentioned persons need not be related by blood or marriage if they have been connected with the family so long and so intimately as to have acquired knowledge of the facts Provided however That if the information required above is not available the court may require such other information including public or private records as will satisfy it

Every certificate filed under this section shall be supported by an affidavit or affirmation on behalf of each person signing the certificate attesting the correctness of the information given therein which affidavit or affidavits shall be a part of the record of birth and a copy of such affidavit or affidavits shall accompany each certified copy of any record of such birth issued by the clerk of the orphans' court In order that the form of petition in the several counties may be uniform the Bureau of Vital Statistics of the Department of Health shall prescribe the form of petition and certificate required under section one of this act

Section 2 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—170.

Alspach,	Garber,	Levy,	Rose, S.
Barrett,	Gardner,	Lichtenwalter,	Rose, W. E.,
Baker,	Gillan,	Livingstone,	Rowley,
Barton,	Goodling,	Longo,	Royer,
Bonawitz,	Gorman,	Lovett,	Salus,
Boorse,	Goodwin,	Lyons,	Sarge,
Bower,	Grant,	Madigan,	Scanlon,
Boyd,	Green,	Mahany,	Schuster,
Bretherick,	Gross,	Maxwell,	Serrill,
Brice,	Haberlen,	McClester,	Simons,
Brigerman,	Hall,	McKinney,	Smith,
Brown,	Hamilton,	McMillen,	Snider,
Brunner, C. H.,	Hare,	McSurdy,	Sollenberger,
Brunner, P. A.,	Harris,	Menna,	Sorg,

Burns,	Haudenshield,	Mihm,	Stank,
Calvin,	Heatherington,	Miller,	Stockham,
Campbell,	Helm,	Mintess,	Stonier,
Chudoff,	Herman,	Mock,	Tahl,
Cohen,	Hewitt,	Mooney,	Tate,
Cook,	Hocke,	Moore,	Taylor,
Cooper,	Hoffman,	Moran,	Thrasher,
Cordier,	Hoggard,	Muir,	Thompson,
Corrigan,	Holmes,	Munley,	Tiemann,
Costa,	Hoopes,	Murray,	Trent,
Coulson,	Hunter, B. F.,	Nowak,	Trout,
Cullen,	Hunter, W. M.,	O'Brien,	Turbett,
Dague,	Huntley,	O'Connor,	Verona,
Dalrymple,	Imbrie,	O'Dare,	Wachhaus,
Denman,	Irvin,	O'Neill,	Wagner, K. H.,
Dennison,	James,	Petrosky,	Wagner, P. L.,
Depuy,	Jones,	Pettit,	Wallin,
Dillon,	Kennedy,	Polaski,	Walton,
Dix,	Kirley,	Powers,	Watkins,
Elder,	Kline,	Readinger,	Weiss,
Elliott,	Kolankiewicz,	Reagan,	Welsh,
Ely,	Kowalski,	Reese, D P.,	Wood, N.,
Erb,	Krepps,	Reese, R. E.,	Worley,
Ewing,	Krise,	Regan,	Wright,
Figlock,	Lane,	Reilly,	Yeakel,
Finnerty,	Laughner,	Reynolds,	Yester,
Flack,	Lee,	Riley,	Fiss,
Foor,	Leisey,	Robertson,	Speaker.
Fox,	Leonard,	Root,	

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

BILLS PASSED OVER

There being no objection

House Bill No. 814, Printer's No. 541;

House Bill No. 956, Printer's No. 551; and

House Bill No. 1055, Printer's No. 559

were passed over at the request of Mr. LICHTENWALTER.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 759, as follows:

An Act to further amend section one of the act approved the twenty-ninth day of June one thousand nine hundred twenty-three (P. L. 944) entitled "An act relating to salaries compensation bonds offices and supplies of certain county officers their deputies and clerks in counties of the sixth class" by fixing the salary of the treasurer

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section one of the act approved the twenty-ninth day of June one thousand nine hundred twenty-three (P. L. 944) entitled "An act relating to salaries compensations bonds offices and supplies of certain county officers their deputies and clerks in counties of the sixth class" as amended by the act approved the twelfth day of June one thousand nine hundred thirty-one (P. L. 560) is hereby further amended to read as follows

Section 1 Be it enacted et cetera That in counties of the sixth class the [compensation of the county treasurer shall be fixed under the provisions of existing law but the treasurer shall not in any case receive more than four thousand dollars ($4,000) in any one year The] annual salary of the county treasurer shall be four thousand dollars ($4,000) the annual salary of the clerk of the courts of quarter sessions shall be two thousand five hundred dollars ($2,500) the annual salary of the controller shall be two thousand five hundred dollars ($2,500) the annual salary of the clerk of oyer and terminer shall be one thousand ($1,000) dollars the annual salary of clerks of orphans' court shall be two thousand five hundred dollars ($2,500) the annual salary of the prothonotary shall be three thousand dollars ($3,000) the annual salary of the recorder of deeds shall be three thousand dollars ($3,000) and the annual salary of the register of wills shall be three thousand dollars ($3,000)

Where any of said officers holds two of said offices he shall receive the highest salary fixed for any of the offices which he holds and the additional salary of five hundred dollars ($500) and where any such officers shall hold three or more such offices he shall receive an additional salary of one thousand dollars ($1,000)

Section 2 The provisions of this act shall not be construed to repeal or in any wise affect any of the provisions of section forty-two of the act approved the fifteenth day of April one thousand eight hundred thirty-four (P. L. 537) or its amendments

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—170

Alspach,	Garber,	Levy,	Rose, S.
Barrett,	Gardner,	Lichtenwalter,	Rose, W. E.,
Baker,	Gillan,	Livingstone,	Rowley,
Barton,	Goodling,	Longo,	Royer,
Bonawitz,	Gorman,	Lovett,	Salus,
Boorse,	Goodwin,	Lyons,	Sarge,
Bower,	Grant,	Madigan,	Scanlon,
Boyd,	Green,	Mahany,	Schuster,
Bretherick,	Gross,	Maxwell,	Serrill,
Brice,	Haberlen,	McClester,	Simons,
Brigerman,	Hall,	McKinney,	Smith,
Brown,	Hamilton,	McMillen,	Snider,
Brunner, C. H.,	Hare,	McSurdy,	Sollenberger,
Brunner, P. A.,	Harris,	Menna,	Sorg,
Burns,	Haudenshield,	Mihm,	Stank,
Calvin,	Heatherington,	Miller,	Stockham,
Campbell,	Helm,	Mintess,	Stonier,
Chudoff,	Herman,	Mock,	Tahl,
Cohen,	Hewitt,	Mooney,	Tate,
Cook,	Hocke,	Moore,	Taylor,
Cooper,	Hoffman,	Moran,	Thrasher,
Cordier,	Hoggard,	Muir,	Thompson,
Corrigan,	Holmes,	Munley,	Tiemann,
Costa,	Hoopes,	Murray,	Trent,
Coulson,	Hunter, B. F.,	Nowak,	Trout,
Cullen,	Hunter, W. M.,	O'Brien,	Turbett,
Dague,	Huntley,	O'Connor,	Verona,
Dalrymple,	Imbrie,	O'Dare,	Wachhaus,
Denman,	Irvin,	O'Neill,	Wagner, K. H.,
Dennison,	James,	Petrosky,	Wagner, P. L.,
Depuy,	Jones,	Pettit,	Wallin,
Dillon,	Kennedy,	Polaski,	Walton,
Dix,	Kirley,	Powers,	Watkins,
Elder,	Kline,	Readinger,	Weiss,
Elliott,	Kolankiewicz,	Reagan,	Welsh,
Ely,	Kowalski,	Reese, D. P.,	Wood, N.,
Erb,	Krepps,	Reese, R. E.,	Worley,
Ewing,	Krise,	Regan,	Wright,
Figlock,	Lane,	Reilly,	Yeakel,
Finnerty,	Laughner,	Reynolds,	Yester,
Flack,	Lee,	Riley,	Fiss,
Foor,	Leisey,	Robertson,	Speaker.
Fox,	Leonard,	Root,	

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1052, as follows:

An Act to further amend section five hundred eight of the act approved the eighteenth day of May one thousand nine hundred eleven (P. L. 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" by further regulating the incurring funding and refunding of indebtedness temporary and permanent the retirement of indebtedness and the borrowing in anticipation of current revenues

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section five hundred eight of the act approved the eighteenth day of May one thousand nine hundred eleven (P. L. 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" as last amended by the act approved the twenty-fourth day of June one thousand nine hundred thirty-nine (P. L. 775) is hereby further amended to read as follows

Section 508 Any school district having no indebtedness or whose indebtedness incurred or created without the assent of the electors thereof is less than two (2) per centum of the total valuation of property taxable for school purposes therein may at any time for the purpose of providing funds in any fiscal year for current expenses and debt service for permanent improvements the acquiring of school buses or in anticipation of proceeds from a bond issue already officially authorized and approved by the Department of Internal Affairs with such limitations and for such length of term as hereinafter provided by or through its board of school directors incur in addition to any bonds therein authorized a temporary debt or borrow money and issue an obligation or obligations therefor under the seal of the district if any properly attested by the president and secretary thereof and bearing interest not exceeding the legal rate but no such obligation shall be sold for less than par Providing That the incurring of any such temporary debt or borrowing money upon such obligation shall receive the affirmative vote of not less than two-thirds of the members of the board of school directors therein

In addition thereto any such school district may as hereinbefore provided incur a temporary debt or borrow money for permanent improvements where no bond issue has been previously officially authorized and refund such temporary indebtednes by the issue of bonds in the manner provided by law when the exact amount required for such permanent improvement becomes known

The total amount of temporary indebtedness incurred for current expenses and debt service shall at no time exceed an amount equal to the State appropriations not received but payable during the fiscal year and the tax levied upon property taxable for school purposes within such school district for school purposes and remaining uncollected and unpledged for the current fiscal year Provided That for a period [of five years from the effective date of these amendments] beginning July first one thousand nine hundred forty-three and ending July first one thousand nine hundred forty-seven any temporary indebtedness incurred for current expenses and debt service may equal but not exceed the State appropriations not received but payable during the fiscal year and all taxes levied upon taxable property within the school district for school purposes for past years as well as for the current fiscal year and remaining uncollected and unpledged All such loans shall be paid out of the receipts available or pledged for the repayment thereof when and as the said funds are received Provided That the total amount of the temporary indebtedness for such purpose remaining unpaid at the close of the fiscal year shall become an obligation upon the following year's budget and be included therein

The total amount of temporary indebtedness incurred in any school district for the purpose of permanent improvements and the acquiring of school buses shall at no time in school districts of the first and second class exceed one-half of one (1) per centum of the last assessed valuation of property taxable for school purposes therein and in school districts of the third and fourth class two (2) per centum of such assessed valuation Provided That except where such temporary indebtedness is to be refunded by the issue of bonds as hereinbefore authorized at or before the time of incurring such indebtedness for such purpose provision shall be made for the collection of an annual tax sufficient to pay the interest and also the principal thereof within the term of such indebtedness as hereinafter provided Provided That the total indebtedness in any school district of the first class except obligations incurred under the provisions of section five hundred eight and one-tenth (508.1) shall never exceed two (2) per centum of the last assessed valuation of property taxable for school purposes therein and in school districts of the second third and fourth class shall not exceed seven (7) per centum of such assessed valuation

The total amount of temporary indebtedness incurred in anticipation of proceeds from a bond issue already officially authorized and approved by the Department of Internal Affairs as hereinbefore provided shall not exceed seventy-five (75) per centum of the full amount of bonds authorized by such bond issue

All money borrowed for permanent improvements and the acquiring of school buses for which no bond issue has been previously provided and for which an obligation or obligations other than bonds have been issued shall unless refunded by the issue of bonds as heiernbefore authorized be paid within three years from date of issue of such obligation together with interest and at least one-third of the total principal of the original loan shall be paid annually Such obligation or obligations may be paid in full or in part each year when the taxes are received and reborrowed again the latter part of the fiscal year Provided That the amount reborrowed is less than the amount borrowed the preceding year by at least one-third of the total amount of the original loan Provided further That each time the money is reborrowed the date and purpose for which it was originally borrowed shall be restated Provided further That the amount of the original loan shall be paid in full within a maximum term of three years from the date of the original loan for such purpose unless funded as hereinbefore provided

All obligations other than bonds issued by any school district in anticipation of proceeds from a bond issue already officially authorized and approved by the Department of Internal Affairs shall be paid in full together with interest out of the proceeds of such bond issue within one year six months from the date of authorization of such bond issue

In case of an emergency any school district in this Commonwealth in any fiscal year after borrowing money in anticipation of current revenues to the full extent of the provisions of section five hundred eight and one-tenth (508.1) and finding the receipts from said loans together with all other receipts to be inadequate to meet the expenditures of the official fiscal year's budget may appeal to the State Superintendent of Public Instruction for permission to incur a temporary debt for the purpose of providing funds for current expenses and debt service and shall present to the State Superintendent of Public Instruction or his agent such financial statements or reports as he may require to give him adequate facts relative to the necessity of such increase in indebtedness The State Superintendent of Public Instruction is hereby authorized after due examination of the need of such school district either to refuse or grant permission to such school district to borrow additional funds for current expenses and debt service beyond the provisions of section five hundred eight and one-tenth (508.1) and in

case of approval he shall designate the maximum length of the term and shall set a maximum limit of the total amount of such temporary indebtedness that such school district may incur during the fiscal year in addition to all temporary indebtedness for other purposes outstanding at the time of such approval Provided That all temporary indebtedness for the purpose of current expenses and debt service in school districts of the first class shall not exceed four-tenths of one (1) per centum and in school districts of the second class shall not exceed three-fourths of one (1) per centum and in school districts of the third and fourth class shall not exceed one (1) per centum of the total amount of property taxable for school purposes in such district and the total indebtedness for such purposes together with all other indebtedness incurred without authorization by vote of the electors of the district shall at no time exceed two (2) per centum of the last total assessed valuation of the property taxable for school purposes therein

Section 2 The provisions of this act shall become effective the first day of July one thousand nine hundred forty-three

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—170

Alspach,	Garber,	Levy,	Rose, S.
Barrett,	Gardner,	Lichtenwalter,	Rose, W. E.,
Baker,	Gillan,	Livingstone,	Rowley,
Barton,	Goodling,	Longo,	Royer,
Bonawitz,	Gorman,	Lovett,	Salus,
Boorse,	Goodwin,	Lyons,	Sarge,
Bower,	Grant,	Madigan,	Scanlon,
Boyd,	Green,	Mahany,	Schuster,
Bretherick,	Gross,	Maxwell,	Serrill,
Brice,	Haberlen,	McClester,	Simons,
Brigerman,	Hall,	McKinney,	Smith,
Brown,	Hamilton,	McMillen,	Snider,
Brunner, C. H.,	Hare,	McSurdy,	Sollenberger,
Brunner, P. A.,	Harris,	Menna,	Sorg,
Burns,	Haudenshield,	Mihm,	Stank,
Calvin,	Heatherington,	Miller,	Stockham,
Campbell,	Helm,	Mintess,	Stonier,
Chudoff,	Herman,	Mock,	Tahl,
Cohen,	Hewitt,	Mooney,	Tate,
Cook,	Hocke,	Moore,	Taylor,
Cooper,	Hoffman,	Moran,	Trasher,
Cordier,	Hoggard,	Muir,	Thompson,
Corrigan,	Holmes,	Munley,	Tiemann,
Costa,	Hoopes,	Murray,	Trent,
Coulson,	Hunter, B. F.,	Nowak,	Trout,
Cullen,	Hunter, W. M.,	O'Brien,	Turbett,
Dague,	Huntley,	O'Connor,	Verona,
Dalrymple,	Imbrie,	O'Dare,	Wachhaus,
Denman,	Irvin,	O'Neill,	Wagner, K. H.,
Dennison,	James,	Petrosky,	Wagner, P. L.,
Depuy,	Jones,	Pettit,	Wallin,
Dillon,	Kennedy,	Polaski,	Walton,
Dix,	Kirley,	Powers,	Watkins,
Elder,	Kline,	Readinger,	Weiss,
Elliott,	Kolankiewicz,	Reagan,	Welsh,
Ely,	Kowalski,	Reese, D. P.,	Wood, N.,
Erb,	Krepps,	Reese, R. E.,	Worley,
Ewing,	Krise,	Regan,	Wright,
Figlock,	Lane,	Reilly,	Yeakel,
Finnerty,	Laughner,	Reynolds,	Yester,
Flack,	Lee,	Riley,	Fiss,
Foor,	Leisey,	Robertson,	Speaker.
Fox,	Leonard,	Root,	

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 209, as follows:

An Act to further amend section eleven (b) of the act approved the nineteenth day of March one thousand nine hundred nine (P. L. 46) entitled "An act to regulate the practice of osteopathy in the State of Pennsylvania to provide for the establishment of a State Board of Osteopathic Examiners to define the powers and duties of said Board of Osteopathic Examiners to provide for the examining and licensing of osteopaths in this State and to provide penalties for the violation of this act" by further regulating the requirements for license as an osteopathic surgeon

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section eleven (b) of the act approved the nineteenth day of March one thousand nine hundred nine (P. L. 46) entitled "An act to regulate the practice of osteopathy in the State of Pennsylvania to provide for the establishment of a State Board of Osteopathic Examiners to define the powers and duties of said Board of Osteopathic Examiners to provide for the examining and licensing of osteopaths in this State and to provide penalties for the violation of this act" as added to said act by the act approved the fourteenth day of June one thousand nine hundred twenty-three (P. L. 795) and as last amended by the act approved the fifth day of June one thousand nine hundred thirty-seven (P. L. 1649) is hereby further amended to read as follows

Section 11 (b) Any person licensed to practice osteopathy in this State and desiring to enter upon the practice of operative surgery as taught and practiced in the legally incorporated reputable colleges of osteopathy may deliver to the Superintendent of Public Instruction upon the payment of a fee of one hundred dollars or such fee as shall be fixed by the Superintendent of Public Instruction a written application for license together with satisfactory proof in such form as may be required by the Osteopathic Surgeons' Examining Board that the applicant has served for a period of not less than two years as an interne [or assistant surgeon] in [an] any approved osteopathic hospital which shall have at least ten beds per interne devoted to the treatment of diseases shall maintain a thoroughly equipped modern pathological and clinical laboratory proportionate to the necessities of the hospital and shall maintain a department of [anaesthetists] anaesthesia consisting of one or more anaesthetists who shall have supervision over all the anaesthesia given in the institution and whose duty it shall be to instruct all internes in the administration of anaesthetics After the first day of July one thousand nine hundred and forty-one all applicants shall in addition to the requirements hereinabove set forth have sucessfully completed one year of surgical training in some legally incorporated reputable osteopathic college or osteopathic hospital or special courses or training equivalent thereto as determined by the Osteopathic Surgeons' Examining Board [or] In lieu of [such qualifications the applicant may submit proof as hereinbefore required] the three-year requirement hereinabove set forth the applicant may submit proof that he has served for a period of not less than five years as [an interne or] assistant to a surgeon [in any] and in a hospital approved by the Osteopathic Surgeon's Examining Board for such training [which shall meet the requirements hereinbefore set forth] [All applicants while serving as interne or assistant surgeon shall be registered with both the State Board of Osteopathic Examiners and the Osteopathic Surgeons' Examining Board] The Osteopathic Surgeons' Examining Board shall examine and fix the rating of all osteopathic colleges and hospitals [for graduate students and provide interne positions as hereinbefore provided for this inspection and rating] either chartered under the laws of this Commonwealth or operating therein as [it] relates to surgery only It shall further be the duty of the board by inspection or otherwise to

examine and fix the rating of all colleges and hospitals outside this Commonwealth providing osteopathic surgical training under the laws of any particular state whose graduates or internes desire to obtain licensure as osteopathic surgeons in this Commonwealth but the standards for the approval of osteopathic hospitals in this Commonwealth shall be required in fixing any such rating The same standard for graduates in medicine shall be used for examination by the Osteopathic Surgeons' Examining Board in the examination of the osteopathic graduates for licenses to practice surgery Provided That any person duly licensed as an osteopath who has had at least five years of actual practice as a surgeon may be examined by the board without being required to prove that he has had two years' experience as an interne or assistant surgeon in a hospital as hereinbefore provided

Thereupon the Osteopathic Surgeons' Examining Board if satisfied with said proof shall admit said applicant to examination as to his or her qualifications for the practice of operative surgery as taught and practiced in the legally incorporated reputable colleges of osteopathy Such examination shall include the subjects of surgical diagnosis and operative surgery and such other subjects as the said board may deem necessary to test the qualifications of the applicants The Osteopathic Surgeons' Examining Board shall cause the Department of Public Instruction to issue forthwith to each applicant who shall have obtained a general average of not less than seventy-five per centum and who shall have been adjudged by the said board of examiners to be duly qualified for the practice of operative surgery as taught and practiced in the legally incorporated reputable colleges of osteopathy a license to practice such operative surgery in the State of Pennsylvania Such license shall be issued and recorded in the same manner as licenses to practice osteopathy are now issued by the State Board of Osteopathic Examiners under the provisions of this act Provided however That no such license shall be issued if any objection thereto is filed by the State Board of Osteopathic Examiners

Every license issued by said board to practice surgery shall authorize the holder thereof to practice major or operative surgery as taught and practiced in the legally incorporated reputable colleges of osteopathy and the use of anaesthetics antiseptics narcotics and germicides when used for the purposes in the manner and to the extent only as taught and practiced under surgical procedure in the legally incorporated reputable colleges of osteopathy shall not be considered the practice of medicine or in violation of any of the laws relating to the practice of medicine or regulating public health

Any osteopathic physician who has been practicing operative surgery for a period of not less than seven years prior to the passage of this act shall not be required to take the examination required by this section and shall be eligible to appointment as a member of the Osteopathic Surgeons' Examining Board

Applicants examined and licensed by the osteopathic surgeons' examiners of any other state where such examiners exist separate from the osteopathic physicians' examiners on the payment of a fee of two hundred dollars ($200.00) and the filing with the Osteopathic Surgeons' Examining Board of this Commonwealth a copy of such license certified by the president or secretary of the examiners of such other state showing that the standard of requirements adopted by such examiners is substantially the same as is provided by this act shall without further examination receive a license conferring on the holder thereof the right to practice operative surgery as taught and practiced in the legally incorporated reputable colleges of osteopathy

Every person now or hereafter licensed under the provisions of this act to practice operative surgery shall register as such practitioners with the Osteopathic Surgeons' Examining Board on or before the first day of January one thousand nine hundred and thirty-eight and annually thereafter on or before the first day of January of each succeeding year The form for such registration shall be prescribed and furnished by the board The annual registration fee shall be ten dollars ($10.00) or such other sum as shall be fixed by the Department of Public Instruction under authority of law The fee shall in all cases accompany the application for such registration

Section 2 All acts and parts of acts inconsistent with the provisions of this act are hereby repealed

Section 3 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—170

Alspach,	Garber,	Levy,	Rose, S.
Barrett,	Gardner,	Lichtenwalter,	Rose, W. E.,
Baker,	Gillan,	Livingstone,	Rowley,
Barton,	Goodling,	Longo,	Royer,
Bonawitz,	Gorman,	Lovett,	Salus,
Boorse,	Goodwin,	Lyons,	Sarge,
Bower,	Grant,	Madigan,	Scanlon,
Boyd,	Green,	Mahany,	Schuster,
Bretherick,	Gross,	Maxwell,	Serrill,
Brice,	Haberlen,	McClester,	Simons,
Brigerman,	Hall,	McKinney,	Smith,
Brown,	Hamilton,	McMillen,	Snider,
Brunner, C. H.,	Hare,	McSurdy,	Sollenberger,
Brunner, P. A.,	Harris,	Menna,	Sorg,
Burns,	Haudenshield,	Mihm,	Stank,
Calvin,	Heatherington,	Miller,	Stockham,
Campbell,	Helm,	Mintess,	Stonier,
Chudoff,	Herman,	Mock,	Tahl,
Cohen,	Hewitt,	Mooney,	Tate,
Cook,	Hocke,	Moore,	Taylor,
Cooper,	Hoffman,	Moran,	Trasher,
Cordier,	Hoggard,	Muir,	Thompson,
Corrigan,	Holmes,	Munley,	Tiemann,
Costa,	Hoopes,	Murray,	Trent,
Coulson,	Hunter, B. F.,	Nowak,	Trout,
Cullen,	Hunter, W. M.,	O'Brien,	Turbett,
Dague,	Huntley,	O'Connor,	Verona,
Dalrymple,	Imbrie,	O'Dare,	Wachhaus,
Denman,	Irvin,	O'Neill,	Wagner, K. H.,
Dennison,	James,	Petrosky,	Wagner, P. L.,
Depuy,	Jones,	Pettit,	Wallin,
Dillon,	Kennedy,	Polaski,	Walton,
Dix,	Kirley,	Powers,	Watkins,
Elder,	Kline,	Readinger,	Weiss,
Elliott,	Kolankiewicz,	Reagan,	Welsh,
Ely,	Kowalski,	Reese, D. P.,	Wood, N.,
Erb,	Krepps,	Reese, R. E.,	Worley,
Ewing,	Krise,	Regan,	Wright,
Figlock,	Lane,	Reilly,	Yeakel,
Finnerty,	Laughner,	Reynolds,	Yester,
Flack,	Lee,	Riley,	Fiss,
Foor,	Leisey,	Robertson,	Speaker.
Fox,	Leonard,	Root,	

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 244, as follows:

An Act reducing for a limited period of time the training period of internship in osteopathic hospitals in order to qualify for examination for license by the Osteopathic Surgeons' Examining Board to practice major surgery and suspending inconsistent laws

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 For the duration of the present war between

the United States and any foreign country and one year after the cessation of hostilities a minimum of nine months for each year's required internship shall constitute the necessary legal training for an intern in an osteopathic hospital approved for intern training to qualify for admission to an examination for licensure by the Osteopathic Surgeons' Examining Board to practice major surgery in Pennsylvania

Section 2 All acts and parts of acts inconsistent herewith are hereby suspended during the period this act shall remain in effect

Section 3 This act shall become effective immediately upon final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—170

Alspach,	Garber,	Levy,	Rose, S.
Barrett,	Gardner,	Lichtenwalter,	Rose, W. E.,
Baker,	Gillan,	Livingstone,	Rowley,
Barton,	Goodling,	Longo,	Royer,
Bonawitz,	Gorman,	Lovett,	Salus,
Boorse,	Goodwin,	Lyons,	Sarge,
Bower,	Grant,	Madigan,	Scanlon,
Boyd,	Green,	Mahany,	Schuster,
Bretherick,	Gross,	Maxwell,	Serrill,
Brice,	Haberlen,	McClester,	Simons,
Brigerman,	Hall,	McKinney,	Smith,
Brown,	Hamilton,	McMillen,	Snider,
Brunner, C. H.,	Hare,	McSurdy,	Sollenberger,
Brunner, P. A.,	Harris,	Menna,	Sorg,
Burns,	Haudenshield,	Mihm,	Stank,
Calvin,	Heatherington,	Miller,	Stockham,
Campbell,	Helm,	Mintess,	Stonier,
Chudoff,	Herman,	Mock,	Tahl,
Cohen,	Hewitt,	Mooney,	Tate,
Cook,	Hocke,	Moore,	Taylor,
Cooper,	Hoffman,	Moran,	Tirasher,
Cordier,	Hoggard,	Muir,	Thompson,
Corrigan,	Holmes,	Munley,	Tiemann,
Costa,	Hoopes,	Murray,	Trent,
Coulson,	Hunter, B. F.,	Nowak,	Trout,
Cullen,	Hunter, W. M.,	O'Brien,	Turbett,
Dague,	Huntley,	O'Connor,	Verona,
Dalrymple,	Imbrie,	O'Dare,	Wachhaus,
Denman,	Irvin,	O'Neill,	Wagner, K. H.,
Dennison,	James,	Petrosky,	Wagner, P. L.,
Depuy,	Jones,	Pettit,	Wallin,
Dillon,	Kennedy,	Polaski,	Walton,
Dix,	Kirley,	Powers,	Watkins,
Elder,	Kline,	Readinger,	Weiss,
Elliott,	Kolankiewicz,	Reagan,	Welsh,
Ely,	Kowalski,	Reese, D. P.,	Wood, N.,
Erb,	Krepps,	Reese, R. E.,	Worley,
Ewing,	Krise,	Regan,	Wright,
Figlock,	Lane,	Reilly,	Yeakel,
Finnerty,	Laughner,	Reynolds,	Yester,
Flack,	Lee,	Riley,	Fiss,
Foor,	Leisey,	Robertson,	Speaker.
Fox,	Leonard,	Root,	

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

BILL PASSED OVER

There being no objection House Bill No. 116, Printer's No. 598, was passed over at the request of Mr. LICHTENWALTER.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 682, as follows:

An Act to further amend clause (b) of section twenty-seven of the act approved the seventh day of June one thousand nine hundred seventeen (P. L. 447) entitled as amended "An act relating to the administration and distribution of the estates of decedents and of minors and of trust estates including the appointment bonds rights powers duties liabilities accounts discharge and removal of executors administrators guardians and trustees herein designated as fiduciaries the administration and distribution of the estates of presumed decedents widow's and children's exemptions debts of decedents rents of real estate as assets for payment thereof the lien thereof sales and mortgages of real estate for the payment thereof judgments and executions therefor and the discharge of real estate from the lien thereof contracts of decedents for the sale or purchase of real estate legacies including legacies charged on land the discharge of residuary estates and of real estate from the lien of legacies and other charges the appraisement of real estate devised at a valuation the ascertainment of the curtilage of dwelling houses or other buildings devised the abatement and survival of actions and the substitution of executors and administrators therein the survival of causes of action and suits thereupon by or against fiduciaries investments by fiduciaries the organization of corporations to carry on the business of decedents the audit and review of accounts of fiduciaries refunding bonds transcripts to the court of common pleas of balances due by fiduciaries the rights powers and liabilities of non-resident and foreign fiduciaries the appointment bonds rights powers duties and liabilities of trustees durante adbsentia the recording and registration of decrees reports and other proceedings and the fees therefor appeals in certain cases and also generally dealing with the jurisdiction powers and procedure of the orphans' court in all matters relating to fiduciaries concerned with the estates of decedents" by further regulating the discharge of charges on real estate

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Clause (b) of section twenty-seven of the act approved the seventh day of June one thousand nine hundred seventeen (P. L. 447) entitled as amended "An act relating to the administration and distribution of the estates of decedents and of minors and of trust estates including the appointment bonds right powers duties liabilities accounts discharge and removal of executors administrators guardians and trustees herein designated as fiduciaries the administration and distribution of the estates of presumed decedents widows and children's exemptions debts of decedents rents of real estate as assets for payment thereof the lien thereof sales and mortgages of real estate for the payment thereof judgments and executions therefor and the discharge of real estate from the lien thereof contracts of decedents for the sale or purchase of real estate legacies including legacies charged on land the discharge of residuary estates and of real estate the lien of legacies and other charges the appraisement of real estate devised at a valuation the ascertainment of the curtilage of dwelling houses or other buildings devised the abatement and survival of actions and the substitution of executors and adminstrators therein the survival of causes of action and suits thereupon by or against fiduciaries investments by fiduciaries the organization of corporations to carry on the business of decedents the audit and review of accounts of fiduciaries refunding bonds transcripts to the court of common pleas of balances due by fiduciaries the rights powers and liabilities of non-resident and foreign fiduciaries the appointment bonds rights powers duties and liabilities of trustees durante absentia the recording and registration of decrees reports and other proceedings and the fees therefor appeals in certain cases and also

generally dealing with the jurisdiction powers and procedure of the orphans' court in all matters relating to fiduciaries concerned with the estates of decedents" as amended by the act approved the fifth day of August one thousand nine hundred forty-one (P. L. 810) is hereby further amended to read as follows

Section 27

* * * * *

(b) 1 In all cases in which under any proceeding in any orphans' court of this Commonwealth or by any last will and testament or by the provisions of this act any dower legacy recognizance or other charge shall have been imposed upon land payable presently or at a future time and such charge shall have been paid or a period of twenty years shall have elapsed after the principal of such charge has become due and payable and no payment shall have been made within such period on account of such charge by the owner or owners of the land and no sufficient satisfaction release acquittance or acknowledgment of payment thereof shall be of record in the county in which the land is situated it shall be lawful for the orphans' court of said county or in case said land is divided by a county line then the orphans' court of the county where the mansion-house may be situated or if there be no mansion-house in the county where the principal improvements may be or if there be no improvements in either county to entertain a petition for the discharge of said land from the lien of said charge

2 Such petition shall be presented by the owner or owners of said land or any part thereof shall be duly verified by affidavit and shall set forth the facts and allege that said charge has been paid or that no payment of principal or interest has been made within said period of twenty years on account of said charge by the present owner or owners or so far as can be ascertained by his or their predecessors in title and shall state the names of all known parties interested in such charge their places of residence if known and a description of the lands subject to the charge and sought to be released and discharged

3 Upon the presentation of such petition it shall be lawful for said court to issue a citation in the manner authorized by law to all such parties which citation shall be served as other citations are required to be served and shall require the parties to appear in court on a day designated to show cause why said land should not be discharged from the lien of such dower legacy or other charge

4 If the court aided if necessary by the report of a master shall determine at a hearing held in pursuance of said citation that such dower legacy or other charge has been paid or is otherwise no longer chargeable upon the land by reason of any presumption of payment or if no person shall appear to answer the citation or if all parties in interest shall have joined in the petition upon which such citation was issued the court being satisfied of the truth of the allegations of the petition shall decree that all the land subject to the charge [or any part thereof] sought to be released or discharged shall be released and discharged from the same and the payment thereof and a certified copy of such decree may be recorded in the office for recording deeds in each county where such land or any part thereof is situated upon the terms and with the effect provided in clause (a) paragraph two of this section

In all cases where any such charge shall have been imposed upon land as set forth in paragraph one of clause (b) of this section and a petition is presented by the owners of any part thereof to the proper court as herein provided for a discharge of the charge from all of the land or any part thereof on which it was originally imposed and such court [makes] is satisfied to make a decree discharging any part of such land such decree shall be made discharging all of the land from the payment of such charge and the decree of such court when entered of record as herein provided shall have the effect of discharging and shall discharge all of the said land upon which such charge shall have been originally imposed in the same manner as if the petition had been filed by the owners of the whole or of all parts thereof

And said bill having been read at length the third time, considered and agreed to,

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—170

Alspach,	Garber,	Levy,	Rose, S.
Barrett,	Gardner,	Lichtenwalter,	Rose, W. E.,
Baker,	Gillan,	Livingstone,	Rowley,
Barton,	Goodling,	Longo,	Royer,
Bonawitz,	Gorman,	Lovett,	Salus,
Boorse,	Goodwin,	Lyons,	Sarge,
Bower,	Grant,	Madigan,	Scanlon,
Boyd,	Green,	Mahany,	Schuster,
Bretherick,	Gross,	Maxwell,	Serrill,
Brice,	Haberlen,	McClester,	Simons,
Brigerman,	Hall,	McKinney,	Smith,
Brown,	Hamilton,	McMillen,	Snider,
Brunner, C. H.,	Hare,	McSurdy,	Sollenberger,
Brunner, P. A.,	Harris,	Menna,	Sorg,
Burns,	Haudenshield,	Mihm,	Stank,
Calvin,	Heatherington,	Miller,	Stockham,
Campbell,	Helm,	Mintess,	Stonier,
Chudoff,	Herman,	Mock,	Tahl,
Cohen,	Hewitt,	Mooney,	Tate,
Cook,	Hocke,	Moore,	Taylor,
Cooper,	Hoffman,	Moran,	Trasher,
Cordier,	Hoggard,	Muir,	Thompson,
Corrigan,	Holmes,	Munley,	Tiemann,
Costa,	Hoopes,	Murray,	Trent,
Coulson,	Hunter, B. F.,	Nowak,	Trout,
Cullen,	Hunter, W. M.,	O'Brien,	Turbett,
Dague,	Huntley,	O'Connor,	Verona,
Dalrymple,	Imbrie,	O'Dare,	Wachhaus,
Denman,	Irvin,	O'Neill,	Wagner, K. H.,
Dennison,	James,	Petrosky,	Wagner, P. L.,
Depuy,	Jones,	Pettit,	Wallin,
Dillon,	Kennedy,	Polaski,	Walton,
Dix,	Kirley,	Powers,	Watkins,
Elder,	Kline,	Readinger,	Weiss,
Elliott,	Kolankiewicz,	Reagan,	Welsh,
Ely,	Kowalski,	Reese, D. P.,	Wood, N.,
Erb,	Krepps,	Reese, R. E.,	Worley,
Ewing,	Krise,	Regan,	Wright,
Figlock,	Lane,	Reilly,	Yeakel,
Finnerty,	Laughner,	Reynolds,	Yester,
Flack,	Lee,	Riley,	Fiss,
Foor,	Leisey,	Robertson,	Speaker.
Fox,	Leonard,	Root,	

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 108, as follows:

An Act to authorize cities boroughs incorporated towns townships and school districts to file suggestions of nonpayment and averments of default or to sue out writs of scire facias on certain tax or municipal claims and to revive judgments where the lien of such claims or the judgments thereon have been lost and providing for the reinstatement of the liens of such claims and judgments

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Whenever any city borough incorporated town township or school district has heretofore filed in the office of the prothonotary of the proper county any tax or municipal claim and the city borough incorporated town township or school district has not within the period

of five years after the date on which any such claim was filed sued out a writ of scire facias to reduce the claim to judgment or in the case of a tax claim has not within said period of five years filed a suggestion of nonpayment and an averment of default or filed an amicable scire facias or whenever any writ of scire facias has been issued to reduce any such claim to judgment and by reason of defense or any other court proceedings judgment has not been entered within the period of five years after the date on which such writ was issued or whenever any such tax or municipal claim has been reduced to judgment and the city borough incorporated town township or school district has not within the period of five years after the date on which such judgment was entered or within five years after the date on which such judgment was last revived filed a suggestion of nonpayment and an averment of default or sued out a writ of scire facias to revive the same then in any such case any such city borough incorporated town township or school district may within six months after the passage and approval of this act issue its praecipe for a writ of scire facias on any such tax or municipal claim and proceed to judgment in the manner provided by law to obtain judgments upon tax or municipal claims or in case a writ of scire facias has been issued but the same has not been reduced to judgment within five years from the date of issuance issue its praecipe for an alias writ of scire facias on any such tax or municipal claim and proceed to judgment in the manner provided by law to obtain judgments upon tax or municipal claims or in the case of a tax or municipal claim where no judgment has been entered file a suggestion of nonpayment and an averment of default or in case judgment has been entered on a tax or municipal claim either file a suggestion of nonpayment and an averment of default or issue its praecipe for a writ of scire facias on any such judgment and proceed to judgment in the manner provided by law to obtain judgments of revival and such claim or judgment so entered or revived shall be a valid claim or judgment and be a lien upon the real estate upon which it was a lien at the time the claim was filed or the judgment was entered and said claim or judgment may be revived or further revived and collected as other claims or judgments upon tax or municipal claims are revived and collected or whenever any city borough incorporated town township or school district has heretofore filed in the office of the prothonotary of the proper county an amicable writ of scire facias or a suggestion of nonpayment and an averment of default to revive any municipal claim or has reduced such claim to judgment in the manner provided by law and such writ of scire facias or suggestion of nonpayment and an averment of default shall not have been filed within the period of five years from the time the original claim was filed or within five years after any prior revival of such claim and such judgment shall not have been entered within a period of five years after the filing of the writ of scire facias to reduce such claim to judgment then in any such case such action in filing such amicable writ of scire facias or suggestion of nonpayment and an averment of default or entering such judgment is hereby ratified confirmed and made valid notwithstanding that the same was not filed or entered within the time required by law and that the lien of such municipal claim was lost and the lien of any such municipal claim shall be deemed revived from the date such amicable writ of scire facias or suggestion of nonpayment and averment of default was filed or such judgment entered in the office of the prothonotary and such lien may have been or may be proceeded upon further revived and collected as provided by law Provided however That the lien of any such claim or judgment shall not reattach against any real estate transferred to any purchaser during the time when the lien of any such tax or municipal claim or judgment was lost nor shall the lien of any such claim or judgment impair or affect the priority of the lien of any mortgage or other lien which gained priority because of the failure of the city borough incorporated town township or school district to sue out the writ of scire facias or file a suggestion of nonpayment and an averment of default within the five year period or was entered of record during the time the lien of such tax or municipal claim or judgment was lost

Section 2 This act shall become effective immediately upon its final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—170

Alspach,	Garber,	Levy,	Rose, S.
Barrett,	Gardner,	Lichtenwalter,	Rose, W. E.,
Baker,	Gillar.,	Livingstone,	Rowley,
Barton,	Goodling,	Longo,	Royer,
Bonawitz,	Gorman,	Lovett,	Salus,
Boorse,	Goodwin,	Lyons,	Sarge,
Bower,	Grant,	Madigan,	Scanlon,
Boyd,	Green,	Mahany,	Schuster,
Bretherick,	Gross,	Maxwell,	Serrill,
Brice,	Haberlen,	McClester,	Simons,
Brigerman,	Hall,	McKinney,	Smith,
Brown,	Hamilton,	McMillen,	Snider,
Brunner, C. H.,	Hare,	McSurdy,	Sollenberger,
Brunner, P. A.,	Harris,	Menna,	Sorg,
Burns,	Haudenshield,	Mihm,	Stank,
Calvin,	Heatherington,	Miller,	Stockham,
Campbell,	Helm,	Mintess,	Stonier,
Chudoff,	Herman,	Mock,	Tahl,
Cohen,	Hewitt,	Mooney,	Tate,
Cook,	Hocke,	Moore,	Taylor,
Cooper,	Hoffman,	Moran,	Trasher,
Cordier,	Hoggard,	Muir,	Thompson,
Corrigan,	Holmes,	Munley,	Tiemann,
Costa,	Hoopes,	Murray,	Trent,
Coulson,	Hunter, B. F.,	Nowak,	Trout,
Cullen,	Hunter, W. M.,	O'Brien,	Turbett,
Dague,	Huntley,	O'Connor,	Verona,
Dalrymple,	Imbrie,	O'Dare,	Wachhaus,
Denman,	Irvin,	O'Neill,	Wagner, K. H.,
Dennison,	James,	Petrosky,	Wagner, P. L.,
Depuy,	Jones,	Pettit,	Wallin,
Dillon,	Kennedy,	Polaski,	Walton,
Dix,	Kirley,	Powers,	Watkins,
Elder,	Kline,	Readinger,	Weiss,
Elliott,	Kolankiewicz,	Reagan,	Welsh,
Ely,	Kowalski,	Reese, D. P.,	Wood, N.,
Erb,	Krepps,	Reese, R. E.,	Worley,
Ewing,	Krise,	Regan,	Wright,
Figlock,	Lane,	Reilly,	Yeakel,
Finnerty,	Laughner,	Reynolds,	Yester,
Flack,	Lee,	Riley,	Fiss,
Foor,	Leisey,	Robertson,	Speaker.
Fox,	Leonard,	Root,	

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

BILL PASSED OVER

There being no objection Senate Bill No. 208, Printer's No. 224, was passed over at the request of Mr. LICHTENWALTER.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 241, entitled:

An Act to amend section six hundred twenty-eight of the act approved the twenty-fourth day of June one thousand nine hundred thirty-nine (P. L. 872) entitled "An act to consolidate amend and revise the penal laws of

the Commonwealth" by providing for the prescribing issuing and filing of certain forms by and with the Commissioner of the Pennsylvania Motor Police instead of the Secretary of the Commonwealth.

On the question,

Will the House agree to the bill on third reading?

Mr. KENNETH H. WAGNER. Mr. Speaker, I ask unanimous consent to offer amendments at this time.

The SPEAKER. The amendments will be read by the Clerk for information.

The Clerk read the amendments as follows:

Amend line 7, of the title on page 1, by striking out with bold face brackets the following: "[Motor]", and inserting in lieu thereof the following: "State".

Amend section 1, page 4, line 20, by striking out with bold face brackets the following: "[Motor]", and inserting in lieu thereof the following: "State".

Amend section 1, page 4, line 24, by striking out with bold face brackets the following: "[Motor]", and inserting in lieu thereof the following: "State".

Amend section 1, page 5, line 21, by striking out with bold face brackets the following: "[Motor]", and inserting in lieu thereof the following: "State".

Amend section 1, page 5, line 26, by striking out with bold face brackets the following: "[Motor]", and inserting in lieu thereof the following: "State".

Amend section 1, page 7, line 7, by striking out with bold face brackets the following: "[Motor]", and inserting in lieu thereof the following: "State".

Amend section 1, page 7, line 17, by striking out with bold face brackets the following: "[Motor]", and inserting in lieu thereof the following: "State".

Amend section 1, page 7, line 22, by striking out with bold face brackets the following: "[Motor]", and inserting in lieu thereof the following: "State".

Amend section 1, page 8, line 14, by striking out with bold face brackets the following: "[Motor]", and inserting in lieu thereof the following: "State".

Amend section 1, page 8, line 28, by striking out with bold face brackets the following: "[Motor]", and inserting in lieu thereof the following: "State".

The SPEAKER. Will the House give unanimous consent to the offering of amendments at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, that the bill as amended lie over for printing.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 248, as follows:

An Act regulating and providing fees of the clerks of quarter sessions of counties of the fourth class

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The fees of the several clerks of quarter sessions of the several counties of the fourth class of this Commonwealth shall hereafter be as folows:

(1) Affidavits fifty cents ($0.50)

(2) Appeals from alderman and justice of the peace including recording and entering and all services pertaining thereto three dollars ($3.00)

(3) Appointment of special tax collector or auditor including filing petition order of court and filing and recording information six dollars ($6.00)

(4) Attachments including issuance delivery of motion and return one dollar ($1.00)

(5) Bail-piece one dollar ($1.00)

(6) Bail bond one dollar ($1.00)

(7) Bench warrants or any warrant of seizure and proceedings thereon one dollar ($1.00)

(8) Calling recognizance and entry of forfeiture fifty cents ($0.50)

(9) Certificate to Secretary of Revenue of conviction for violation of laws regulating use and operation of motor vehicles to be taxed as part of the costs of each case one dollar ($1.00)

(10) Certificates to pay for jurors one dollar ($1.00)

(11) Certificates for payment of road jurors one dollar ($1.00)

(12) Certificate for sheriff to draw petit or grand jurors or special venire one dollar ($1.00)

(13) Certificate when judge acts as magistrate affidavit warrant and service three dollars ($3.00)

(14) Certificate for ignored bill one dollar ($1.00)

(15) Certificate for reconsideration or modification of sentence one dollar ($1.00)

(16) Certificate to commissioners of tax collector's appointment one dollar ($1.00)

(17) Certificate Department of Highway of establishment of new township or borough three dollars and fifty cents ($3.50)

(18) Certified copy of rule or order of court one dollar ($1.00)

(19) Certified copy of record bill of indictment two dollars ($2.00)

(20) Certified copy of record docket entries two dollars ($2.00)

(21) Commission on lunacy swearing commission filing and recording two dollars and fifty cents ($2.50)

(22) Commitments to county prison one dollar ($1.00)

(23) Commitments to penitentiary work-house or reformatory one dollar ($1.00)

(24) Constable's bond filing and recording one dollar ($1.00)

(25) Criminal report to public charities ten dollars ($10.00)

(26) Detective license filing application for twenty-five dollars ($25.00)

(27) Elections filing and recording returns of borough and townships elections each district to be paid by county three dollars ($3.00)

(28) Entering submission and judgment seventy-five cents ($0.75)

(29) Entering proceedings of Supreme or Superior Court one dollar and fifty cents ($1.50)

(30) Entering of nolle prosequi four dollars ($4.00)

(31) Entering information on petition for parole including order of court three dollars ($3.00)

(32) Estreating forfeited recognizance into county commissioners' office or prothonotary's office three dollars ($3.00)

(33) Exemplification of the record per page one dollar ($1.00)

(34) Filing and entering reasons for new trial or motion in arrest of judgment fifty cents ($0.50)

(35) Filing and entering bail bond or recognizance from magistrate or justice of the peace one dollar ($1.00)

(36) Filing indexing and recording information in quarter sessions docket including non-support and surety of peace cases three dollars ($3.00)

(37) Filing and recording information or petition in juvenile docket three dollars ($3.00)

(38) Filing any paper not relating to any suit pending or not herein provided for fifty cents ($0.50)

(39) Filing and recording each district in municipal election including special election or district three dollars ($3.00)

(40) Filing petition for parole fifty cents ($0.50)

(41) Filing and recording petition for appointment of election officer three dollars ($3.00)

(42) Filing and recording order of court for appointment of election officer including certified copy of appointment three dollars ($3.00)

(43) Ignoramus where bill is returned four dollars and fifty cents ($4.50)

(44) Issuing notice to defaulting jurors twenty-five cents ($0.25)
(45) Jury Trial five dollars and fifty cents ($5.50)
(46) Motion and rule other than elsewhere provided for fifty cents ($0.50)
(47) Order to view open or vacate road under sale one dollar and fifty cents ($1.50)
(48) Oyer and terminer all services performed in one prosecution fifteen dollars ($15.00)
(49) Petition for view or review of road or bridge and order thereon two dollars and fifty cents ($2.50)
(50) Pleas of guilty four dollars ($4.00)
(51) Process on indictment docket entry and return one dollar ($1.00)
(52) Quashing of information or indictment four dollars ($4.00)
(53) Recognizance calling and entering forfeiture fifty cents ($0.50)
(54) Recognizance forfeited respited or discharged and motion therefor fifty cents ($0.50)
(55) Recognizance taking each one dollar ($1.00)
(56) Recognizance in court each person one dollar ($1.00)
(57) Receiving and distributing money paid into court one per cent (1%)
(58) Recording return of viewers and confirmation per page two dollars and fifty cents ($2.50)
(59) Recording bill and verdict relating to one prosecution one dollar ($1.00)
(60) Recording bill and verdict where bill is returned ignored one dollar and fifty cents ($1.50)
(61) Recording proceedings in civil or miscellaneous docket per page single space four dollars ($4.00)
(62) Report of judicial criminal statistics to Department of Commerce U S A ten dollars ($10.00)
(63) Retaxing parties bill of costs and making report fifty cents ($0.50)
(64) Search of records where no other service is performed to which any fee is attached fifty cents ($0.50)
(65) Services for each clerk in court per diem or part of day four dollars ($4.00)
(66) Subpoena and seal fifty cents ($0.50)
(67) Subpoena each name after first ten cents ($0.10)
(68) Supreme Court or Superior Court recording and issuing appeal five dollars ($5.00)
(69) Swearing grand jury per juror fifty cents ($0.50)
(70) Swearing petit jury including witness relating to one prosecution and arraignment of defendant or defendants in one prosecution two dollars ($2.00)
(71) Tax collector's bond filing and recording one dollar ($1.00)
(72) Taxing a bill of costs other than clerk of the sessions fifty cents ($0.50)
(73) Trial without jury four dollars and fifty cents ($4.50)
(74) Venire for grand jury or petit jury or special jury one dollar ($1.00)

The fee for services not herein specifically provided for shall be the same as for similar services

Section 2 The act approved the eleventh day of May one thousand nine hundred twenty-five (P. L. 570) entitled "An act regulating and providing fees of the several clerks of quarter sessions of the several counties of this Commonwealth other than in counties of the first and second classes" insofar as it relates to fourth class counties is hereby repealed

All other acts and parts of acts inconsistent with the provisions of this act are hereby repealed

Section 3 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—170.

Alspach,	Garber,	Levy,	Rose, S.
Barrett,	Gardner,	Lichtenwalter,	Rose, W. E.,
Baker,	Gillan,	Livingstone,	Rowley,
Barton,	Goodling,	Longo,	Royer,
Bonawitz,	Gorman,	Lovett,	Salus,
Boorse,	Goodwin,	Lyons,	Sarge,
Bower,	Grant,	Madigan,	Scanlon,
Boyd,	Green,	Mahany,	Schuster,
Bretherick,	Gross,	Maxwell,	Serrill,
Brice,	Haberlen,	McClester,	Simons,
Brigerman,	Hall,	McKinney,	Smith,
Brown,	Hamilton,	McMillen,	Snider,
Brunner, C. H.,	Hare,	McSurdy,	Sollenberger,
Brunner, P. A.,	Harris,	Menna,	Sorg,
Burns,	Haudenshield,	Mihm,	Stank,
Calvin,	Heatherington,	Miller,	Stockham,
Campbell,	Helm,	Mintess,	Stonier,
Chudoff,	Herman,	Mock,	Tahl,
Cohen,	Hewitt,	Mooney,	Tate,
Cook,	Hocke,	Moore,	Taylor,
Cooper,	Hoffman,	Moran,	Thrasher,
Cordier,	Hoggard,	Muir,	Thompson,
Corrigan,	Holmes,	Munley,	Tiemann,
Costa,	Hoopes,	Murray,	Trent,
Coulson,	Hunter, B. F.,	Nowak,	Trout,
Cullen,	Hunter, W. M.,	O'Brien,	Turbett,
Dague,	Huntley,	O'Connor,	Verona,
Dalrymple,	Imbrie,	O'Dare,	Wachhaus,
Denman,	Irvin,	O'Neill,	Wagner, K. H.,
Dennison,	James,	Petrosky,	Wagner, P. L.,
Depuy,	Jones,	Pettit,	Wallin,
Dillon,	Kennedy,	Polaski,	Walton,
Dix,	Kirley,	Powers,	Watkins,
Elder,	Kline,	Readinger,	Weiss,
Elliott,	Kolankiewicz,	Reagan,	Welsh,
Ely,	Kowalski,	Reese, D. P.,	Wood, N.,
Erb,	Krepps,	Reese, R. E.,	Worley,
Ewing,	Krise,	Regan,	Wright,
Figlock,	Lane,	Reilly,	Yeakel,
Finnerty,	Laughner,	Reynolds,	Yester,
Flack,	Lee,	Riley,	Fiss,
Foor,	Leisey,	Robertson,	Speaker.
Fox,	Leonard,	Root,	

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 268, as follows:

An Act to amend section seventeen of the act approved the seventh day of June one thousand nine hundred and seventeen (P. L. 363) entitled "An act relating to the organization jurisdiction and procedure of the orphans courts the powers and duties of the judges thereof and appeals therefrom" by prescribing procedure in cases affecting the interest of any lunatic weak-minded person presumed decedent or any person who may be unknown or unborn or under disability or out of the jurisdiction under such circumstances that actual notice cannot reasonably be given to such person

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section seventeen of the act approved the seventh day of June one thousand nine hundred and seventeen (P. L. 363) entitled "An act relating to the organization jurisdiction and procedure of the orphans court the powers and duties of the judges thereof and appeals therefrom" is hereby amended by adding thereto a new subsection to read as follows

(j) In all cases in which proceedings may be had in any orphans court affecting the interest of any lunatic weak-minded person presumed decedent or any person who may be unknown or unborn or under disability or

out of the jurisdiction under such circumstances that actual notice cannot reasonably be given to such person the orphans court of the county in which such proceedings may be pending or intended shall have the power either on its own motion or on petition of any person or fiduciary interested to appoint a trustee ad litem for such person Notice of such proceedings served upon or accepted by such trustee ad litem shall have the same force and effect as though personally served upon or accepted by the person for whom such trustee was appointed Provided however that nothing herein contained shall be considered as affecting the rights of any persons in military service as such persons are defined and such rights limited under the Soldiers and Sailors Civil Relief Act of 1940 (Act Oct. 17 1940 C 888 54 Stat. 1178) as the same is now or may hereafter be amended

The court appointing such trustee ad litem shall have power to require security of such trustee for the faithful execution of his trust and to award reasonable compensation for his services and in all cases whether security be given or not such trustees shall be responsible to the proper fiduciary thereafter appointed under existing laws or to such person under disability should he thereafter become competent or to his heirs and legal representatives

Section 2 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—170.

Alspach,	Garber,	Levy,	Rose, S.
Barrett,	Gardner,	Lichtenwalter,	Rose, W. E.,
Baker,	Gillan,	Livingstone,	Rowley,
Barton,	Goodling,	Longo,	Royer,
Bonawitz,	Gorman,	Lovett,	Salus,
Boorse,	Goodwin,	Lyons,	Sarge,
Bower,	Grant,	Madigan,	Scanlon,
Boyd,	Green,	Mahany,	Schuster,
Bretherick,	Gross,	Maxwell,	Serrill,
Brice,	Haberlen,	McClester,	Simons,
Brigerman,	Hall,	McKinney,	Smith,
Brown,	Hamilton,	McMillen,	Snider,
Brunner, C. H.,	Hare,	McSurdy,	Sollenberger,
Brunner, P. A.,	Harris,	Menna,	Sorg,
Burns,	Haudenshield,	Mihm,	Stank,
Calvin,	Heatherington,	Miller,	Stockham,
Campbell,	Helm,	Mintess,	Stonier,
Chudoff,	Herman,	Mock,	Tahl,
Cohen,	Hewitt,	Mooney,	Tate,
Cook,	Hocke,	Moore,	Taylor,
Cooper,	Hoffman,	Moran,	Trasher,
Cordier,	Hoggard,	Muir,	Thompson,
Corrigan,	Holmes,	Munley,	Tiemann,
Costa,	Hoopes,	Murray,	Trent,
Coulson,	Hunter, B. F.,	Nowak,	Trout,
Cullen,	Hunter, W. M.,	O'Brien,	Turbett,
Dague,	Huntley,	O'Connor,	Verona,
Dalrymple,	Imbrie,	O'Dare,	Wachhaus,
Denman,	Irvin,	O'Neill,	Wagner, K. H.,
Dennison,	James,	Petrosky,	Wagner, P. L.,
Depuy,	Jones,	Pettit,	Wallin,
Dillon,	Kennedy,	Polaski,	Walton,
Dix,	Kirley,	Powers,	Watkins,
Elder,	Kline,	Readinger,	Weiss,
Elliott,	Kolankiewicz,	Reagan,	Welsh,
Ely,	Kowalski,	Reese, D. P.,	Wood, N.,
Erb,	Krepps,	Reese, R. E.,	Worley,
Ewing,	Krise,	Regan,	Wright,
Figlock,	Lane,	Reilly,	Yeakel,
Finnerty	Laughner,	Reynolds,	Yester,
Flack,	Lee,	Riley,	Fiss,
Foor,	Leisey,	Robertson,	Speaker.
Fox,	Leonard,	Root,	

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 608, as follows:

An Act to further amend section six of the act approved the fifth day of May one thousand nine hundred and eleven (P. L. 198) entitled "An act to establish a county court for the county of Allgeheny and prescribing its powers and duties regulating the procedure therein and providing for the expenses thereof" by conferring upon said county court jurisdiction in appeals from the Workmen's Compensation Board and appeals from the Pennsylvania Liquor Control Board

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section six of the act approved the fifth day of May one thousand nine hundred and eleven (P. L. 198) entitled "An act to establish a county court for the county of Allegheny and prescribing its powers and duties regulating the procedure therein and providing for the expenses thereof" is hereby further amended by adding thereto three new clauses to read as follows

Section 6 The court hereby created shall have jurisdiction

(g) In all appeals from rulings of the Workmen's Compensation Board

(h) In all appeals from actions of the Pennsylvania Liquor Control Board

(i) The jurisdiction hereby conferred in clauses (g) and (h) shall be exclusive

Section 2 The provisions of this law shall be severable If any provision or clause thereof is found by a court of record to be unconstitutional and void the remaining provisions and clauses of the law shall nevertheless remain valid

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—170.

Alspach,	Garber,	Levy,	Rose, S.
Barrett,	Gardner,	Lichtenwalter,	Rose, W. E.,
Baker,	Gillan,	Livingstone,	Rowley,
Barton,	Goodling,	Longo,	Royer,
Bonawitz,	Gorman,	Lovett,	Salus,
Boorse,	Goodwin,	Lyons,	Sarge,
Bower,	Grant,	Madigan,	Scanlon,
Boyd,	Green,	Mahany,	Schuster,
Bretherick,	Gross,	Maxwell,	Serrill,
Brice,	Haberlen,	McClester,	Simons,
Brigerman,	Hall,	McKinney,	Smith,
Brown,	Hamilton,	McMillen,	Snider,
Brunner, C. H.,	Hare,	McSurdy,	Sollenberger,
Brunner, P. A.,	Harris,	Menna,	Sorg,
Burns,	Haudenshield,	Mihm,	Stank,
Calvin,	Heatherington,	Miller,	Stockham,
Campbell,	Helm,	Mintess,	Stonier,
Chudoff,	Herman,	Mock,	Tahl,
Cohen,	Hewitt,	Mooney,	Tate,
Cook,	Hocke,	Moore,	Taylor,
Cooper,	Hoffman,	Moran,	Trasher,
Cordier,	Hoggard,	Muir,	Thompson,
Corrigan,	Holmes,	Munley,	Tiemann,
Costa,	Hoopes,	Murray,	Trent,
Coulson,	Hunter, B. F.,	Nowak,	Trout,
Cullen,	Hunter, W. M.,	O'Brien,	Turbett,
Dague,	Huntley,	O'Connor,	Verona,
Dalrymple,	Imbrie,	O'Dare,	Wachhaus,
Denman,	Irvin,	O'Neill,	Wagner, K. H.,
Dennison,	James,	Petrosky,	Wagner, P. L.,

Depuy,	Jones,	Pettit,	Wallin,
Dillon,	Kennedy,	Polaski,	Walton,
Dix,	Kirley,	Powers,	Watkins,
Elder,	Kline,	Readinger,	Weiss,
Elliott,	Kolankiewicz,	Reagan,	Welsh,
Ely,	Kowalski,	Reese, D. P.,	Wood, N.,
Erb,	Krepps,	Reese, R. E.,	Worley,
Ewing,	Krise,	Regan,	Wright,
Figlock,	Lane,	Reilly,	Yeakel,
Finnerty,	Laughner,	Reynolds,	Yester,
Flack,	Lee,	Riley,	Fiss,
Foor,	Leisey,	Robertson,	Speaker.
Fox,	Leonard,	Root,	

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 428, as follows:

An Act making an appropriation to the Trustees of the Pennsylvania State College for expenditure by the School of Mineral Industries under the supervision of the Department of Mines for the purpose of developing new uses and markets for slate and slate products

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The sum of thirty-five thousand dollars ($35,000) or so much thereof as may be necessary is hereby specifically appropriated to the Trustees of the Pennsylvania State College for the two fiscal years beginning June first one thousand nine hundred and forty-three for expenditure by the School of Mineral Industries under the supervision of the Department of Mines for the purpose of carrying on economic and technical research and investigation to discover and develop new scientific chemical industrial domestic and other uses and new and extended markets for slate and slate prdoucts and for employing engineers chemists technical experts assistants clerks stenographers and other employes and purchasing such machinery supplies equipment apparatus and other things necessary in the furtherance of the aforesaid research and investigation

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—170.

Alspach,	ber,	Levy,	Rose, S.
Barrett,	Gardner,	Lichtenwalter,	Rose, W. E.,
Baker,	Gillar.,	Livingstone,	Rowley,
Barton,	Goodling,	Longo,	Royer,
Bonawitz,	Gorman,	Lovett,	Salus,
Boorse,	Goodwin,	Lyons,	Sarge,
Bower,	Grant,	Madigan,	Scanlon,
Boyd,	Green,	Mahany,	Schuster,
Bretherick,	Gross,	Maxwell,	Serrill,
Brice,	Haberlen,	McClester,	Simons,
Brigerman,	Hall,	McKinney,	Smith,
Brown,	Hamilton,	McMillen,	Snider,
Brunner, C. H.,	Hare,	McSurdy,	Sollenberger,
Brunner, P. A.,	Harris,	Menna,	Sorg,
Burns,	Haudenshield,	Mihm,	Stank,
Calvin,	Heatherington,	Miller,	Stockham,
Campbell,	Helm,	Mintess,	Stonier,
Chudoff,	Herman,	Mock,	Tahl,
Cohen,	Hewitt,	Mooney,	Tate,
Cook,	Hocke,	Moore,	Taylor,
Cooper,	Hoffman,	Moran,	Trasher,
Cordier,	Hoggard,	Muir,	Thompson,
Corrigan,	Holmes,	Munley,	Tiemann,
Costa,	Hoopes,	Murray,	Trent,
Coulson,	Hunter, B. F.,	Nowak,	Trout,
Cullen,	Hunter, W. M.,	O'Brien,	Turbett,
Dague,	Huntley,	O'Connor,	Verona,
Dalrymple,	Imbrie,	O'Dare,	Wachhaus,
Denman,	Irvin,	O'Neill,	Wagner, K. H.,
Dennison,	James,	Petrosky,	Wagner, P. L.,
Depuy,	Jones,	Pettit,	Wallin,
Dillon,	Kennedy,	Polaski,	Walton,
Dix,	Kirley,	Powers,	Watkins,
Elder,	Kline,	Readinger,	Weiss,
Elliott,	Kolankiewicz,	Reagan,	Welsh,
Ely,	Kowalski,	Reese, D. P.,	Wood, N.,
Erb,	Krepps,	Reese, R. E.,	Worley,
Ewing,	Krise,	Regan,	Wright,
Figlock,	Lane,	Reilly,	Yeakel,
Finnerty,	Laughner,	Reynolds,	Yester,
Flack,	Lee,	Riley,	Fiss,
Foor,	Leisey,	Robertson,	Speaker.
Fox,	Leonard,	Root,	

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 901, as follows:

An Act to amend section one of the act approved the eighth day of May one thousand eight hundred ninety-five (P. L. 44) entitled "An act providing for the release and discharge of encumbrances or charges on land in all cases in which the period of twenty-one years has elapsed after the principal of the encumbrance or charge has become due and payable and no payment has been made within such period of twenty-one years on account of such encumbrance or charge by the owner or owners of the land sought to be released and discharged and no sufficient release is of record in the county and regulating proceedings for such release and discharge" further regulating the publication of notice in such proceedings to discharge encumbrances and charges on land

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section one of the act approved the eighth day of May one thousand eight hundred ninety-five (P. L. 44) entitled "An act providing for the release and discharge of encumbrances or charges on land in all cases in which the period of twenty-one years has elapsed after the principal of the encumbrance or charge has become due and payable and no payment has been made within such period of twenty-one years on account of such encumbrance or charge by the owner or owners of the land sought to be released and discharged and no sufficient release is of record in the county and regulating proceedings for such release and discharge" is hereby amended to read as follows

Section 1 Be it enacted &c That in all cases in which under any proceeding in any court of record of this Commonwealth or under any deed last will and testament mortgage dower recognizance judgment decree or other obligation or instrument any money has been or may hereafter be charged upon land payable presently or at a future time and the period of twenty-one years has elapsed or shall have elapsed after the principal of such encumbrance or charge has become or shall have become due and payable and no payment has been or shall have been made within said period of twenty-one years or account of such encumbrance or charge by the owner or owners of the land sought to be released and discharged and no sufficient release acquittance or acknowledgment of payment of such encumbrance or charge is of record in the county in which the land is situated it shall be

lawful for the [orphans' court of the county in which such land is situated in cases in which the encumbrance or charge is under a decree of an orphans' court or by last will and testament dower or recognizance charged by said court and for the] common pleas court of the county in which such land is situated [in all other cases] upon petition of the owner or owners of the land or any part thereof subject to the encumbrance or charge setting forth the facts verified by affidavit and alleging that no payment of principal or interest has been made within said period of twenty-one years on account of said encumbrance or charge by the present owner or owners or so far as can be ascertained by his or their predecessors in title and giving the names of all known parties interested in such encumbrance or charge their places of residence if known and a dsecription of the land subject to the charge and sought to be released and discharged to direct the sheriff of the county to give notice to all such known parties in the county whose residences are known by copy served personally or left at their places of abode and to [all parties out of the county if any and to all unknown parties if any by public notice published] publish in one or more newspapers published within or nearest the county and of general circulation throughout the locality wherein such land is situated once a week for four successive weeks [which notice shall briefly state the facts set forth in the petition and] a brief notice of such proceedings to the effect that on the day fixed the court will hear a petition to discharge such encumbrances or charges and that a complete description of said land may be seen in the aforesaid petition at the office of the prothonotary of the county where such petition was filed All such notices served or published shall require the parties to appear in court on a day designated at least thirty days after the filing of the petition and service of notice as aforesaid to be made at least twenty days prior to the day designated for appearance at which time should any person or persons appear and claim payment for or on account of such encumbrance or charge or any part thereof the court shall enter a rule on the person or persons so appearing and claiming to commence proper legal proceednigs to enforce payment of their claim or claims within thirty days after the entry of such rule and in default of compliance with such rule or in the event of a non-appearance of any person to answer the petition or in the event of the joinder of all parties in interest in such petition the court being satisfied of the truth of the allegations of the petition shall decree and direct that the land subject to the encumbrance or charge or any part thereof sought to be released or discharged shall be released and discharged from the same and the payment thereof and that a copy of the petition and decree shall be entered of record in the office of the recorder of deeds of the county for recording which he shall be entitled to a fee at the rate he is entitled by law to charge for recording deeds which decree and record shall forever thereafter operate as a release and discharge of the land from the encumbrance of the charge and shall bar all actions brought thereon

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—170.

Alspach,	Garber,	Levy,	Rose, S.
Barrett,	Gardner,	Lichtenwalter,	Rose, W. E.,
Baker,	Gillan,	Livingstone,	Rowley,
Barton,	Goodling,	Longo,	Royer,
Bonawitz,	Gorman,	Lovett,	Salus,
Boorse,	Goodwin,	Lyons,	Sarge,
Bower,	Grant,	Madigan,	Scanlon,
Boyd,	Green,	Mahany,	Schuster,
Bretherick,	Gross,	Maxwell,	Serrill,
Brice,	Haberlen,	McClester,	Simons,
Brigerman,	Hall,	McKinney,	Smith,
Brown,	Hamilton,	McMillen,	Snider,
Brunner, C. H.,	Hare,	McSurdy,	Sollenberger,
Brunner, P. A.,	Harris,	Menna,	Sorg,
Burns,	Haudenshield,	Mihm,	Stank,
Calvin,	Heatherington,	Miller,	Stockham,
Campbell,	Helm,	Mintess,	Stonier,
Chudoff,	Herman,	Mock,	Tahl,
Cohen,	Hewitt,	Mooney,	Tate,
Cook,	Hocke,	Moore,	Taylor,
Cooper,	Hoffman,	Moran,	Thrasher,
Cordier,	Hoggard,	Muir,	Thompson,
Corrigan,	Holmes,	Munley,	Tiemann,
Costa,	Hoopes,	Murray,	Trent,
Coulson,	Hunter, B. F.,	Nowak,	Trout,
Cullen,	Hunter, W. M.,	O'Brien,	Turbett,
Dague,	Huntley,	O'Connor,	Verona,
Dalrymple	Imbrie,	O'Dare,	Wachhaus,
Denman,	Irvin,	O'Neill,	Wagner, K. H.,
Dennison,	James,	Petrosky,	Wagner, P. L.,
Depuy,	Jones,	Pettit,	Wallin,
Dillon,	Kennedy,	Polaski,	Walton,
Dix,	Kirley,	Powers,	Watkins,
Elder,	Kline,	Readinger,	Weiss,
Elliott,	Kolankiewicz,	Reagan,	Welsh,
Ely,	Kowalski,	Reese, D. P.,	Wood, N.,
Erb,	Krepps,	Reese, R. E.,	Worley,
Ewing,	Krise,	Regan,	Wright,
Figlock,	Lane,	Reilly,	Yeakel,
Finnerty	Laughner,	Reynolds,	Yester,
Flack,	Lee,	Riley,	Fiss,
Foor,	Leisey,	Robertson,	Speaker.
Fox,	Leonard,	Root,	

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

BILL PASSED OVER

There being no objection

House Bill No. 842, Printer's No. 636 and

Senate Bill No. 472, Printer's No. 360

was passed over at the request of Mr. LICHTENWALTER.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1063, as follows:

An Act making an appropriation to the Board of Finance and Revenue for the payment of certain moral claims against the Commonwealth

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The sum of four hundred forty dollars and twenty-nine cents ($440.29) or so much thereof as may be necessary is hereby specifically appropriated out of the General Fund to the Board of Finance and Revenue for the purpose of paying the claim or claims of any person or persons who has heretofore been committed as an indigent mental patient in any mental hospital or mental institution and who while an inmate therein was regularly employed at manual labor and subsequently thereto moneys received by such inmate from a Federal pension which should have been used by the guardian of such inmate for the support and maintenance of the wife or family of such inmate was unjustly paid by the said guardian to the Commonwealth as reimbursement for moneys spent by the Commonwealth for the maintenance cost of such inmates

Payments of any such claim or claims may be made to any such inmate or his wife upon requisition of the Treasury Department for the Board of Finance and Revenue upon proof before said board of the facts hereinbefore cited

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—170

Alspach,	Garber,	Levy,	Rose, S.
Barrett,	Gardner,	Lichtenwalter,	Rose, W. E.,
Baker,	Gillan,	Livingstone,	Rowley,
Barton,	Goodling,	Longo,	Royer,
Bonawitz,	Gorman,	Lovett,	Salus,
Boorse,	Goodwin,	Lyons,	Sarge,
Bower,	Grant,	Madigan,	Scanlon,
Boyd,	Green,	Mahany,	Schuster,
Bretherick,	Gross,	Maxwell,	Serrill,
Brice,	Haberlen,	McClester,	Simons,
Brigerman,	Hall,	McKinney,	Smith,
Brown,	Hamilton,	McMillen,	Snider,
Brunner, C. H.,	Hare,	McSurdy,	Sollenberger,
Brunner, P. A.,	Harris,	Menna,	Sorg,
Burns,	Haudenshield,	Mihm,	Stank,
Calvin,	Heatherington,	Miller,	Stockham,
Campbell,	Helm,	Mintess,	Stonier,
Chudoff,	Herman,	Mock,	Tahl,
Cohen,	Hewitt,	Mooney,	Tate,
Cook,	Hocke,	Moore,	Taylor,
Cooper,	Hoffman,	Moran,	Thrasher,
Cordier,	Hoggard,	Muir,	Thompson,
Corrigan,	Holmes,	Munley,	Tiemann,
Costa,	Hoopes,	Murray,	Trent,
Coulson,	Hunter, B. F.,	Nowak,	Trout,
Cullen,	Hunter, W. M.,	O'Brien,	Turbett,
Dague,	Huntley,	O'Connor,	Verona,
Dalrymple,	Imbrie,	O'Dare,	Wachhaus,
Denman,	Irvin,	O'Neill,	Wagner, K. H.,
Dennison,	James,	Petrosky,	Wagner, P. L.,
Depuy,	Jones,	Pettit,	Wallin,
Dillon,	Kennedy,	Polaski,	Walton,
Dix,	Kirley,	Powers,	Watkins,
Elder,	Kline,	Readinger,	Weiss,
Elliott,	Kolankiewicz,	Reagan,	Welsh,
Ely,	Kowalski,	Reese, D. P.,	Wood, N.,
Erb,	Krepps,	Reese, R. E.,	Worley,
Ewing,	Krise,	Regan,	Wright,
Figlock,	Lane,	Reilly,	Yeakel,
Finnerty,	Laughner,	Reynolds,	Yester,
Flack,	Lee,	Riley,	Fiss,
Foor,	Leisey,	Robertson,	Speaker.
Fox,	Leonard,	Root,	

NAYS

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 716, as follows:

An Act to amend section three of the act approved the second day of July one thousand nine hundred and thirty-seven (P. L. 2793) entitled "An act authorizing and empowering any city county school district or other municipality which shall have acquired a limited title to real estate for municipal purposes to secure a title in fee simple to any such real estate and providding and regulating the procedure in such cases" by making a final determination conclusive against subsequent claimants

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section three of the act approved the second day of July one thousand nine hundred and thirty-seven (P. L. 2793) entitled "An act authorizing and empowering any city county school district or other municipality which shall have acquired a limited title to real estate for municipal purposes to secure a title in fee simple to any such real estate and providing and regulating the procedure in such cases" is hereby amended to read as follows

Section 3 Any person claiming a reversionary or other interest in and to such property or any part thereof may within six years of the date of such vesting of title in fee simple in the municipality petition the court of common pleas of the county in which said real estate is situated setting forth in such petition the chain of title whereby his claim arises together with the names and addresses of all persons so far as they are known to him whose interest may be affected and with a reference to the record of all deeds wills intestacies court proceedings or other muniments of title tending to prove or substantiate his claim The court shall cause notice to be given to all persons so named and hear such testimony as may be required to determine the proportionate interest if any of such claimant and such other persons and shall appoint a board of view to hear testimony to determine the value if any of the entire unacquired interest in said real estate and to award to petition or other persons appearing entitled thereto his or their proportionate parts or shares of such amount Either claimant or other such person or the municipality shall have the right to file exceptions or to appeal with a right of trial by jury as in other cases within thirty days from the filing of the report of the board of view and any other person claiming an interest in such real estate may by leave of the court intervene in the proceedings at any time prior to a final determination of the proceeding Provided however That a final determination as hereinabove provided for shall be conclusive of the matters so determined upon any subsequent claimant And provided further that the valuation of any such property shall be based upon its condition and worth as of the time that the municipality perfected its fee simple title as hereinabove provided and that if the municipality shall have sold such real estate either at public or private sale prior to such determination the price or sum received at such sale shall be prima facie evidence of the value of such real estate or such part thereof as may have been so sold with due allowance for improvements or other changes of condition between the time when the municipality perfected its title as aforesoid and the time of such sale

Section 2 This act shall become effective immediately upon its final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—170

Alspach,	Garber,	Levy,	Rose, S.
Barrett,	Gardner,	Lichtenwalter,	Rose, W. E.,
Baker,	Gillan,	Livingstone,	Rowley,
Barton,	Goodling,	Longo,	Royer,
Bonawitz,	Gorman,	Lovett,	Salus,
Boorse,	Goodwin,	Lyons,	Sarge,
Bower,	Grant,	Madigan,	Scanlon,
Boyd,	Green,	Mahany,	Schuster,
Bretherick,	Gross,	Maxwell,	Serrill,
Brice,	Haberlen,	McClester,	Simons,
Brigerman,	Hall,	McKinney,	Smith,
Brown,	Hamilton,	McMillen,	Snider,
Brunner, C. H.,	Hare,	McSurdy,	Sollenberger,
Brunner, P. A.,	Harris,	Menna,	Sorg,
Burns,	Haudenshield,	Mihm,	Stank,
Calvin,	Heatherington,	Miller,	Stockham,
Campbell,	Helm,	Mintess,	Stonier,
Chudoff,	Herman,	Mock,	Tahl,
Cohen,	Hewitt,	Mooney,	Tate,
Cook,	Hocke,	Moore,	Taylor,
Cooper,	Hoffman,	Moran,	Thrasher,
Cordier,	Hoggard,	Muir,	Thompson,
Corrigan,	Holmes,	Munley,	Tiemann,
Costa,	Hoopes,	Murray,	Trent,
Coulson,	Hunter, B. F.,	Nowak,	Trout,
Cullen,	Hunter, W. M.,	O'Brien,	Turbett,
Dague,	Huntley,	O'Connor,	Verona,

Dalrymple,	Imbrie,	O'Dare,	Wachhaus,
Denman,	Irvin,	O'Neill,	Wagner, K. H.,
Dennison,	James,	Petrosky,	Wagner, P. L.,
Depuy,	Jones,	Pettit,	Wallin,
Dillon,	Kennedy,	Polaski,	Walton,
Dix,	Kirley,	Powers,	Watkins,
Elder,	Kline,	Readinger,	Weiss,
Elliott,	Kolankiewicz,	Reagan,	Welsh,
Ely,	Kowalski,	Reese, D. P.,	Wood, N.,
Erb,	Krepps,	Reese, R. E.,	Worley,
Ewing,	Krise,	Regan,	Wright,
Figlock,	Lane,	Reilly,	Yeakel,
Finnerty,	Laughner,	Reynolds,	Yester,
Flack,	Lee,	Riley,	Fiss,
Foor,	Leisey,	Robertson,	Speaker.
Fox,	Leonard,	Root,	

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

BILL PASSED OVER

There being no objection Senate Bill No. 165, Printer's No. 329, was passed over at the request of Mr. LICHTENWALTER.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 388, as follows:

An Act to amend sections three and four of and to add section 6.1 to the act approved the thirty-first day of July one thousand nine hundred forty-one (P. L. 644) entitled "An act to authorize housing authorities to undertake the development or administration of projects to provide safe and sanitary dwellings for persons engaged in national defense activities who would not otherwise be able to secure such dwellings within the vicinity thereof to limit the initiation of the development of such projects until December 31, 1943 to authorize housing authorities to cooperate with or act as agent of the Federal Government in the development and administration of such projects of the Federal Government to acquire or lease such projects and to sell or lease certain projects to the Federal Government to authorize public bodies to assist such projects of housing authorities and of the Federal Government to provide safe and sanitary dwellings for persons engaged in national defense activities" by changing the definition of "Persons engaged in national defense activities" extending the time in which the devolpment of projects may be initiated thereunder and authorizing housing authorities to cooperate with and assist counties cities boroughs and incorporated towns

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Sections three and four of the act approved the thirty-first day of July one thousand nine hundred forty-one (P. L. 644) entitled "An act to authorize housing authorities to undertake the development or administration of projects to provide safe and sanitary dwellings for persons engaged in national defense activities who would not otherwise be able to secure such dwellings within the vicinity thereof to limit the initiation of the development of such projects until December 31, 1943 to authorize housing authorities to cooperate with or act as agent of the Federal Government in the development and administration of such projects of the Federal Government to acquire or lease such projects and to sell or lease certain projects to the Federal Government to authorize public bodies to assist such projects of housing authorities and of the Federal Government to provide safe and sanitary dwellings for persons engaged in national defense activities" are hereby amended to read as follows

Section 3 Definitions

(a) "Persons engaged in national defense activities" as used in this act shall mean [enlisted] men in the military and naval services of the United States and employes of the War and Navy Departments assigned to duty at military or naval reservations posts or bases and workers engaged or to be engaged in industries connected with and essential to the national defense program and shall include the families of the aforesaid persons who are living with them

(b) "Development" as used in this act shall mean any and all undertakings and activities necessary or proper for the planning land acquisition demolition financing construction or equipment in connection with a project (including the negotiation or award of contracts therefor) and shall include the acquisition of any project (in whole or in part) from the State or Federal Government

(c) "Administration" as used in this act shall mean any and all undertakings and activities necessary or proper for the management operation or maintenance in connection with any project and shall include the leasing of any project (in whole or in part) from the State or Federal Government

(d) "Federal Government" as used in this act shall mean the United States of America or any agent or instrumentality corporate or otherwise of the United States of America

(e) "State Government" as used in this act shall mean the Commonwealth of Pennsylvania or any agency or instrumentality corporate or otherwise of the Commonwealth

(f) The development of a project shall be deemed to be "initiated" within the meaning of this act if a housing authority has issued any bonds notes or other obligations with respect to financing the development of such projects of the housing authority or has contracted with the Federal Government with respect to the exercise of powers hereunder in the development of such project of the Federal Government for which an allocation of funds has been made prior to [December 31 1943] May 31 1945

(g) "Housing authority" as used in this act shall mean any housing authority established or hereafter established pursuant to the Housing Authorities Law (Act of May 28 1937 (P. L. 955) as amended by Act of June 19 1939 (P. L. 424) and any additional amendments thereto)

(h) "Project" or "housing projects" as used in this act shall mean any work or undertaking to provide safe and sanitary urban or rural dwellings apartments or other living accommodations including buildings land equipment facilities and other real or personal property for necessary convenient or desirable appurtenances streets sewers water services parks site preparation gardening administrative community health recreational educational welfare or other purposes

(i) "National Defense period" as used in this act means the period during which a housing authority finds that within its field of operation or any part thereof (1) there exists or impends an acute shortage of safe and sanitary dwellings and (2) there exists an immediate need for housing accommodations for persons engaged in national defense activities and (3) the failure to supply such housing accommodations will impede the National Defense program and (4) private industry alone is unable to supply the need for housing accommodations for persons engaged in national defense activities within the time and in the quantity necessary to supply the need of such housing without impeding the National Defense program

(j) "Field of operation" as used in this act means the area within the territorial boundaries of the city or county for which the particular housing authority is created Provided however That the field of operation of any county authority except as hereinafter provided shall not include a city having a housing authority For the purposes of section 6.1 of this act only "Field of operation" shall also include any county city borough or incorporated town or any portion thereof not included in said area in which the housing authority exercises its powers under the provisions of section 6.1 of this act

(k) "State public body" as used in this act shall mean any city borough town township county municipal corporation commission school district institution district district authority other subdivision or public body of this Commonwealth

Section 4 During the national defense period every housing authority shall have the power to undertake the development and administration of projects within its field of operation to provide safe and sanitary dwellings for persons engaged in national defense activities but no housing authority shall initiate the development of any such project pursuant to this act after [December 31 1943] May 31 1945

In the ownership development or administration of such projects housing authority shall have all the rights powers privileges and immunities that such authority has under any provision of law relating to the ownership development or administration of slum clearance and housing projects for persons of low income with the same force and effect as though all the provisions of law applicable to slum clearance and housing projects for persons of low income were applicable to projects developed or administered to provide safe and sanitary dwellings for persons engaged in national defense activities as provided in this act Provided That any project developed or administered by any housing authority (or by any housing authority cooperating with it) pursuant to this act as agent for the Federal Government or otherwise as provided herein shall not be subject to the rental and tenant selection limitations provided in the Housing Authorities Law but such authority shall fix fair rentals for such projects within the financial reach of persons engaged in national defense activities And provided further That a housing authority may enter into any agreements with counties cities boroughs townships school districts or insitution districts to pay such sum or sums of money as may be agreed to in lieu of taxes for general services rendered by such county city borough township school district or institution district or to pay for services facilities works privileges or improvements furnished for or in connection with any such projects without being limited to the cost thereof In the case of a project administered by a housing authority pursuant to this act other than as agent of the Federal Government any revenue in excess of that necessary with other available funds to pay any bonds or other obligations administrative maintenance and operating expenses and to provide for reasonable reserve in connection with such project shall be held and used by the authority for its general corporate purposes

After the national defense period any such projects owned and administered by a housing authority shall be administered for the purpose and in accordance with the provisions of the Housing Authorities Law

Section 2 Said act is hereby amended by adding between sections six and seven thereof a new section to read as follows

Section 6.1 For the purpose of cooperating with and assisting counties cities boroughs and incorporated towns a housing authority may exercise its powers in the territory within the boundaries of any county city borough or incorporated town not included in the area in which such housing authority is then authorized to function or in any designated portion of such territory after the governing body of such county city borough or incorporated town as the case may be adopts a resolution declaring that there is a need for an authority to function in such territory or in such designated portion thereof If a housing authority has previously been authorized to exercise its powers in such territory or designated portion such a resolution shall not be adopted unless such housing authority finds that ultimate economy would thereby be promoted and such housing authority shall not initiate any housing project in such territory or designated portion after the adoption of such a resolution

Section [2] 3 This act shall become effective immediately upon final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—170

Alspach,	Garber,	Levy,	Rose, S.
Barrett,	Gardner,	Lichtenwalter,	Rose, W. E.,
Baker,	Gillan,	Livingstone,	Rowley,
Barton,	Goodling,	Longo,	Royer,
Bonawitz,	Gorman,	Lovett,	Salus,
Boorse,	Goodwin,	Lyons,	Sarge,
Bower,	Grant,	Madigan,	Scanlon,
Boyd,	Green,	Mahany,	Schuster,
Bretherick,	Gross,	Maxwell,	Serrill,
Brice,	Haberlen,	McClester,	Simons,
Brigerman,	Hall,	McKinney,	Smith,
Brown,	Hamilton,	McMillen,	Snider,
Brunner, C. H.,	Hare,	McSurdy,	Sollenberger,
Brunner, P. A.,	Harris,	Menna,	Sorg,
Burns,	Haudenshield,	Mihm,	Stank,
Calvin,	Heatherington,	Miller,	Stockham,
Campbell,	Helm,	Mintess,	Stonier,
Chudoff,	Herman,	Mock,	Tahl,
Cohen,	Hewitt,	Mooney,	Tate,
Cook,	Hocke,	Moore,	Taylor,
Cooper,	Hoffman,	Moran,	Thrasher,
Cordier,	Hoggard,	Muir,	Thompson,
Corrigan,	Holmes,	Munley,	Tiemann,
Costa,	Hoopes,	Murray,	Trent,
Coulson,	Hunter, B. F.,	Nowak,	Trout,
Cullen,	Hunter, W. M.,	O'Brien,	Turbett,
Dague,	Huntley,	O'Connor,	Verona,
Dalrymple,	Imbrie,	O'Dare,	Wachhaus,
Denman,	Irvin,	O'Neill,	Wagner, K. H.,
Dennison,	James,	Petrosky,	Wagner, P. L.,
Depuy,	Jones,	Pettit,	Wallin,
Dillon,	Kennedy,	Polaski,	Walton,
Dix,	Kirley,	Powers,	Watkins,
Elder,	Kline,	Readinger,	Weiss,
Elliott,	Kolankiewicz,	Reagan,	Welsh,
Ely,	Kowalski,	Reese, D. P.,	Wood, N.,
Erb,	Krepps,	Reese, R. E.,	Worley,
Ewing,	Krise,	Regan,	Wright,
Figlock,	Lane,	Reilly,	Yeakel,
Finnerty,	Laughner,	Reynolds,	Yester,
Flack,	Lee,	Riley,	Fiss,
Foor,	Leisey,	Robertson,	Speaker.
Fox,	Leonard,	Root,	

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 389, as follows:

An Act to amend clause (g) of section three of and to add section fourteen and one-tenth to the act approved the twenty-eighth day of May one thousand nine hundred thirty-seven (P. L. 955) entitled "An act to promote public health safety morals and welfare by declaring the necessity of creating public bodies corporate and politic to be known as housing authorities to engage in slum clearance and to undertake projects to provide dwelling accommodations for persons of low income providing for the organization of such housing authorities defining their powers and duties providing for the exercise of such powers including the acquisition of property by purchase gift or eminent domain the renting and selling of property and including borrowing money issuing bonds and other obligations and giving

security therefor prescribing the remedies of obligees of housing authorities authorizing housing authorities to enter into agreements including agreements with the United States the Commonwealth and political subdivisions and municipalities thereof defining the application of zoning sanitary and building laws and regulations to projects built or maintained by such housing authorities exempting the property and securities of such housing authorities from taxation and imposing duties and conferring powers upon the State Board of Housing and certain other State officers and departments" authorizing housing authorities to cooperate with and assist counties cities boroughs and incorporated towns

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Clause (g) of section three of the act approved the twenty-eighth day of May one thousand nine hundred thirty-seven (P. L. 955) entitled "An act to promote public health safety morals and welfare by declaring the necessity of creating public bodies corporate and politic to be known as housing authorities to engage in slum clearance and to undertake projects to provide dwelling accommodations for persons of low income providing for the organization of such housing authorities defining their powers and duties providing for the exercise of such powers including the acquisition of property by purchase gift or eminent domain the renting and selling of property and including borrowing money issuing bonds and other obligations and giving security therefor prescribing the remedies of obligees of housing authorities authorizing housing authorities to enter into agreements including agreements with the United States the Commonwealth and political subdivisions and municipalities thereof defining the application of zoning sanitary and building laws and regulations to projects built or maintained by such housing authorities exempting the property and securities of such housing authorities from taxation and imposing duties and conferring powers upon the State Board of Housing and certain other State officers and departments" is hereby amended to read as follows

Section 3 Definitions The following words terms and phrases where used or referred to in this act shall have the meanings ascribed to them in this section except in those instances where the context clearly indicates a different meaning

* * * * *

(g) "Field of Operation" The area within the territorial boundaries of the city or county for which the particular housing authority is created Provided however That the field of operation of any county authority except as hereinafter provided shall not include a city having a population of thirty thousand inhabitants or over For the purpose of section 14.1 of this act only "field of operation" shall also include any county city borough or incorporated town or any portion thereof not included in said area in which the housing authority exercises its powers under the provisions of section 14.1 of this act

Section 2 Said act is hereby amended by adding between sections fourteen and fifteen thereof a new section to read as follows

Section 14.1 Cooperation with Counties Cities Boroughs and Incorporated Towns For the purpose of cooperating with and assisting counties cities boroughs and incorporated towns a housing authority may exercise its powers in the territory within the boundaries of any county city borough or incorporated town not included in the area in which such housing authority is then authorized to function or in any designated portion of such territory after the governing body of such county city borough or incorporated town as the case may be adopts a resolution declaring that there is a need for an authority to function in such territory or in such designated portion thereof If a housing authority has previously been authorized to exercise its power in such territory or designated portion such a resolution shall not be adopted unless such housing authority finds that ultimate economy would thereby be promoted and such housing authority shall not initiate any housing project in such territory or designated portion after the adoption of such a resolution

Section 2 Effective Date The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—170

Alspach,	Garber,	Levy,	Rose, S.
Barrett,	Gardner,	Lichtenwalter,	Rose, W. E.,
Baker,	Gillan,	Livingstone,	Rowley,
Barton,	Goodling,	Longo,	Royer,
Bonawitz,	Gorman,	Lovett,	Salus,
Boorse,	Goodwin,	Lyons,	Sarge,
Bower,	Grant,	Madigan,	Scanlon,
Boyd,	Green,	Mahany,	Schuster,
Bretherick,	Gross,	Maxwell,	Serrill,
Brice,	Haberlen,	McClester,	Simons,
Brigerman,	Hall,	McKinney,	Smith,
Brown,	Hamilton,	McMillen,	Snider,
Brunner, C. H.,	Hare,	McSurdy,	Sollenberger,
Brunner, P. A.,	Harris,	Menna,	Sorg,
Burns,	Haudenshield,	Mihm,	Stank,
Calvin,	Heatherington,	Miller,	Stockham,
Campbell,	Helm,	Mintess,	Stonier,
Chudoff,	Herman,	Mock,	Tahl,
Cohen,	Hewitt,	Mooney,	Tate,
Cook,	Hocke,	Moore,	Taylor,
Cooper,	Hoffman,	Moran,	Trasher,
Cordier,	Hoggard,	Muir,	Thompson,
Corrigan,	Holmes,	Munley,	Tiemann,
Costa,	Hoopes,	Murray,	Trent,
Coulson,	Hunter, B. F.,	Nowak,	Trout,
Cullen,	Hunter, W. M.,	O'Brien,	Turbett,
Dague,	Huntley,	O'Connor,	Verona,
Dalrymple	Imbrie,	O'Dare,	Wachhaus,
Denman,	Irvin,	O'Neill,	Wagner, K. H.,
Dennison,	James,	Petrosky,	Wagner, P. L.,
Depuy,	Jones,	Pettit,	Wallin,
Dillon,	Kennedy,	Polaski,	Walton,
Dix,	Kirley,	Powers,	Watkins,
Elder,	Kline,	Readinger,	Weiss,
Elliott,	Kolankiewicz,	Reagan,	Welsh,
Ely,	Kowalski,	Reese, D. P.,	Wood, N.,
Erb,	Krepps,	Reese, R. E.,	Worley,
Ewing,	Krise,	Regan,	Wright,
Figlock,	Lane,	Reilly,	Yeakel,
Finnerty	Laughner,	Reynolds,	Yester,
Flack,	Lee,	Riley,	Fiss,
Foor,	Leisey,	Robertson,	Speaker.
Fox,	Leonard,	Root,	

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same with amendments in which the concurrence of the Senate is requested.

BILLS PASSED OVER

There being no objection

Senate Bill No. 11, Printer's No. 162;
Senate Bill No. 63, Printer's No. 165;
Senate Bill No. 64, Printer's No. 166;
Senate Bill No. 65, Printer's No. 167 and
Senate Bill No. 86, Printer's No. 221

were passed over at the request of Mr. LICHTENWALTER.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 105, as follows:

An Act to amend section two thousand three of the Act approved the ninth day of April one thousand nine hundred and twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal School or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant-Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" authorizing the Department of Highways to condemn rights-of-way as agent for the Federal Government

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section two thousand three of the act approved the ninth day of April one thousand nine hundred and twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administartive departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teacher Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officer fixing the salaries of the Governor Lieutenant-Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" is hereby amended by adding at the end thereof one new clause to read as follows

Section 2003 Machinery Equipment Lands and Buildings The Department of Highways shall have the power and its duty shall be

* * * *

(h) To take and condemn rights-of-way over private property as agent for the Federal Government where such rights-of-way are not a part of the system of State highways and where satisfactory provisions for reimbursement for the expenses thereof by the Federal Government are made Any such condemnation shall be under the same procedure as in the case of condemnation for State highways

Section 2 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—170

Alspach,	Garber,	Levy,	Rose, S.
Barrett,	Gardner,	Lichtenwalter,	Rose, W. E.
Baker,	Gillan,	Livingstone,	Rowley,
Barton,	Goodling,	Longo,	Royer,
Bonawitz,	Gorman,	Lovett,	Salus,
Boorse,	Goodwin,	Lyons,	Sarge,
Bower,	Grant,	Madigan,	Scanlon,
Boyd,	Green,	Mahany,	Schuster,
Bretherick,	Gross,	Maxwell,	Serrill,
Brice,	Haberlen,	McClester,	Simons,
Brigerman,	Hall,	McKinney,	Smith,
Brown,	Hamilton,	McMillen,	Snider,
Brunner, C. H.,	Hare,	McSurdy,	Tollenberger,
Brunner, P. A.,	Harris,	Menna,	Sorg,
Burns,	Haudenshield,	Mihm,	Stank,
Calvin,	Heatherington,	Miller,	Stockham,
Campbell,	Helm,	Mintess,	Stonier,
Chudoff,	Herman,	Mock,	Tahl,
Cohen,	Hewitt,	Mooney,	Tate,
Cook,	Hocke,	Moore,	Taylor,
Cooper,	Hoffman,	Moran,	Thrasher,
Cordier,	Hoggard,	Muir,	Thompson,
Corrigan,	Holmes,	Munley,	Tiemann,
Costa,	Hoopes,	Murray,	Trent,
Coulson,	Hunter, B. F.,	Nowak,	Trout,
Cullen,	Hunter, W. M.,	O'Brien,	Turbett,
Dague,	Huntley,	O'Connor,	Verona,
Dalrymple,	Imbrie,	O'Dare,	Wachhaus,
Denman,	Irvin,	O'Neill,	Wagner, K. H.,
Dennison,	James,	Petrosky,	Wagner, P. L.,
Depuy,	Jones,	Pettit,	Wallin,
Dillon,	Kennedy,	Polaski,	Walton,
Dix,	Kirley,	Powers,	Watkins,
Elder,	Kline,	Readinger,	Weiss,
Elliott,	Kolankiewicz,	Reagan,	Welsh,
Ely,	Kowalski,	Reese, D. P.,	Wood, N.,
Erb,	Krepps,	Reese, R. E.,	Worley,
Ewing,	Krise,	Regan,	Wright,
Figlock,	Lane,	Reilly,	Yeakel,
Finnerty,	Laughner,	Reynolds,	Yester,
Flack,	Lee,	Riley,	Iss,
Foor,	Leisey,	Robertson,	Speaker.
Fox,	Leonard,	Root,	

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendments.

BILL PASSED OVER

There being no objection Senate Bill No. 220, Printer's No. 74, was passed over at the request of Mr. LICHTENWALTER.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 359, as follows:

An Act to amend section sixteen of the act approved the twelfth day of July one thousand nine hundred thirteen (P. L. 711) entitled "An act establishing a court for the county of Philadelphia prescribing its jurisdiction and powers providing for the service of its writs process or warrants by the proper officers of the county or city of Philadelphia regulating the procedure therein and appeals therefrom and providing for the expenses thereof" by extending its powers to include the issuance of writs of habeas corpus

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section sixteen of the act approved the twelfth day of July one thousand nine hundred thirteen (P. L. 711) entitled "An act establishing a court for the county of Philadelphia prescribing its jurisdiction and

powers providing for the service of its writs process or warrants by the proper officers of the county or city of Philadelphia regulating the procedure therein and appeals therefrom and providing for the expenses thereof" is hereby amended to read as follows

Section 16 The said municipal court shall have full power to make rules regulating the practice and procedure therein and the keeping of its records and subject to the provisions of this act shall have all the powers of a court of record possessed by the courts of common pleas and of quarter sessions of the peace and oyer and terminer in the county of Philadelphia including the power to issue writs of habeas corpus

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—170

Alspach,	Garber,	Levy,	Rose, S.
Barrett,	Gardner,	Lichtenwalter,	Rose, W. E.,
Baker,	Gillan,	Livingstone,	Rowley,
Barton,	Goodling,	Longo,	Royer,
Bonawitz,	Gorman,	Lovett,	Salus,
Boorse,	Goodwin,	Lyons,	Sarge,
Bower,	Grant,	Madigan,	Scanlon,
Boyd,	Green,	Mahany,	Schuster,
Bretherick,	Gross,	Maxwell	Serrill,
Brice,	Haberlen,	McClest	Simons,
Brigerman,	Hall,	McKinn	Smith,
Brown,	Hamilton,	McMille	Snider,
Brunner, C. H.,	Hare,	McSurdy	Sollenberger,
Brunner, P. A.,	Harris,	Menna,	Sorg,
Burns,	Haudenshield,	Mihm,	Stank,
Calvin,	Heatherington,	Miller,	Stockham,
Campbell,	Helm,	Mintess,	Stonier,
Chudoff,	Herman,	Mock,	Tahl,
Cohen,	Hewitt,	Mooney,	Tate,
Cook,	Hocke,	Moore,	Taylor,
Cooper,	Hoffman,	Moran,	Thrasher,
Cordier,	Hoggard,	Muir,	Thompson,
Corrigan,	Holmes,	Munley,	Tiemann,
Costa,	Hoopes,	Murray,	Trent,
Coulson,	Hunter, B. F.,	Nowak,	Trout,
Cullen,	Hunter, W. M.,	O'Brien,	Turbett,
Dague,	Huntley,	O'Connor	Verona,
Dalrymp	Imbrie,	O'Dare,	Wachhaus,
Denman	Irvin,	O'Neill,	Wagner, K. H.,
Dennison,	James,	Petrosky,	Wagner, P. L.,
Depuy,	Jones,	Pettit,	Wallin,
Dillon,	Kennedy,	Polaski,	Walton,
Dix,	Kirley,	Powers,	Watkins,
Elder,	Kline,	Readinger,	Weiss,
Elliott,	Kolankiewicz,	Reagan,	Welsh,
Ely,	Kowalski,	Reese, D P.,	Wood, N
Erb,	Krepps,	Reese, R. E.,	Worley,
Ewing,	Krise,	Regan,	Wright,
Figlock,	Lane,	Reilly,	Yeakel,
Finnerty	Laughner,	Reynolds,	Yester,
Flack,	Lee,	Riley,	Fiss,
Foor,	Leisey,	Robertson,	Speaker.
Fox,	Leonard,	Root,	

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendments.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 275, as follows:

An Act authorizing and directing the Legislative Reference Bureau to compile edit and publish a compilation of laws relating to townships of the first class and making an appropriation

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The Legislative Reference Bureau is hereby authorized and its duty shall be to compile edit and publish a pamphlet containing a compilation of the laws of Pennsylvania relating to townships of the first class A copy of said pamphlet shall be made available to each board of commissioners of each township of the first class of this Commonwealth

Said pamphlet shall be completed and available for distribution on or before the first day of January one thousand nine hundred forty-four

Section 2 The sum of one thousand five hundred dollars ($1,500) or as much thereof as may be necessary is hereby specifically appropriated to the Legislative Reference Bureau to pay the costs and expenses incurred by the Bureau in carrying out the provisions of this act

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—170

Alspach,	Garber,	Levy,	Rose, S.
Barrett,	Gardner,	Lichtenwalter,	Rose, W. E.,
Baker,	Gillan,	Livingstone,	Rowley,
Barton,	Goodling,	Longo,	Royer,
Bonawitz,	Gorman,	Lovett,	Salus,
Boorse,	Goodwin,	Lyons,	Sarge,
Bower,	Grant,	Madigan,	Scanlon,
Boyd,	Green,	Mahany,	Schuster,
Bretherick,	Gross,	Maxwell,	Serrill,
Brice,	Haberlen,	McClester,	Simons,
Brigerman,	Hall,	McKinney,	Smith,
Brown,	Hamilton,	McMillen,	Snider,
Brunner, C. H.,	Hare,	McSurdy,	Sollenberger,
Brunner, P. A.,	Harris,	Menna,	Sorg,
Burns,	Haudenshield,	Mihm,	Stank,
Calvin,	Heatherington,	Miller,	Stockham,
Campbell,	Helm,	Mintess,	Stonier,
Chudoff,	Herman,	Mock,	Tahl,
Cohen,	Hewitt,	Mooney,	Tate,
Cook,	Hocke,	Moore,	Taylor,
Cooper,	Hoffman,	Moran,	Thompson,
Cordier,	Hoggard,	Muir,	Thrasher,
Corrigan,	Holmes,	Munley,	Tiemann,
Costa,	Hoopes,	Murray,	Trent,
Coulson,	Hunter, B. F.,	Nowak,	Trout,
Cullen,	Hunter, W. M.,	O'Brien,	Turbett,
Dague,	Huntley,	O'Connor,	Verona,
Dalrymple,	Imbrie,	O'Dare,	Wachhaus,
Denman,	Irvin,	O'Neill,	Wagner, K. H.,
Dennison,	James,	Petrosky,	Wagner, P. L.,
Depuy,	Jones,	Pettit,	Wallin,
Dillon,	Kennedy,	Polaski,	Walton,
Dix,	Kirley,	Powers,	Watkins,
Elder,	Kline,	Readinger,	Weiss,
Elliott,	Kolankiewicz,	Reagan,	Welsh,
Ely,	Kowalski,	Reese, D P.,	Wood, N.,
Erb,	Krepps,	Reese, R. E.,	Worley,
Ewing,	Krise,	Regan,	Wright,
Figlock,	Lane,	Reilly,	Yeakel,
Finnerty,	Laughner,	Reynolds,	Yester,
Flack,	Lee,	Riley,	Fiss,
Foor,	Leisey,	Robertson,	Speaker.
Fox,	Leonard,	Root,	

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1075, as follows:

An Act making an appropriation to the Department of Property and Supplies for the construction and improvement of buildings and equipment at certain State institutions operating under the Department of Welfare

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The sum of nine million three hundred fifty-seven thousand dollars ($9,357,000) or as much thereof as may be necessary is hereby appropriated to the Department of Property and Supplies for the preparation of plans and specifications for constructing buildings and for the purchase and installation of necessary equipment to overcome hazardous conditions and provide essential services at the following State institutions operating under the Department of Welfare Mayview State Hospital Somerset State Hospital Woodville State Hospital Embreeville State Hospital Philadelphia State Hospital Norristown State Hospital Pennsylvania Training School Morganza Pennsylvania Industrial Home for Women Muncy Farview State Hospital Warren State Hospital Pennhrust State School Selinsgrove State Colony Ashland State Hospital Blossburg State Hospital Hazleton State Hospital Locust Mountain State Hospital Philipsburg State Hospital Scranton State Hospital Shamokin State Hospital Eastern State Penitentiary Graterford Branch

Section 2 Within the meaning of this act the construction of buildings shall include alterations or additions and shall include the installation or replacement of fittings and equipment affixed to buildings and the installation or replacement of heating system and heating sewage and other service lines within the grounds of an institution for the accommodation of building or buildings and the appropriation be and same will hereby be made available for the payment of costs of necessary plans specifications advertising for bids supervision and architectural and engineering fees required for the purpose of this act

Section 3 The amount of money of the foregoing appropriation to be expended for or upon any building or buildings of any particular institution shall be determined with the approved of the Governor by the Department of Property and Supplies and the Department of Welfare

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—170

Alspach,	Garber,	Levy,	Rose, S.
Barrett,	Gardner,	Lichtenwalter,	Rose, W. E.,
Baker,	Gillar,	Livingstone,	Rowley,
Barton,	Goodling,	Longo,	Royer,
Bonawitz,	Gorman,	Lovett,	Salus,
Boorse,	Goodwin,	Lyons,	Sarge,
Bower,	Grant,	Madigan,	Scanlon,
Boyd,	Green,	Mahany,	Schuster,
Bretherick,	Gross,	Maxwell,	Serrill,
Brice,	Haberlen,	McClester,	Simons,
Brigerman,	Hall,	McKinney,	Smith,
Brown,	Hamilton,	McMillen,	Snider,
Brunner, C. H.,	Hare,	McSurdy,	Sollenberger,
Brunner, P. A.,	Harris,	Menna,	Sorg,
Burns,	Haudenshield,	Mihm,	Stank,
Calvin,	Heatherington,	Miller,	Stockham,
Campbell,	Helm,	Mintess,	Stonier,
Chudoff,	Herman,	Mock,	Tahl,
Cohen,	Hewitt,	Mooney,	Tate,
Cook,	Hocke,	Moore,	Taylor,
Cooper,	Hoffman,	Moran,	Thompson,
Cordier,	Hoggard,	Muir,	Thrasher,
Corrigan,	Holmes,	Munley,	Tiemann,
Costa,	Hoopes,	Murray,	Trent,
Coulson,	Hunter, B. F.,	Nowak,	Trout,
Cullen,	Hunter, W. M.,	O'Brien,	Turbett,
Dague,	Huntley,	O'Connor,	Verona,
Dalrymple,	Imbrie,	O'Dare,	Wachhaus,
Denman,	Irvin,	O'Neill,	Wagner, K. H.,
Dennison,	James,	Petrosky,	Wagner, P. L.,
Depuy,	Jones,	Pettit,	Wallin,
Dillon,	Kennedy,	Polaski,	Walton,
Dix,	Kirley,	Powers,	Watkins,
Elder,	Kline,	Readinger,	Weiss,
Elliott,	Kolankiewicz,	Reagan,	Welsh,
Ely,	Kowalski,	Reese, D. P.,	Wood, N.,
Erb,	Krepps,	Reese, R. E.,	Worley,
Ewing,	Krise,	Regan,	Wright,
Figlock,	Lane,	Reilly,	Yeakel,
Finnerty,	Laughner,	Reynolds,	Yester,
Flack,	Lee,	Riley,	Fiss,
Foor,	Leisey,	Robertson,	Speaker.
Fox,	Leonard,	Root,	

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1110, as follows:

An Act making on appropriation to the George Jr Republic Association Grove City Pennsylvania

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The sum of ten thousand dollars ($10,000) is hereby specifically appropriated to the George Jr Republic Association Grove City Pennsylvania for the two fiscal years beginning June first one thousand nine hundred forty-three for the purpose of necessary apparatus supplies and equipment and for the making of needed repairs to the buildings used by the school

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—170

Alspach,	Garber,	Levy,	Rose, S.
Barrett,	Gardner,	Lichtenwalter,	Rose, W. E.,
Baker,	Gillar,	Livingstone,	Rowley,
Barton,	Goodling,	Longo,	Royer,
Bonawitz,	Gorman,	Lovett,	Salus,
Boorse,	Goodwin,	Lyons,	Sarge,
Bower,	Grant,	Madigan,	Scanlon,
Boyd,	Green,	Mahany,	Schuster,
Bretherick,	Gross,	Maxwell,	Serrill,
Brice,	Haberlen,	McClester,	Simons,
Brigerman,	Hall,	McKinney,	Smith,
Brown,	Hamilton,	McMillen,	Snider,
Brunner, C. H.,	Hare,	McSurdy,	Sollenberger,
Brunner, P. A.,	Harris,	Menna,	Sorg,
Burns,	Haudenshield,	Mihm,	Stank,
Calvin,	Heatherington,	Miller,	Stockham,
Campbell,	Helm,	Mintess,	Stonier,
Chudoff,	Herman,	Mock,	Tahl,
Cohen,	Hewitt,	Mooney,	Tate,
Cook,	Hocke,	Moore,	Taylor,
Cooper,	Hoffman,	Moran,	Thompson,
Cordier,	Hoggard,	Muir,	Thrasher,
Corrigan,	Holmes,	Munley,	Tiemann,
Costa,	Hoopes,	Murray,	Trent,
Coulson,	Hunter, B. F.,	Nowak,	Trout,
Cullen,	Hunter, W. M.,	O'Brien,	Turbett,
Dague,	Huntley,	O'Connor,	Verona,
Dalrymple,	Imbrie,	O'Dare,	Wachhaus,
Denman,	Irvin,	O'Neill,	Wagner, K. H.,
Dennison,	James,	Petrosky,	Wagner, P. L.,

Depuy,	Jones,	Pettit,	Wallin,
Dillon,	Kennedy,	Polaski,	Walton,
Dix,	Kirley,	Powers,	Watkins,
Elder,	Kline,	Readinger,	Weiss,
Elliott,	Kolankiewicz,	Reagan,	Welsh,
Ely,	Kowalski,	Reese, D P.,	Wood, N.,
Erb,	Krepps,	Reese, R. E.,	Worley,
Ewing,	Krise,	Regan,	Wright,
Figlock,	Lane,	Reilly,	Yeakel,
Finnerty,	Laughner,	Reynolds,	Yester,
Flack,	Lee,	Riley,	Fiss,
Foor,	Leisey,	Robertson,	Speaker.
Fox,	Leonard,	Root,	

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 153, as follows:

An Act authorizing the Department of Property and Supplies with the advice and approved of the Pennsylvania Historical Commission to acquire on behalf of the Commonwealth of Pennsylvania certain land upon which is located the site of Fort LeBoeuf in Waterford Borough Erie County or so much thereof as may be necessary as a historical memorial providing for the control management supervision improvement restoration and maintenance thereof authorizing the Pennsylvania Historical Commission in cooperation with other agencies to make and enforce rules and regulations for the preservation and visitation thereof authorizing the Pennsylvania Historical Commission to cooperate with the Daughters of the American Colonists and interested patriotic societies in providing funds for a restoration of Fort LeBoeuf and making an appropriation

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 For the purpose of perpetuating the stirring memories of the occupation of Northwestern Pennsylvania by the forces of France the building of Fort LeBoeuf in 1753 and the historic journey of George Washington to that fort as the agent for Virginia to warn the French from the Ohio Valley the beginning on Pennsylvania soil of the public services of this great and renowned patriot together with the historic struggle between Great Britian and France resulting in the possession of the North American territories of France by Great Britain and paving the way for the later national independence of the thirteen colonies the Department of Property and Supplies with the approval of the Pennsylvania Historical Commission is hereby authorized to acquire by purchase or gift on behalf of the Commonwealth of Pennsylvania so much of that land located in Waterford Borough Erie County upon which is located the site of Fort LeBoeuf and the scene of Washington's visit as may be deemed necessary in order to properly erect and maintain a suitable historical memorial and park The exact amount and location of the land to be acquired shall be determined by the Pennsylvania Historical Commission

Section 2 Pennsylvania Historical Commission after said property has been acquired is hereby authorized to cooperate with the Daughters of the American Colonists and other interested patriotic societies of the Nation and Commonwealth in providing for the proper and authentic restoration of a replica of said Fort LeBoeuf and the maintenance of a suitable park providing a setting for this historical shrine

Section 3 Pennsylvania Historical Commission after said property has been acquired and the restoration of Fort LeBoeuf completed shall make and enforce rules and regulations for the preservation visitation and maintenance thereof and in cooperation with the Daughters of the American Colonists shall so establish these regulations as to make possible the permanent maintenance of the memorial as a historical patriotic and educational center serving constantly to remind the Americans of the historical role of Pennsylvania in the French and Indian War and the monumental services of George Washington and the founding of our Republic

Section 4 The Pennsylvania Historical Commission is hereby specifically authorized to cooperate with the Daughters of the American Colonists and other patriotic societies in providing for said restoration and to accept any and all moneys which may be raised by public or private subscription through the efforts of said patriotic societies for the purpose of assisting in the erection and maintenance of the Fort LeBoeuf memorial provided that such moneys shall be accepted by the Pennsylvania Historical Commission in trust and administered in accordance with the statutes providing for the powers and duties of said commission

Section 5 The sum of fifteen thousand dollars ($15,000) or so much thereof as may be necessary is hereby specifically appropriated to the Department of Property and Supplies for the acquisition of the aforementioned site in Waterford Borough Erie County

The further sum of twenty-five thousand dollars ($25,000) or so much theerof as may be necessary is hereby specifically approproated to the Department of Property and Supplies to provide for a suitable and authentic restoration of Fort LeBoeuf upon the site acquired for the Commonwealth and to provide for the proper management and supervision of said memorial and to landscape and develop such park area surrounding the restored Fort LeBoeuf as may be necessary for its proper use and display all in accordance with plans and specifications approved by the Pennsylvania Historical Commission

Section 6 This act shall become effective immediately upon final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—170

Alspach,	Garber,	Levy,	Rose, S.
Barrett,	Gardner,	Lichtenwalter,	Rose, W. E.,
Baker,	Gillan,	Livingstone,	Rowley,
Barton,	Goodling,	Longo,	Royer,
Bonawitz,	Gorman,	Lovett,	Salus,
Boorse,	Goodwin,	Lyons,	Sarge,
Bower,	Grant,	Madigan,	Scanlon,
Boyd,	Green,	Mahany,	Schuster,
Bretherick,	Gross,	Maxwell,	Serrill,
Brice,	Haberlen,	McClester,	Simons,
Brigerman,	Hall,	McKinney,	Smith,
Brown,	Hamilton,	McMillen,	Snider,
Brunner, C. H.,	Hare,	McSurdy,	Sollenberger,
Brunner, P. A.,	Harris,	Menna,	Sorg,
Burns,	Haudenshield,	Mihm,	Stank,
Calvin,	Heatherington,	Miller,	Stockham,
Campbell,	Helm,	Mintess,	Stonier,
Chudoff,	Herman,	Mock,	Tahl,
Cohen,	Hewitt,	Mooney,	Tate,
Cook,	Hocke,	Moore,	Taylor,
Cooper,	Hoffman,	Moran,	Thompson,
Cordier,	Hoggard,	Muir,	Thrasher,
Corrigan,	Holmes,	Munley,	Tiemann,
Costa,	Hoopes,	Murray,	Trent,
Coulson,	Hunter, B. F.,	Nowak,	Trout,
Cullen,	Hunter, W. M.,	O'Brien,	Turbett,
Dague,	Huntley,	O'Connor,	Verona,
Dalrymple,	Imbrie,	O'Dare,	Wachhaus,
Denman,	Irvin,	O'Neill,	Wagner, K. H.,
Dennison,	James,	Petrosky,	Wagner, P. L.,
Depuy,	Jones,	Pettit,	Wallin,
Dillon,	Kennedy,	Polaski,	Walton,
Dix,	Kirley,	Powers,	Watkins,
Elder,	Kline,	Readinger,	Weiss,

Elliott,	Kolanklewicz,	Reagan,	Welsh,
Ely,	Kowalski,	Reese, D P.,	Wood, N.,
Erb,	Krepps,	Reese, R. E.,	Worley,
Ewing,	Krise,	Regan,	Wright,
Figlock,	Lane,	Reilly,	Yeakel,
Finnerty,	Laughner,	Reynolds,	Yester,
Flack,	Lee,	Riley,	Fiss,
Foor,	Leisey,	Robertson,	Speaker
Fox,	Leonard,	Root,	

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

BILLS NOT ON FILE

The SPEAKER. House Bill No. 913, Printer's No. 665 on page 45;

House Bill No. 592, Printer's No. 666, on page 46; are not on file and will be passed over.

House Bill No. 421, Printer's No. 655, on page 19;

House Bill No. 487, Printer's No. 654; on page 20;

House Bill No. 72, Printer's No. 684; and

House Bill No. 285, Printer's No. 685, on page 21, bills on final passage recalled from the Governor are not on file and will be passed over.

SENATE MESSAGE

AMENDED HOUSE BILL RECALLED FROM THE GOVERNOR CONCURRED IN BY SENATE

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 549.

An Act to further amend sections three hundred one and three hundred three of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 343) entitled "An act relating to the finances of the State government providing for the settlement assessment collection and lien of taxes bonus and all other accounts due the Commonwealth the collection and recovery of fees and other money or property due or belonging to the Commonwealth or any agency thereof including escheated property and the proceeds of its sale the custody and disbursement or other disposition of funds and securities belonging to or in the possession of the Commonwealth and the settlement of claims against the Commonwealth the resettlement of accounts and appeals to the courts refunds of moneys erroneously paid to the Commonwealth auditing the accounts of the Commonwealth and all agencies thereof of all public officers collecting moneys payable to the Commonwealth or any agency thereof and all receipts of appropriations from the Commonwealth and imposing penalties affecting every department board commission and officer of the State government every political subdivision of the State and certain officers of such subdivisions every person association and corporation required to pay assess or collect taxes or to make returns or reports under the laws imposing taxes for State purposes or to pay license fees or other moneys to the Commonwealth or any agency thereof every State depository and every debtor or creditor of the Commonwealth" by authorizing the Board of Finance and Revenue with the approval of the Governor to invest State deposits in short-term obligations of the United States government and to dispose of the same and conferring certain powers and duties upon the Treasury Department with respect to such obligations

Said bill having been recalled from the Governor for the purpose of amendment, the vote had on final passage and third reading reconsidered in the House and the bill amended, in which amendments the Senate has concurred.

BILL SIGNED BY SPEAKER

Bill numbered and entitled as follows having been prepared for presentation to the Governor, and the same being correct, the title was publicly read as follows:

HOUSE BILL No. 549.

An Act to further amend sections three hundred one and three hundred three of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 343) entitled "An act relating to the finances of the State government providing for the settlement assessment collection and lien of taxes bonus and all other accounts due the Commonwealth the collection and recovery of fees and other money or property due or belonging to the Commonwealth or any agency thereof including escheated property and the proceeds of its sale the custody and disbursement or other disposition of funds and securities belonging to or in the possession of the Commonwealth and the settlement of claims against the Commonwealth the resettlement of accounts and appeals to the courts refunds of moneys erroneously paid to the Commonwealth auditing the accounts of the Commonwealth and all agencies thereof of all public officers collecting moneys payable to the Commonwealth or any agency thereof and all receipts of appropriations from the Commonwealth and imposing penalties affecting every department board commission and officer of the State government every political subdivision of the State and certain officers of such subdivsions every person association and corporation required to pay assess or collect taxes or to make returns or reports under the laws imposing taxes for State purposes or to pay license fees or other moneys to the Commonwealth or any agency thereof every State depository and every debtor or creditor of the Commonwealth" by authorizing the Board of Finance and Revenue with the approval of the Governor to invest State deposits in short-term obligations of the United States government and to dispose of the same and conferring certain powers and duties upon the Treasury Department with respect to such obligations

Whereupon,

The SPEAKER, in the presence of the House, signed the same.

BILLS ON SECOND READING

BILL PASSED OVER

There being no objection

Senate Bill No. 34, Printer's No. 328, and

Senate Bill No. 311, Printer's No. 331,

were passed over at the request of Mr. LICHTENWALTER.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 267, entitled:

An Act to add section nine hundred seventy-eight and one-tenth to the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1333) entitled "An act concerning elections including general municipal special and primary elections the nomination of candidates primary and election expenses and election contests creating and defining membership of county boards of elections imposing duties upon the Secretary of the Commonwealth courts county boards of elections county commissioners imposing penalties for violation of the act and codifying revising and consolidating the laws relating

thereto and repealing certain acts and parts of acts relating to elections" requiring persons nominated for office at a primarty election who have not paid the filing fee required for the filing of nomination petitions for such office to pay such fee and declaring vacancies in party nominations for failure to pay the same

And said bill having been read at length the second time and agreed to

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 666, entitled:

An Act to further amend section two thousand five hundred and sixty-six of the act approved the twenty-third day of June one thousand nine hundred and thirty-one (P. L. 932) entitled "An act relating to cities of the third class and amending revising and consolidating the law relating thereto" providing for the appointment of delinquent tax collectors and defining their powers duties and responsibilities

And said bill having been read at length the second time and agreed to

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 718, entitled:

An Act to repeal sections twenty-nine and thirty-two and to amend sections thirty-one and thirty-three of the act approved the sixteenth day of May one thousand nine hundred and twenty-three (P. L. 207) entitled "An act providing when how upon what property and to what extent liens shall be allowed for taxes and for municipal improvement for the removal of nuisances and for water rents or rates sewer rates and lighting rates for the procedure upon claims filed therefor the methods for preserving such liens and enforcing payment of such claims the effect of judicial sales of the properties liened the distribution of the proceeds of such sales and the redemption of the property therefrom for the lien and collection of certain taxes heretofore assessed and of claims for municipal improvements made and nuisances removed within six months before the passage of this act and for the procedure on tax and municipal claims filed under other and prior acts of Assembly" further regulating the sale of real property for the nonpayment of tax and municipal claims where a municipality is the claimant providing for the discharge of all liens mortgages ground rents estates and claims against such property by such sale and eliminating the right of redemption after such sales

And said bill having been read at length the second time and agreed to

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1036, entitled:

An Act providing for the survey and establishment of a relief highway in the County of Dauphin as a part of the State highway system authorizing the taking of streets and roads and the laying out of new streets and roads providing for the taking of private property under the power of eminent domain the determination and payment of damages and the construction reconstruction improvement and maintenance of said highway by the Commonwealth authorizing the Commonwealth to accept voluntary contributions from certain political subdivisions and the use of Federal moneys if available imposing certain duties on the Secretary of Highways and making an appropriation

And said bill having been read at length the second time and agreed to

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1108, entitled:

An Act to further amend the act approved the seventh day of May one thousand nine hundred and twenty-seven (P. L. 859) entitled "A supplement to the act approved the twentieth day of June one thousand nine hundred and nineteen (P. L. 521) entitled 'An act providing for the imposition and collection of certain taxes upon the transfer of property passing from a decedent who was a resident of this Commonwealth at the time of his death and of property within this Commonwealth of a decedent who was a nonresident of the Commonwealth at the time of his death and making it unlawful for any corporation of this Commonwealth or national banking association located therein to transfer the stock of such corporation or banking association standing in the name of any such decedent until the tax on the transfer thereof has been paid and providing penalties and citing certain acts for repeal' imposing additional taxes equal to Federal credits" by further defining and imposing such additional taxes as estate taxes prescribing and changing the method of computing such taxes and decreasing the interest penalty on unpaid taxes

And said bill having been read at length the second time and agreed to

Ordered, To be transcribed for third reading.

BILL PASSED OVER

There being no objection Senate Bill No. 305, Printer's No. 171, was passed over at the request of Mr. LICHTENWALTER.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 810, entitled:

An Act relating to the filing and revival of liens for taxes and water rates in the office of the prothonotary of common pleas court on real estate within the territorial limits of cities of the second class prescribing duties and fees of prothonotaries establishing the office of solicitor for delinquent tax and water rate liens defining the powers and duties of said office providing for enforced collection of said taxes and water rates imposing duties upon cities of the second class and school districts within the territorial limits of cities of the second class

And said bill having been read at length the second time and agreed to

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 259, entitled:

An Act to validate certain acknowledgments and to regulate the affect thereof

And said bill having been read at length the second time and agreed to

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 878, entitled:

An Act creating a revolving fund in the State Treasury to be used by the State Council for the Blind for making advancements to blind persons for the purchase of stock equipment and accessories necessary to operate vending or refreshment stands in locations leased or arranged for by said council providing for the repayment of such advancements authorizing the State Council for the Blind to adopt rules and regulations and making an appropriation

And said bill having been read at length the second time and agreed to

Ordered, To be transcribed for third reading.

BILLS NOT ON FILE

The SPEAKER. The bills on pages 16, 17, 18 and 19 are not on file and will be passed over.

The SPEAKER. The Chair requests the gentleman from Berks, Mr. Readinger, to preside.

MR. READINGER IN THE CHAIR

BILLS ON FIRST READING

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 689, entitled:

An Act to enable cities of the third class to adopt the city manager plan of government; providing the procedure for the adoption or discontinuance thereof; making suitable provisions for the conduct of city government thereunder and in connection therewith imposing certain duties on mayors, city councils, county commissioners, and election officers.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1037, entitled:

An Act to amend sections two three thirteen and twenty-seven of the act approved the twentieth day of June one thousand nine hundred and nineteen (P. L. 521) entitled as amended "An act providing for the imposition and collection of certain taxes upon the transfer of property passing from a decedent who was a resident of this Commonwealth at the time of his death and of property within this Commonwealth of a decedent who was a nonresident of the Commonwealth at the time of his death defining and taxing transfers made in contemplation of death defining as a transfer and taxing the right of survivorship in property as to which such right exists and making it unlawful for any corporation of this Commonwealth or national banking association located therein to transfer the stock of such corporation or banking association standing in the name of any such decedent until the tax on the transfer thereof has been paid and providing penalties and citing certain acts for repeal" by changing the requirements for the allowance of deductions for a decedent's debts by changing the provisions requiring security for the payment of inheritance tax by residents and nonresidents on future interests where payment is postponed by decreasing the interest penalty on unpaid taxes; by eliminating appeals to the Superior Courts; and by extending the time within which appeals may be taken from the appraisement of property of resident and nonresident decedents for inheritance tax purposes.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 53, entitled:

An Act relating to the practice procedure regulations and adjudications of departments departmental administrative boards and commissions independent administrative boards and commissions officers and other administrative agencies of this Commonwealth and judicial review thereof and preserving equitable jurisdiction in certain cases and providing for certain exceptions.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 54, entitled:

An Act providing for the Pennsylvania Register for the publication and distribution of certain orders regulations rules notices proclamations and similar instruments imposing powers and duties on the Legislative Reference Bureau the Department of Property and Supplies creating the Pennsylvania Register Board and defining its powers and duties and making an appropriation for payment of expenses and costs of publication and distribution of the Pennsylvania Register.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 345, entitled:

An Act to further amend the act approved the first day of June one thousand nine hundred thirty-seven (P. L. 1168) entitled "An act to protect the right of employes to organize and bargain collectively creating the Pennsylvania Labor Relations Board conferring powers and imposing duties upon the Pennsylvania Labor Relations Board officers of the State government and courts providing for the right of employes to organize and bargain collectively declaring certain labor practices by employers to be unfair further providing that representatives of a majority of the employes be the exclusive representatives of all the employes authorizing the board to conduct hearings and elections and certify as to representatives of employes for purposes of collective bargaining empowering the board to prevent any person from engaging in any unfair labor practice and providing a procedure for such cases including the issuance of a complaint the conducting of a hearing and the making of an order empowering the board to petition a court of common pleas for the enforcement of its order and providing a procedure for such cases providing for the review of an order of the board by a court of common pleas on petition of any person aggrieved by such order and establishing a procedure for such cases providing for an appeal from the common pleas court to the Supreme Court providing the board with investigatory powers including the power to issue subpoenas and the compelling of obedience to them through application to the proper court providing for service of papers and process of the board prescribing certain penalties" further regulating the right to and procedure on appeals to court.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1066, entitled:

An Act to add section eight and one-tenth to the act approved the thirteenth day of April one thousand nine

hundred and forty-two (P. L. 32) entitled "An act to protect property and prevent sabotage by prohibiting for a limited period of time certain intentional injuries to and interferences with real and personal property prohibiting certain intentional defects in workmanship limiting the privileges of certain witnesses prohibiting certain entries upon real property and waters authorizing the closing of highways or the regulation or restriction of travel thereon conferring powers on the Water and Power Resources Board and providing penalties" vesting for a limited period of time game protectors foresters forest rangers and fish wardens with the same powers vested in constables and other peace officers for the purpose of enforcing said act.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

BILLS NOT ON FILE

The SPEAKER pro tempore:

House Bill No. 474, Printer's No. 641;
House Bill No. 496, Printer's No. 658;
House Bill No. 502, Printer's No. 643 on page 4,
House Bill No. 1086, Printer's No. 647;
House Bill No. 837, Printer's No. 662;
House Bill No. 512, Printer's No. 644;
House Bill No. 1069, Printer's No. 660 on page 5,
House Bill No. 538, Printer's No. 661;
House Bill No. 492, Printer's No. 642;
House Bill No. 589, Printer's No. 646,
House Bill No. 1100, Printer's No. 648, on page 6

are not on file and will be passed over.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 71, entitled:

A Joint Resolution proposing an amendment to section four article two of the Constitution of the Commonwealth of Pennsylvania providing for annual sessions of the General Assembly salary of members and annual general appropriations

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 85, entitled:

A Joint Resolution making application to the Congress of the United States to call a convention for proposing an amendment to the Constitution of the United States prohibiting the imposition of conditions upon grants of moneys and the invasion of the states rights

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 201, entitled:

An Act to amend the title and section one of the act approved the twentieth day of April one thousand nine hundred and five (P. L. 239) entitled "An act providing for and defining the rights remedies duties and liabilities of purchasers of real estate at judicial sales and of their grantees heirs and devisees and of the persons then in possession thereof" extending the provisions of said act to purchasers of real estate at tax sales and their grantees heirs and devisees and persons then in possession thereof

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 301, entitled:

An Act to amend section one hundred four, clause (a) of section two hundred five, clause (a) of section two hundred twelve, section four hundred three, section five hundred five and to add clause (d) to section five hundred two of the act approved the twenty-fifth day of June, one thousand nine hundred forty-one (P. L. 159), entitled "An act amending, revising, consolidating and changing the law relating to the borrowing of money by certain political subdivisions, the authorization, issuance and sale of general obligation bonds as herein defined, of bonds imposing no general obligation of debt and of bonds not deemed to constitute a debt for certain purposes, and to the funding of debt and the refunding of bonds; regulating the keeping and use of sinking funds; imposing powers and duties upon the Department of Internal Affairs and upon corporate bodies and officers of poliitcal subdivisions; imposing penalties, and repealing existing laws," clarifying and correcting the provisions of said sections and providing for the funding of debts represented by judgments entered by courts

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 354, entitled:

An Act to further amend clause (d) of section four of the act approved the twenty-eighth day of June one thousand nine hundred and thirty-five (P. L. 452) entitled as amended "An act to promote the welfare of the people of the Commonwealth creating a General State Authority as a body corporate and politic with power to construct improve equip furnish and operate projects and to lease the same and to fix and collect fees rentals and charges for the use thereof authorizing and regulating the issuance of bonds by said Authority and providing for the payment of such bonds and the rights of the holders thereof and to enter into agreements with the Government of the United States or any Federal agency and authorizing the Department of Property and Supplies to grant assign convey or lease to the Authority lands of the Commonwealth and interests therein and to acquire lands therefor granting the right of eminent domain and providing that no debt of the Commonwealth shall be incurred in the exercise of any of the powers granted by this act" empowering the General State Authority to sell and convey projects and property to the Commonwealth and to sell and convey the Butler Tuberculosis Sanitorium to the United States or any Federal agency.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 377, entitled:

An Act abolishing the State Forests and Waters Fund in the State Treasury; providing for the payment of the moneys therein and all future moneys heretofore payable into such special fund into the General Fund; making the same available for all lawful expenditures; and making certain repeals

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 400, entitled:

An Act to ratify confirm and validate as debts of the municipality bonds and obligations issued by municipal corporations for the payment of the cost of a public improvement which were to rest alone for their security and payment upon assessments for benefits

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 427, entitled:

An Act to amend Sections 2501 2504 2505 and 2506 of the act approved the twenty-fourth day of June one thousand nine hundred and thirty-one (P. L. 1206) entitled "An act concerning townships of the first class amending revising consolidating and changing the law relating thereto" providing for the payment of sewer assessments in monthly or quarterly installment regulating the filing of liens therefor and authorizing the filing of such liens after the time fixed by law shall have expired.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 440, entitled:

An Act creating a Commission for the Port of Chester providing for the appointment of the members of said commission defining its powers and duties and making an appropriation to defray its expenses

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 498, entitled:

An Act creating a commission to make a study and investigation of strip mining directing such commission to make a report and recommendations to the General Assembly conferring certain powers upon such commission including the power to issue subpoenas administer oaths and affirmations retain employes and expend funds and making an appropriation.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 534, entitled:

An Act to amend section four hundred thirty-seven and to further amend section four hundred thirty-eight of the act, approved the second day of May, one thousand nine hundred twenty-nine (P. L. 1278), entitled "An act relating to counties of the second, third, fourth, fifth, sixth, seventh and eighth classes; and revising, amending and consolidating the laws relating thereto," changing the amount of aid which the board of county commissioners may pay out of the county funds to the historical society of the county, and changing the qualifications of historical societies to receive county appropriations.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 587, entitled:

An Act authorizing the treasurer of any city or county of the first class, during the continuance of the hostilities incident to the present war, and for six months thereafter, to invest money in the treasury of such city or county not required for immediate use, in certain obligations of the United States Government, and to sell or have the same redeemed.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 539, entitled:

An Act to further amend section eight hundred one of the act, approved the twenty-eighth day of April, one thousand nine hundred thirty-seven (P. L. 417), entitled "An act relating to milk and the products thereof; creating a Milk Control Commission; establishing its jurisdiction, powers and duties; regulating the production, transportation, manufacturing; processing, storage, distribution, delivery and sale of milk and certain products thereof; providing for the licensing of milk dealers and the payment of fees therefor; requiring milk dealers to file bonds to secure payment for milk to producers and certain milk dealers; authorizing the holding of hearings and the issuance of subpoenas by the commission; conferring jurisdiction upon courts to punish contempts and to prohibit violations of this act and of rules, regulations and orders of the commission; authorizing the commission to adopt rules, regulations and orders, and to enter into interstate and Federal compacts; requiring persons who weigh, measure, sample or test milk to procure permits or certificates, to take examinations, to pay fees therefor, to furnish certain notices, records and statements, and to use certain methods of weighing, measuring sampling and testing; authorizing the commission to examine the business, papers and premises of milk dealers and producers, requiring the keeping of records and the filing of reports by milk dealers, and permitting, with limitations, the use of information obtained thereby; authorizing the commission to fix prices for milk and certain milk products subject to the approval of the Governor, and conferring certain powers upon the Governor with respect thereto; providing for appeals to the courts from decisions of the commission, and for the burden of proof upon such appeals; prescribing penalties, fines and imprisonment for violations of this act and rules, regulations and orders of the commission; defining perjury; defining remedies; repealing legislation supplied and superseded by this act, and saving rights, duties and proceedings thereunder; and making appropriations," by requiring further hearings on proposed orders and eliminating the requirement of the Governor's approval for certain orders of the commission and any amendments or revisions thereof fixing or changing the price of milk

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

BILLS NOT ON FILE

The SPEAKER pro tempore:

House Bill No. 139, Printer's No. 670, on page 10;
House Bill No. 250, Printer's No. 656;
House Bill No. 906, Printer's No. 657;
House Bill No. 915, Printer's No. 671;
House Bill No. 942, Printer's No. 669;
Senate Bill No. 164, Printer's No. 398 on page 11;
Senate Bill No. 346, Printer's No. 397 on page 12

are not on file and will be passed over.

THE SPEAKER (Ira T. Fiss) IN THE CHAIR

The SPEAKER. The Chair thanks the gentleman from Berks, Mr. Readinger, for presiding.

SENATE MESSAGES

RESOLUTIONS CONCURRED IN BY SENATE

The Clerk of the Senate being introduced, informed that the Senate has concurred in the resolution from the House of Representatives, as follows:

In the House of Representatives, April 29, 1943.

Resolved (if the Senate concur), That House Bill No. 390, Printer's No. 428, entitled "An act to further amend section three and section thirty of the act approved the eleventh day of May one thousand nine hundred twenty-one (P. L. 522) entitled as amended 'An act relating to dogs and the protection of live stock poultry and game birds raised in captivity from damage by dogs providing for the licensing of dogs by the Secretary of Agriculture providing for the enumeration of dogs by assessors regulating the keeping of dogs and authorizing their destruction in certain cases providing for the protection of licensed dogs and for dogs temporarily imported for trial show and breeding purposes prescribing certain privileges for hunting dogs and dogs owned or used by the Board of Game Commissioners providing for the assessment of damages done to live stock poultry and game birds by dogs and for live stock killed by or dying from rabies and for the illegal killing of licensed dogs and the payment of such damages by the Commonwealth imposing powers and duties on certain State county city borough town and township officers and employes directing the payment of all moneys collected into the State Treasury and providing penalties' by providing for the issuing of free licenses for seeing-eye dogs and by increasing the amount of certain payments to be made to the Commonwealth for damage caused by dogs or rabies" be recalled from the Governor for the purpose of further consideration.

The Clerk of the Senate being introduced, informed that the Senate has concurred in the resolution from the House of Representatives, as follows:

In the House of Representatives, April 20, 1943.

The success of the celebration of the bi-centennial of the birth of Thomas Jefferson held on Wednesday, April 14th, in the Hall of the House of Representatives at a joint session of the Senate and House of Representatives, was due to those who appeared on the program.

That it was a success, is attested by the things that have been said about it since the termination of the meeting.

His Excellency, the Governor, again assumed his new role as State orator, and again delighted his audience with the charm and sincerity of his delivery, and the interesting nature of his discourse, and Dr. Robert L. Johnson, President of Temple University, brought to his audience a new conception of the third President of the United States.

These addresses, however, were the parts of the arranged program that were expected to be worth hearing, and it was that expectation which accounted for the large number of persons attending. It is needless to say that no one was disappointed.

It was, however, the speeches made by the two school boys of the Commonwealth, James M. Gammon, a junior at the West View High School, and Francis E. Zabkar, a student at Pennsylvania State College, that surprised and amazed and delighted every person fortunate enough to have attended the celebration.

Each held his audience by the substance of his discourse and the skill of his delivery, and won the applause and commendation of every one in attendance; therefore be it

Resolved (if the Senate concur), That this General Assembly is most grateful to His Excellency, the Governor, to Dr. Johnson, and to the young men who contributed so much to the success of the celebration, and to them it hereby extends its thanks, and its assurance of deep appreciation of their contribution; and be it further

Resolved, That, in evidence of that gratitude and appreciation, the Chief Clerk of the House is hereby directed to send a copy of this resolution to His Excellency, the Governor, to Dr. Robert L. Johnson, and also to James M. Gammon and Francis E. Zabkar.

REPORT FROM COMMITTEE

Mr. KENNETH H. WAGNER, from the Committee on State Government, reported as committed, House Bill No. 1072, entitled:

An Act providing for refunds, by the Pennsylvania Board of Finance and Revenue, of state personal property taxes paid upon certain personal property by liquidating trustees, receivers or other fiduciaries of banks, trust companies and savings institutions; and making an appropriation.

BILL ON FIRST READING

Pursuant to motion unanimously agreed to, the following bill was read the first time:

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1072, entitled:

An Act providing for refunds, by the Pennsylvania Board of Finance and Revenue, of state personal property taxes paid upon certain personal property by liquidating trustees, receivers or other fiduciaries of banks, trust companies and savings institutions; and making an appropriation.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

SENATE MESSAGES

AMENDED HOUSE BILLS RETURNED FOR CONCURRENCE

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 655.

An Act to amend clause (g) of section nineteen of the act approved the twenty-fifth day of May one thousand nine hundred thirty-seven (P. L. 849) entitled "An act to provide for the permanent personal registration of electors in cities of the third class as a condition of their right to vote at elections and primaries and their enrollment as members of political parties as a further condition of their right to vote at primaries prescribing certain procedure for the conduct of elections and primaries and the challenge and proof of qualifications of electors and prescribing the powers and duties of citizens parties political bodies registration commissions commissioners registrars inspectors of registration and other appointees of registration commissions county election boards election officers municipal officers departments and bureaus police officer courts judges prothonotaries sheriffs county commissioners peace officers county treasurers county controllers registrars of vital statistics certain public utility corporations real estate brokers rental agents and boards of school directors imposing penalties and repealing existing legislation" by changing the procedure relating to the registration of State and Federal employes

With the information that the Senate has passed the same with an amendment, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendment.

The Clerk read the amendment as follows:

Amend Section 1, page 4, line 11, after the word "commission" by underscoring the words "of this Commonwealth".

On the question,

Will the House concur in the amendment made by the Senate?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—170

Alspach,	Garber,	Levy,	Rose, S.
Barrett,	Gardner,	Lichtenwalter,	Rose, W. E.,
Baker,	Gillan,	Livingstone,	Rowley,
Barton,	Goodling,	Longo,	Royer,
Bonawitz,	Gorman,	Lovett,	Salus,
Boorse,	Goodwin,	Lyons,	Sarge,
Bower,	Grant,	Madigan,	Scanlon,
Boyd,	Green,	Mahany,	Schuster,
Bretherick,	Gross,	Maxwell,	Serrill,
Brice,	Haberlen,	McClester,	Simons,
Brigerman,	Hall,	McKinney,	Smith,
Brown,	Hamilton,	McMillen,	Snider,
Brunner, C. H.,	Hare,	McSurdy,	Sollenberger,
Brunner, P. A.,	Harris,	Menna,	Sorg,
Burns,	Haudenshield,	Mihm,	Stank,
Calvin,	Heatherington,	Miller,	Stockham,
Campbell,	Helm,	Mintess,	Stonier,
Chudoff,	Herman,	Mock,	Tahl,
Cohen,	Hewitt,	Mooney,	Tate,
Cook,	Hocke,	Moore,	Taylor,
Cooper,	Hoffman,	Moran,	Thompson,
Cordier,	Hoggard,	Muir,	Thrasher,
Corrigan,	Holmes,	Munley,	Tiemann,
Costa,	Hoopes,	Murray,	Trent,
Coulson,	Hunter, B. F.,	Nowak,	Trout,
Cullen,	Hunter, W. M.,	O'Brien,	Turbett,
Dague,	Huntley,	O'Connor,	Verona,
Dalrymple,	Imbrie,	O'Dare,	Wachhaus,
Denman,	Irvin,	O'Neill,	Wagner, K. H.,
Dennison,	James,	Petrosky,	Wagner, P. L.,
Depuy,	Jones,	Pettit,	Wallin,
Dillon,	Kennedy,	Polaski,	Walton,
Dix,	Kirley,	Powers,	Watkins,
Elder,	Kline,	Readinger,	Weiss,
Elliott,	Kolankiewicz,	Reagan,	Welsh,
Ely,	Kowalski,	Reese, D. P.,	Wood, N.,
Erb,	Krepps,	Reese, R. E.,	Worley,
Ewing,	Krise,	Regan,	Wright,
Figlock,	Lane,	Reilly,	Yeakel,
Finnerty,	Laughner,	Reynolds,	Yester,
Flack,	Lee,	Riley,	Fiss,
Foor,	Leisey,	Robertson,	Speaker.
Fox,	Leonard,	Root,	

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the amendment was concurred in.

Ordered, That the Clerk inform the Senate accordingly.

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 660.

An Act to amend clause (g) of section nineteen of the act approved the twenty-fifth day of May one thousand nine hundred thirty-seven (P. L. 814) entitled "An act to provide for the permanent personal registration of electors in cities of the second class as a condition of their right to vote at elections and primaries and their enrollment as members of political parties as a further condition of their right to vote at primaries prescribing certain procedure for the conduct of elections and primaries and the challenge and proof of qualifications of electors and prescribing the powers and duties of citizens parties political bodies registration commissions commissioners registrars inspectors of registration and other appointees of registration commissions county election boards election officers municipal officers departments and bureaus police officers courts judges prothonotaries sheriffs county commissioners peace officers country treasurers county controllers registrars of vital statistics certain public utility corporations real estate brokers rental agents and boards of school directors and imposing penalties" by changing the procedure relating to the registration of State and Federal employes

With the information that the Senate has passed the same with an amendment, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendment.

The Clerk read the amendment as follows:

Amend Section 1, page 4, line 9, by inserting after the word "commission" the word "of the State Government".

On the question,

Will the House concur in the amendment made by the Senate?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—170

Alspach,	Garber,	Levy,	Rose, S.
Barrett,	Gardner,	Lichtenwal	Rose, W. E.,
Baker,	Gillan,	Livingstone,	Rowley,
Barton,	Goodling,	Longo,	Royer,
Bonawitz,	Gorman,	Lovett,	Salus,
Boorse,	Goodwin,	Lyons,	Sarge,
Bower,	Grant,	Madigan,	Scanlon,
Boyd,	Green,	Mahany,	Schuster,
Bretherick,	Gross,	Maxwell,	Serrill,
Brice,	Haberlen,	McClester,	Simons,
Brigerman,	Hall,	McKinney,	Smith,
Brown,	Hamilton,	McMillen,	Snider,
Brunner, C. H.,	Hare,	McSurdy,	Sollenberger,
Brunner, P. A.,	Harris,	Menna,	Sorg,
Burns,	Haudenshield,	Mihm,	Stank,
Calvin,	Heatherington,	Miller,	Stockham,
Campbell,	Helm,	Mintess,	Stonier,
Chudoff,	Herman,	Mock,	Tahl,
Cohen,	Hewitt,	Mooney,	Tate,
Cook,	Hocke,	Moore,	Taylor,
Cooper,	Hoffman,	Moran,	Thompson,
Cordier,	Hoggard,	Muir,	Thrasher,
Corrigan,	Holmes,	Munley,	Tiemann,
Costa,	Hoopes,	Murray,	Trent,
Coulson,	Hunter, B. F.,	Nowak,	Trout,
Cullen,	Hunter, W. M.,	O'Brien,	Turbett,
Dague,	Huntley,	O'Connor,	Verona,
Dalrymple,	Imbrie,	O'Dare,	Wachhaus,
Denman,	Irvin,	O'Neill,	Wagner, K. H.,
Dennison,	James,	Petrosky,	Wagner, P. L.,
Depuy,	Jones,	Pettit,	Wallin,
Dillon,	Kennedy,	Polaski,	Walton,
Dix,	Kirley,	Powers,	Watkins,
Elder,	Kline,	Readinger,	Weiss,
Elliott,	Kolankiewicz,	Reagan,	Welsh,
Ely,	Kowalski,	Reese, D. P.,	Wood, N.,
Erb,	Krepps,	Reese, R. E.,	Worley,
Ewing,	Krise,	Regan,	Wright,
Figlock,	Lane,	Reilly,	Yeakel,
Finnerty,	Laughner,	Reynolds,	Yester,
Flack,	Lee,	Riley,	Fiss,
Foor,	Leisey,	Robertson,	Speaker.
Fox,	Leonard,	Root,	

NAYS—0

The majority required by the Constitution having voted in the affimative, the question was determined in the affirmative and the amendment was concurred in.

Ordered, That the Clerk inform the Senate accordingly.

The Clerk of the Senate being introduced, returned

bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 661.

An Act to amend clause (g) of section nineteen of the act approved the first day of June one thousand nine hundred thirty-seven (P. L. 1132) entitled "An act to provide for the permanent personal registration of electors in cities of the second class A as a condition of their right to vote at elections and primaries and their enrollment as members of political parties as a further condition of their right to vote at primaries prescribing certain procedure for the conduct of elections and primaries and the challenge and proof of qualifications of electors and prescribing the powers and duties of citizens parties political bodies registration commissions commissioners registrars inspectors of registration and other appointees of registration commissions county election boards election officers municipal officers departments and bureaus police officers courts judges prothonotaries sheriffs county commissioners peace officers county treasurers county controllers registrars of vital statistics certain public utility corporations real estate brokers rental agents and boards of school directors and imposing penalties" by changing the procedure relating to the registration of State and Federal employes

With the information that the Senate has passed the same with an amendment, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendment.

The Clerk read the amendment as follows:

Amend Section 1, page 4, line 9, by inserting after the word "commission" the words "of the State Government."

On the question,

Will the House concur in the amendment made by the Senate?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—170

Alspach	Garber,	Levy,	Rose, S.
Barrett,	Gardner,	Lichtenwalter,	Rose, W. E.,
Baker,	Gillan,	Livingstone,	Rowley,
Barton,	Goodling,	Longo,	Royer,
Bonawitz	Gorman,	Lovett,	Salus,
Boorse,	Goodwin,	Lyons,	Sarge,
Bower,	Grant,	Madigan,	Scanlon,
Boyd,	Green,	Mahany,	Schuster,
Bretherick,	Gross,	Maxwell,	Serrill,
Brice,	Haberlen,	McClester,	Simons,
Brigerman,	Hall,	McKinney,	Smith,
Brown,	Hamilton,	McMillen,	Snider,
Brunner, C. H.,	Hare,	McSurdy,	Sollenberger,
Brunner, P. A.,	Harris,	Menna,	Sorg,
Burns,	Haudenshield,	Mihm,	Stank,
Calvin,	Heatherington,	Miller,	Stockham,
Campbell,	Helm,	Mintess,	Stonier,
Chudoff,	Herman,	Mock,	Tahl,
Cohen,	Hewitt,	Mooney,	Tate,
Cook,	Hocke,	Moore,	Taylor,
Cooper,	Hoffman,	Moran,	Thompson,
Cordier,	Hoggard,	Muir,	Thrasher,
Corrigan,	Holmes,	Munley,	Tiemann,
Costa,	Hoopes,	Murray,	Trent,
Coulson,	Hunter, B. F.,	Nowak,	Trout,
Cullen,	Hunter, W. M.,	O'Brien,	Turbett,
Dague,	Huntley,	O' r	Verona,
Dalrymple,	Imbrie,	O	Wachhaus,
Denman,	Irvin,	C	Wagner, K. H.,
Dennison,	James,	P.	Wagner, P. L.,
Depuy,	Jones,	Pe	Wallin,
Dillon,	Kennedy,	Polaski,	Walton,
Dix,	Kirley,	Powers,	Watkins,
Elder,	Kline,	Readinger,	Weiss,
Elliott,	Kolankiewicz,	Reagan,	Welsh,
Ely,	Kowalski,	Reese, D. P.,	Wood, N.,
Erb,	Krepps,	Reese, R. E.,	Worley,
Ewing,	Krise,	Regan,	Wright,
Figlock,	Lane,	Reilly,	Yeakel,
Finnerty,	Laughner,	Reynolds,	Yester,
Flack,	Lee,	Riley,	Fiss,
Foor,	Leisey,	Robertson,	Speaker.
Fox,	Leonard,	Root,	

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the amendments were concurred in.

Ordered, That the Clerk inform the Senate accordingly.

PERMISSION GRANTED COMMITTEES TO MEET DURING SESSION

Mr. McKINNEY asked and obtained permission for the Committee on Judiciary General to meet during the session of the House.

Mr. GILLAN asked and obtained permission for the Committee on Labor to meet during the session of the House.

SENATE MESSAGE

AMENDED HOUSE BILL RETURNED FOR CONCURRENCE

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 547.

An Act to further amend the act approved the first day of June one thousand eight hundred eighty-nine (P. L. 420) entitled "A further supplement to an act entitled 'An act to provide revenue by taxation' approved the seventh day of June Anno Domini one thousand eight hundred and seventy-nine" by increasing for a further limited period of time the rate of tax imposed by the act upon the gross receipts of certain companies limited partnerships associations joint-stock associations copartnerships and persons and by further defining the gross receipts tax liability of companies limited partnerships associations joint stock associations copartnerships and persons engaged in the sale of electric energy

With the information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendments.

The Clerk read the amendments as follows:

Amend Section 1, page 3, at the end of line 29, by striking out the word "period" and inserting in lieu thereof the word "periods"; also on page 6, line 5, by striking out the word "municipality" and inserting in lieu thereof the word "municipally."

On the question,

Will the House concur in the amendments made by the Senate?

Mr. COHEN. Mr. Speaker, the amendments that the Senate inserted in this bill may have added a few words to it. I suspect that they had in mind this nebulous idea of post war planning for industry. But, Mr. Speaker, whether the bill was passed by the Senate without amendments or whether the Senate amended the bill, it is still a bad bill, it is still a pay off to the utilities. We still disagree on it and we are still against it and I am asking the Members on this side of the House to vote against concurring in these amendments. We only wish we had a chance to vote against the bill itself again.

On the question recurring,

Will the House concur in the amendments made by the Senate?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—107

Alspach,	Flack,	Lee,	Royer,
Auker,	Foor,	Leisey,	Salus,
Barton,	Fox,	Lichtenwalter,	Sarge,
Bonawitz,	Garber,	Livingstone,	Serrill,
Boorse,	Gardner,	Lyons,	Simons,
Bower,	Gillan,	Madigan,	Smith,
Boyd,	Goodling,	Mahany,	Sollenberger,
Bretherick,	Gorman,	McClester,	Sorg,
Brice,	Gross,	McKinney,	Stockham,
Calvin,	Hall,	McMillen,	Stonier,
Campbell,	Hare,	McSurdy,	Tahl,
Cook,	Haudenshield,	Menna,	Taylor,
Cooper,	Helm,	Miller,	Thrasher,
Cordier,	Hewitt,	Mintess,	Tiemann,
Costa,	Hocke,	Moore,	Trout,
Coulson,	Holmes,	Muir,	Turbett,
Dague,	Hoopes,	Murray,	Wachhaus,
Dalrymple,	Hunter, W. M.,	Nowak,	Wagner, K. H.,
Denman,	Huntley,	O'Dare,	Wagner, P. L.,
Dennison,	Imbrie,	Reagan,	Wallin,
Depuy,	Irvin,	Reese, D. P.,	Walton,
Dix,	James,	Reilly,	Watkins,
Elder,	Kennedy,	Riley,	Wood, N.,
Ely,	Kline,	Robertson,	Worley,
Erb,	Krepps,	Root,	Yeakel,
Ewing,	Krise,	Rose, W. E.,	Fiss,
Figlock,	Laughner,	Rowley,	Speaker.

NAYS—54

Baker,	Haberlen,	Maxwell,	Rose, S.
Barrett,	Hamilton,	Mihm,	Scanlon,
Brigerman,	Harris,	Mooney,	Schuster,
Brown,	Heatherington,	Moran,	Snider,
Burns,	Herman,	Munley,	Stank,
Chudoff,	Hoggard,	O'Neill,	Tate,
Cohen,	Hunter, B. F.,	Petrosky,	Thompson,
Corrigan,	Kitchen,	Pettit,	Trent,
Cullen,	Kolankiewicz,	Polaski,	Verona,
Dillon,	Lane,	Powers,	Weiss,
Finnerty,	Leonard,	Reese, R. E.,	Welsh,
Flynn,	Levy,	Regan,	Wright,
Goodwin,	Longo,	Reynolds,	Yester,
Green,	Lovett,		

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the amendments were concurred in.

Ordered, That the Clerk inform the Senate accordingly.

REPORTS FROM COMMITTEES

Mr. McKINNEY, from the Committee on Judiciary General, reported as committed, House Bill No. 601, entitled:

An Act to amend Section 3.1 of the act, approved the twentieth day of June, one thousand nine hundred one (P. L. 582), entitled "An act to provide for the registration of labels, trade-marks, trade-names, stamps, designs, devices, shopmarks, terms, brands, designations, descriptions, or forms of advertisement, and protect and secure the rights, property and interest therein of the persons, copartnerships or corporations adopting and filing the same, and providing penalties for the violations of the act," by further providing for the cancellation of such registrations in certain cases.

Mr. GILLAN, from the Committee on Labor, reported as amended, House Bill No. 1073, entitled:

An Act creating a commission to investigate racketeering in the operation of labor organizations in the Commonwealth; conferring powers upon said commission; and making an appropriation

BILL ON FIRST READING

Pursuant to motion unanimously agreed to, the following bill was read the first time.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 601, entitled:

An Act to amend Section 3.1 of the act, approved the twentieth day of June, one thousand nine hundred one (P. L. 582), entitled "An act to provide for the registration of labels, trade-marks, trade-names, stamps, designs, devices, shopmarks, terms, brands, designations, descriptions, or forms of advertisement, and protect and secure the rights, property and interest therein of the persons, copartnerships or corporations adopting and filing the same, and providing penalties for the violations of the act," by further providing for the cancellation of such registrations in certain cases

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

SENATE MESSAGES

AMENDED SENATE BILLS CONCURRED IN BY SENATE

The Clerk of the Senate being introduced informed that the Senate has concurred in the amendments made by the House of Representatives to Senate Bill numbered and entitled as follows, viz:

SENATE BILL No. 37.

An Act to amend section five hundred forty of the act approved the twenty-third day of June one thousand nine hundred and thirty-one (P. L. 932) entitled "An act relating to cities of the third class and amending revising and consolidating the law relating thereto" further regulating the adjustment of indebtedness where part of a township is annexed to a city of the third class.

The Clerk of the Senate being introduced informed that the Senate has concurred in the amendments made by the House of Representatives to Senate Bill numbered and entitled as follows, viz:

SENATE BILL No. 39.

An Act to amend section seven hundred seventeen of the act aproved the fourth day of May one thousand nine hundred and twenty-seven (P. L. 519) entitled "An act concerning boroughs and revising amending and consolidating the law relating to boroughs" further regulating the adjustment of liabilities and property where part of a township is annexed to a borough.

BILLS SIGNED BY SPEAKER

Bills numbered and entitled as follows having been prepared for presentation to the Governor, and the same being correct, the titles were publicly read as follows:

SENATE BILL No. 37.

An Act to amend section five hundred forty of the act approved the twenty-third day of June one thousand nine hundred and thirty-one (P. L. 932) entitled "An act relating to cities of the third class and amending revising and consolidating the law relating thereto" further regulating the adjustment of indebtedness where part of a township is annexed to a city of the third class

SENATE BILL No. 39.

An Act to amend section seven hundred seventeen of the act approved the fourth day of May one thousand nine hundred and twenty-seven (P. L. 519) entitled "An act concerning boroughs and revising amending and consolidating the law relating to boroughs" further regulating the adjustment of liabilities and property where part of a township is annexed to a borough

SENATE BILL No. 112.

An Act providing for the retention on the several permanent personal registration lists of electors of the names of persons who are members of any branch of the armed forces of the United States or of any uniformed organization of women officially connected therewith providing for proof of such membership in connection therewith and suspending inconsistent laws during the effective period of the act

SENATE BILL No. 133.

An Act to further amend subsection (c) of section two hundred two of the act approved the seventeenth day of May one thousand nine hundred and twenty-one (P. L. 682) entitled "An act relating to insurance amending revising and consolidating the law providing for the incorporation of insurance companies and the regulation supervision and protection of home and foreign insurance companies Lloyds associations reciprocal and interinsurance exchanges and fire insurance rating bureaus and the regulation and supervision of insurance carried by such companies associations and exchanges including insurance carried by the State Workmen's Insurance Fund providing penalties and repealing existing laws" by authorizing casualty companies to insure against loss and damage to certain machinery and equipment of mines while located underground and to underground passageways gangways airways drifts slopes shafts overcasts and stoppings of mining operation

SENATE BILL No. 69.

A Supplement to the act, approved the eleventh day of May, one thousand nine hundred and five (P. L. 518), entitled "An act making an appropriation for the erection of a home or school for indigent orphans, to be called the Thaddeus Stevens Industrial and Reform School of Pennsylvania, in which school provision shall be made for giving instruction in reading, writing, arithmetic, drawing, duties of citizenship, elementary manual training, the elements of farming, and other requisite branches," authorizing the Thaddeus Stevens Industrial School to collect fees for board and tuition from certain special students.

SENATE BILL No. 135.

An Act to amend section seven hundred sixteen of the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1225) entitled "An act concerning game and other wild birds and wild animals and amending revising consolidating and changing the law relating thereto" authorizing the sale and purchase of sides of lawfully killed deer under certain circumstances and making it unlawful to buy or sell raccoons for propagating purposes

SENATE BILL No. 178.

An Act to amend section one of the act, approved the twenty-ninth day of May, one thousand nine hundred and thirty-five (P. L. 244), entitled "An act creating a Local Government Commission to study and report on functions of local government; their allocation and elimination; the cost of local government and means of reducing it; and the consolidation of local government; and making an appropriation," fixing the terms of the member of said commission; providing for the filling of vacancies; and making an appropriation.

SENATE BILL No. 246.

An Act to enable tax collectors and receivers of taxes in counties of the sixth class to make return to the county commissioners of unpaid taxes assessed on seated lands for certain years and validating the liens of such taxes

SENATE BILL No. 261.

An Act to amend section one of the act, approved the fifth day of August, one thousand nine hundred and forty-one (P. L. 826), entitled, "An act authorizing the Department of Property and Supplies, with the approval of the Governor, to sell and convey certain plots of land," by correcting the location of the plot of land described in paragraph Fourteen, and providing for the sale of certain additional plots of land.

SENATE BILL No. 266.

An Act to provide for the publication of the reports of the decisions of the Supreme Court of Pennsylvania and of the Superior Court in bound volumes and in advance sheets regulating the basis upon which bids shall be submitted and provisions of the contract for publication of such reports conferring powers and imposing duties on the State Reporter the Department of Property and Supplies and the Secretary of the Commonwealth providing for the custody and disposition of plates used in the printing of the bound volumes of such reports and of the advance sheets thereof and repealing certain acts and parts of acts.

SENATE BILL No. 267.

An Act to authorize the State Reporter to waive the provisions of any existing contracts requiring volumes of the reports of the decisions of the Supreme Court of Pennsylvania or of the Superior Court to be stereotyped or electrotyped

SENATE BILL No. 309.

A Joint Resolution proposing an amendment to article nine of the Constitution of the Commonwealth of Pennsylvania by adding thereto a section

SENATE BILL No. 312.

An Act to further amend section one thousand four hundred and thirty-nine of the act, approved the eighteenth day of May, one thousand nine hundred and eleven (P. L. 309), entitled "An act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws, general, special or local, or any parts thereof, that are or may be inconsistent therewith," by providing for payment for education of blind children out of appropriations made to the Department of Public Instruction for such purposes and conforming said section to existing law.

SENATE BILL No. 341.

An Act to further amend section two of the act, approved the fourth day of June, one thousand nine hundred and fifteen (P. L. 828), entitled "An act to provide revenue by imposing a State tax upon sales or agreements to sell or memoranda of sales upon deliveries or transfers of shares or certificates of stock in domestic and foreign corporations, copartnership associations, and joint-stock associations; providing the manner of collecting such tax and prescribing penalties," by further extending the exemptions from the tax imposed by the said act

SENATE BILL No. 401.

An Act to amend section five hundred twenty-five of the act, approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 177), entitled, "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments, boards, commissions, and officers thereof, including the boards of trustees of State Normal Schools, or Teachers Colleges; abolishing, creating, reorganizing or authorizing the reorganization of certain administrative departments, boards, and commissions; defining the powers and duties of the Governor and other executive and administrative officers, and of the several administrative departments, boards, commissions, and officers; fixing the salaries of the Governor, Lieutenant-Governor, and certain other executive and administrative officers; providing for the appointment of certain administrative officers, and of all deputies and other assistants and employes in certain departments, boards, and commissions; and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments, boards and commissions shall be determined," as amended, by making provision for the destruction of certain records in the various administrative departments, boards or commissions, after such records have been first microfilmed.

SENATE BILL No. 453.

An Act transferring money received from the sale of certain real estate and paid into the General Fund from the General Fund to the Motor License Fund

SENATE BILL No. 474.

An Act providing that the proceeds of the sale of real estate owned by the Commonwealth together with the rentals derived therefrom shall be repaid to and credited to the proper special fund from which the funds to purchase said real estate were taken

Whereupon,

The SPEAKER, in the presence of the House, signed the same.

Bills numbered and entitled as follows having been prepared for presentation to the Governor, and the same being correct, the titles were publicly read as follows:

HOUSE BILL No. 462.

An Act authorizing in certain cases the renewal of old motor vehicle operators' licenses for persons honorably discharged from the armed forces of the United States or from any women's organization officially connected therewith without a learners permit examination or additional fee and while in such service the operation of motor vehicles without renewal of operator's license and the temporary suspension of existing laws requiring the same

HOUSE BILL No. 644.

An Act to further amend sections five hundred and eleven and six hundred and ten of the act approved the first day of May one thousand nine hundred and twenty-nine (P. L. 1005) entitled "An act relating to and regulating tractors and trailers and their operation providing for their registration and the licensing of certain operators by the Department of Revenue upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of tractors and trailers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns and townships within the Commonwealth liability for damages caused by the negligent operation of tractors and trailers imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" authorizing the issuance of special permits for the operation upon the highways of oversize and overweight quarry equipment and machinery and fixing fees therefor

HOUSE BILL No. 694.

An Act to amend sections one five seven nine and twelve and to repeal section six of the act approved the twenty-seventh day of May one thousand nine hundred and thirty-seven (P. L. 901) entitled "An act for the protection of producers of farm produce providing for the licensing the bonding or holding collateral of and the regulation of certain dealers in farm produce as herein defined within this Commonwealth conferring powers and imposing duties on the Department of Agriculture providing for appeals and injunctions and prescribing penalties" by changing definitions the period of the license and the fee therefor and the contents of records eliminating the requirement for a bond adding to the reasons for refusing licenses and increasing the penalties

HOUSE BILL No. 659.

An Act to amend clause (g) of section eighteen of the act approved the twenty-ninth day of April one thousand nine hundred thirty-seven (P. L. 487) entitled "An act to provide for the permanent personal registration of electors in boroughs towns and townships as a condition of their right to vote at elections and primaries and their enrollment as members of political parties as a further condition of their right to vote at primaries prescribing certain procedure for the conduct of elections and primaries and the challenge and proof of qualifications of electors requiring the county commissioners of the various counties to act as a registration commission therefor and prescribing the powers and duties of citizens parties political bodies registration commissions commissioners registrars inspectors of registration and other appointees of registration commissions county election boards election officers municipal officers departments and bureaus police officers courts judges prothonotaries sheriffs county commissioners peace officers county treasurers county controllers registrars of vital statistics certain public utility corporations real estate brokers rental agents and boards of school directors and imposing penalties" by changing the procedure relating to the registration of State employes

HOUSE BILL No. 662.

An Act to amend clause (k) of section three hundred two and sections nine hundred fourteen and nine hundred seventy-seven of the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1333) entitled "An act concerning elections including general municipal special and primary elections the nomination of candidates primary and election expenses and election contests creating and defining membership of county boards of elections imposing duties upon the Secretary of the Commonwealth courts county boards of elections county commissioners imposing penalties for violation of the act and codifying revising and consolidating the laws relating thereto and repealing certain acts and parts of acts relating to elections" by changing the time for the certification of returns to the Secretary of the Commonwealth the time for the withdrawal of candidates for nomination or election at any primary and the time for filing objections to nomination petitions and nomination papers

HOUSE BILL No. 731.

An Act to further amend subsection (c) of section four hundred twelve of the act approved the third day of June

one thousand nine hundred thirty-seven (P. L. 1333) entitled "An act concerning elections including general municipal special and primary elections the nomination of candidates primary and election expenses and election contests creating and defining membership of county boards of elections imposing duties upon the Secretary of the Commonwealth courts county boards of elections county commissioners imposing penalties for violation of the act and codifying revising and consolidating the laws relating thereto and repealing certain acts and parts of act relating to elections" fixing the mileage of judges of election for transmitting returns of primaries and elections and ballot boxes

HOUSE BILL No. 747.

An Act to further amend clause (f) and to amend clause (g) of section twenty of the act approved the thirtieth day of March one thousand nine hundred thirtyseven (P. L. 115) entitled "An act to provide for the permanent personal registration of electors in cities of the first class as a condition of their right to vote at elections and primaries and their enrollment as members of political parties as a further condition of their right to vote at primaries prescribing certain procedure for the conduct of elections and primaries and the challenge and proof of qualifications of electors and prescribing the powers and duties of citizens parties bodies of electors registration commissions commissioners registrars inspectors of registration and other appointees of registration commission election officers municipal officers departments and bureaus police officers courts judges prothonotaries sheriffs county commissioners peace officers county treasurers county controllers registrars of vital statistics real estate brokers rental agents certain public service companies persons firms and corporations operating vehicles for moving furniture and household goods and boards of school directors and imposing penalties" by changing procedure relating to registration of State employes

HOUSE BILL No. 758.

An Act to further amend section fifty of the act approved the second day of May one thousand nine hundred twenty-five (P. L. 448) entitled "An act relating to fish and amending revising consolidating and changing the law relating to fish in the inland waters and the boundary lakes and boundary rivers of the Commonwealth" authorizing the Board of Fish Commissioners to adopt certain rules and regulations governing the taking of fish by trolling from moving boats electrically propelled or propelled by internal combustion motors and making it unlawful to engage in such trolling in violation of the rules and regulations thus adopted

HOUSE BILL No. 844.

An Act to further amend the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the adiminstrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant-Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" by providing that under war time conditions the Department of Property and Supplies may make certain purchases and may authorize any department board or commission to make certain purchases without advertising or competitive bidding further providing as to the supervision of the Department of Property and Supplies over the construction and alteration of buildings and over the plans and specifications therefor relieving the Department of Property and Supplies from the duty of supervising the operation of mechanical and electrical equipment used in connection with the operation of State institutions or other State buildings and authorizing departments boards and commissions to make certain purchases of repair parts to contract for public utility services to rent machinery and equipment to employ labor on a temporary basis under certain conditions to subscribe to certain publications and to take memberships in certain organizations and societies.

HOUSE BILL No. 993.

An Act to amend clause (g) of section two hundred four of the act approved the twenty-second day of May one thousand nine hundred and thirty-three (P. L. 853) entitled "An act relating to taxation designating the subjects property and persons subject to and exempt from taxation for all local purposes providing for and regulating the assessment and valuation of persons property and subjects of taxation for county purposes and for the use of those municipal and quasi-municipal corporations which levy their taxes on county assessments and valuations amending revising and consolidating the law relating thereto and repealing existing laws" by providing that the exemption from local taxation afforded to certain public property shall not extend to property otherwise taxable which is owned or held by an agency of the Government of the United States

HOUSE BILL No. 1092.

An Act to amend section twelve of the act approved the fourteenth day of June one thousand nine hundred twenty-three (P. L. 710) entitled "An act allowing and regulating boxing sparring and wrestling matches and exhibitions establishing a State Athletic Commission making an appropriation therefor and appropriating moneys received for monument and memorial purposes and prescribing penalties" changing the minimum age for participants in amateur boxing sparring and wrestling matches and exhibitions and providing a penalty

Whereupon,

The SPEAKER, in the presence of the House, signed the same.

SENATE MESSAGE

AMENDED HOUSE BILL RETURNED FOR CONCURRENCE

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 895.

An Act to further reenact and amend the title and the act approved the twenty-eighth day of March one thousand nine hundred and twenty-nine (P. L. 86) entitled as amended "An act relating to the grading and sale of grapes and potatoes in this Commonwealth providing penalties for violations and imposing certain duties upon the Department of Agriculture" by extending the provisions to apples and peaches and permitting the grading classifying and packing of grapes potatoes apples and peaches other than those packed or repacked within this State.

With the information that the Senate has passed the same with an amendment, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendment.

The Clerk read the amendment as follows:

Amend Section 3, page 3, at the end of line 20, by quoting the word "unclassified."

On the question,

Will the House concur in the amendment made by the Senate?

BILL AND MESSAGE LAID ON TABLE

Mr. DAVID P. REESE. Mr. Speaker, I move that the bill together with the message from the Senate be laid on the table.

The motion was agreed to.

BILL RECOMMITTED

Mr. WALTER E. ROSE. Mr. Speaker, I move that House Bill No. 814, Printer's No. 541, entitled:

An Act to further amend section two of the act, approved the seventh day of June, one thousand nine hundred seventeen (P. L. 600), entitled "An act providing that appointive officers and employes, employed by the Commonwealth of Pennsylvania in its civil service; or by any department, bureau, commission, or office thereof, or by any county, municipality, township, or school district, shall not be deemed or held to have resigned or abandoned their offices or employments by reason of enlistment, enrollment, or draft in the military or naval service of the United States or any branch or unit thereof, in time of war or contemplated war; prohibiting the removal from their offices or employments of such officers and employes during the period of their service in the Army or Navy; directing that one half of the salaries or wages of such officers or employes as have dependent wives, children, or parents, and not exceeding two thousand dollars per annum, be paid during the term of their service in the Army or Navy to such dependents; authorizing the employment during said term of substitutes to perform the duties theretofore performed by such officers or employes, respectively, and providing for the compensation of such substitutes," by changing the name Pennsylvania Motor Police Retirement System to Pennsylvania State Police Retirement System.

on page 34, to today's calendar, bill on third reading be recommitted to the Committee on State Government.

The motion was agreed to.

ADJOURNMENT

Mr. CRAWFORD. Mr. Speaker, I move that this House do now adjourn until Monday, May 3, 1943, at 3 p. m.

The motion was agreed to, and (at 4:12 p. m.) the House adjourned.

COMMONWEALTH OF PENNSYLVANIA

Legislative Journal.

Session 1943. 135th of the General Assembly.

Vol. 27. HARRISBURG, PA., MONDAY, MAY 3, 1943. No. 52.

SENATE

MONDAY, May 3, 1943.

The Senate met at 3:00 o'clock, p. m., Eastern War Time. The PRESIDENT (Lieutenant-Governor John C. Bell, Jr.) in the Chair.

PRAYER

The Chaplain, Rev. EDWIN S. WALLACE, D.D., offered the following prayer:

O Thou whose throne is established in righteousness and therefore can never be shaken, if we have not learned that Thou demandest righteousness of us in all departments of our living, and that nothing else will do, may we learn it now, lest we fail in our service to God and our fellowmen, and lose the "well done" promised to the faithful by the Master of us all.

Thou are giving to each of us great opportunities, and endowed us mentally and spiritually to use these opportunities helpfully for our Nation and our State. Give us a divine hatred for all that is false, all that is demeaning, selfish and intolerant. Give us a divine desire for all that is god, ennobling and generous.

We pray for our country, that it may be united and victorious at home and abroad in all theaters of war, strong with the strength and valor of the free, and victorious because her cause is just.

"God of our fathers be the God of their succeeding race."

We ask all in the Name that is above every name. Amen.

JOURNAL APPROVED

The PRESIDENT. A quorum of the Senate being present the Clerk will read the Journal of the preceding session.

The Clerk proceeded to read the Journal of the preceding session, when, on motion of Mr. HEYBURN and Mr. SCARLETT, the further reading was dispensed with, and the Journal was approved.

LEAVE OF ABSENCE

Mr. Wade asked and obtained leave of absence for Mr. EDMONDS.

He also asked and obtained leave of absence for Mr. ZIESENHEIM.

COMMUNICATIONS FROM THE GOVERNOR

The Secretary to the Governor being introduced presented communications in writing from His Excellency, the Governor of the Commonwealth, which were read as follows:

APPROVED AND SIGNED SENATE BILL No. 174, PRINTER'S No. 174.

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, April 30, 1943.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed Senate Bill No. 174, Printer's No. 174, entitled "An Act to further amend section one thousand one hundred thirty-three of the act approved the eighteenth day of May one thousand nine hundred and eleven (P. L. 309) entitled 'An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith' making further provision for the creation of the office of district superintendent in districts where such office does not exist."

EDWARD MARTIN.

APPROVED AND SIGNED SENATE BILL No. 298, PRINTER'S No. 115.

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, April 30, 1943.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed Senate Bill No. 298, Printer's No. 115, entitled "An Act providing for and regulating the accumulation investment and expenditure by counties cities boroughs incorporated towns and townships of funds for post war projects."

EDWARD MARTIN.

NOMINATIONS BY THE GOVERNOR

He also presented communications in writing from His Excellency, the Governor of the Commonwealth, which were read as follows, and referred to the Committee on Executive Nominations.

MEMBERS OF THE JEFFERSON COUNTY BOARD OF ASSISTANCE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, May 3, 1943.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for appointment as members of the Jefferson County Board of Assistance:

H. S. Nelson (Republican), Brockway, to serve until December 31, 1945, and until his successor is duly appointed and qualified, vice O. H. Johnston, whose term expired.

Dilts Gourley (Republican), 504 North Penn Street, Punxsutawney, to serve until December 31, 1945, and until his successor is duly appointed and qualified, vice Ward Dock, deceased.

Mrs. Mirian Bullers (Republican), Hazen, to serve until December 31, 1944, and until her successor is duly appointed and qualified, to fill a vacancy.

Potter R. Smiley (Republican), 211 Jenks Street, Punxsutawney, to serve until December 31, 1944, and until his successor is duly appointed and qualified, vice John McClure, whose term expired.

John H. B. Johnson (Republican), 134 Pine Street, Brookville, to serve until December 31, 1943, and until his successor is duly appointed and qualified, vice Harry G. Smail, whose term expired.

George L. Geisler (Democrat), 510 Jackson Street, Reynoldsville, to serve until December 31, 1943, and until his successor is duly appointed and qualified, vice Mrs. Minnie Thompson, whose term expired.

J. Wm. Radaker (Republican), Anita, to serve until December 31, 1943, and until his successor is duly appointed and qualified, vice Frank Stockdale, whose term expired.

EDWARD MARTIN.

MEMBERS OF THE BLAIR, CRAWFORD AND DAUPHIN COUNTIES BOARDS OF ASSISTANCE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, May 3, 1943.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following:

MEMBERS OF THE BLAIR COUNTY BOARD OF ASSISTANCE

Orris G. Crist (Democrat), 1204 19th Avenue, Altoona, to serve until December 31, 1945. (Reappointment)

Mrs. Maude Colvin Lotz (Republican), 811 Washington Avenue, Tyrone, to serve until December 31, 1944. (Reappointment)

Mrs. Lucretia Lingenfelter Black (Republican), Claysburg, to serve until December 31, 1945, and until her successor is duly appointed and qualified, vice Mrs. Jennie E. Walter, whose term expired.

MEMBERS OF THE CRAWFORD COUNTY BOARD OF ASSISTANCE

Fred C. Kiebort, Jr. (Republican), Crawford County Trust Company Building, Meadville, to serve until December 31, 1944, and until his successor is duly appointed and qualified. (Reappointment)

Mrs. Gladys Harrison Roeder (Republican), 121 West Walnut Street, Titusville, to serve until December 31, 1943, and until her successor is duly appointed and qualified. (Reappointment)

R. L. Whipple (Republican), Cambridge Springs, to serve until December 31, 1944, and until his successor is duly appointed and qualified. (Reappointment)

MEMBERS OF THE DAUPHIN COUNTY BOARD OF ASSISTANCE

Mrs. Belle K. Kunkel (Republican), 1607 North 2d Street, Harrisburg, to serve until December 31, 1945. (Reappointment)

Walter Zerbe (Republican), Lykens, to serve until December 31, 1945. (Reappointment)

EDWARD MARTIN.

MEMBERS OF THE CLARION, UNION AND WASHINGTON COUNTIES BOARDS OF ASSISTANCE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, May 3, 1943.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following:

MEMBER OF THE CLARION COUNTY BOARD OF ASSISTANCE

Dr. Edward A. Wilhelm (Republican), 8th Avenue, Clarion, to serve until December 31, 1944, and until his successor is duly appointed and qualified. (Reappointment)

MEMBERS OF THE UNION COUNTY BOARD OF ASSISTANCE

Alvah D. Campbell (Republican), Allenwood, to serve until December 31, 1944, and until his successor is duly appointed and qualified. (Reappointment)

Hon. Frank L. Dersham (Democrat), 222 Market Street, Lewisburg, to serve until December 31, 1943, and until his successor is duly appointed and qualified. (Reappointment)

Hon. Robert Smith (Republican), R. D., Millmont, to serve until December 31, 1944, and until his successor is duly appointed and qualified. (Reappointment)

Mrs. Laura Von Neida (Republican), Hartley, P. O., Laurelton, to serve until December 31, 1945, and until her successor is duly appointed and qualified. (Reappointment)

Mrs. May Gardner (Republican), R. F. D. 2, Mifflinburg, to serve until December 31, 1945, and until her successor is duly appointed and qualified, to fill a vacancy.

MEMBERS OF THE WASHINGTON COUNTY BOARD OF ASSISTANCE

George Grimes (Republican), R. D. No. 1, West Brownsville, to serve until December 31, 1944, and until his successor is duly appointed and qualified. (Reappointment)

Mrs. Eva D. Cummins (Republican), Houston, to serve until December 31, 1944, and until her successor is duly appointed and qualified. (Reappointment)

James B. Wray (Republican), R. D., Finleyville, to serve until December 31, 1943, and until his successor is duly appointed and qualified. (Reappointment)

Mrs. Delia Kelly (Democrat), Donora, to serve until December 31, 1945. (Reappointment)

S. E. Murphy (Republican), 208 North Avenue, Washington, to serve until December 31, 1945, and until his successor is duly appointed and qualified, vice Wray G. Zelt, Jr., whose term expired.

W. K. Jones (Republican), 179 North Main Street, Washington, to serve until December 31, 1943, and until his successor is duly appointed and qualified, vice William D. Davies, resigned.

EDWARD MARTIN.

JUSTICE OF THE PEACE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, May 3, 1943.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate F. Eugene Sergeant, Jr., Box No. 57, Langhorne, Bucks County, for appointment as Justice of the Peace in and for the Township of Middletown, Bucks County, until the first Monday in January, 1944, vice Danied H. Krouse, resigned.

EDWARD MARTIN.

HOUSE MESSAGES

HOUSE CONCURS IN AMENDMENTS TO HOUSE BILL No. 547

The Clerk of the House of Representatives being introduced, presented communication from the House of Representatives informing the Senate that the House has concurred in amendments made by the Senate to House Bill No. 547, entitled:

An Act to further amend the act, approved the first day of June one thousand eight hundred eighty-nine (P. L. 420), entitled "A further supplement to an act, entitled 'An act to provide revenue by taxation,' approved the seventh day of June, Anno Domini one thousand eight hundred and seventy-nine," by increasing for a further limited period of time the rate of tax imposed by the act upon the gross receipts of certain companies, limited partnerships, associations, joint-stock associations, copartnerships and persons.

HOUSE CONCURS IN AMENDMENTS TO HOUSE BILL No. 660

He also presented communication from the House of Representatives informing the Senate that the House has concurred in amendments made by the Senate to House Bill No. 660, entitled:

An Act to amend clause (g) of section nineteen of the act, approved the twenty-fifth day of May, one thousand nine hundred thirty-seven (P. L. 814), entitled "The Permanent Registration Act in Cities of the Second Class," by changing the procedure relating to the registration of state and federal employes.

HOUSE CONCURS IN AMENDMENTS TO HOUSE BILL No. 655

He also presented communication from the House of Representatives informing the Senate that the House has concurred in amendments made by the Senate to House Bill No. 655, entitled:

An Act to amend clause (g) of section nineteen of the act, approved the twenty-fifth day of May, one thousand nine hundred thirty-seven (P. L. 849), entitled "The Permanent Registration Act in Cities of the Third Class," by changing the procedure relating to the registration of state and federal employes.

HOUSE CONCURS IN AMENDMENTS TO HOUSE BILL No. 661

He also presented communication from the House of Representatives informing the Senate that the House has concurred in amendments made by the Senate to House Bill No. 661, entitled:

An Act to amend clause (g) of section nineteen of the act, approved the first day of June, one thousand nine hundred thirty-seven (P. L. 1132), entitled "The Permanent Registration Act in Cities of the Second Class A," by changing the procedure relating to the registration of state and federal employes.

HOUSE CONCURS IN SENATE BILL No. 105

He also returned to the Senate, Senate Bill No. 105, entitled:

An Act to amend section two thousand three of the act, approved the ninth day of April, one thousand nine hundred and twenty-nine (P. L. 177), entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments, boards, commissions, and officers thereof, including the boards of trustees of State Normal Schools, or Teachers Colleges; abolishing, creating, reorganizing or authorizing the reorganization of certain administrative departments, boards and commissions; defining the powers and duties of the Governor and other executive and administrative officers, and of the several administrative departments, boards, commissions, and officers; fixing the salaries of the Governor, Lieutenant-Governor, and certain other executive and administrative officers; providing for the appointment of certain administrative officers, and of all deputies and other assistants and employes in certain departments, boards and commissions; and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments, boards, and commissions shall be determined," authorizing the Department of Highways to condemn rights-of-way as agent for the Federal Government

with the information that the House has passed the same without amendments.

HOUSE CONCURS IN SENATE BILL No. 108

He also returned to the Senate, Senate Bill No. 108, entitled:

An Act to authorize cities, boroughs, incorporated towns, townships and school districts to file suggestions of nonpayment and averments of default or to sue out writs of scire facias on certain tax or municipal claims and to revive judgments where the lien of such claims or the judgments thereon have been lost, and providing for the reinstatement of the liens of such claims and judgments

with the information that the House has passed the same without amendments.

HOUSE CONCURS IN SENATE BILL No. 207

He also returned to the Senate, Senate Bill No. 207, entitled:

An Act providing for commissioning as police officers, certain employes of institutions maintained in whole or in part by the Commonwealth; conferring upon them the powers of constables in certain cases; and imposing duties on wardens and keepers of jails, police stations and lockups

with the information that the House has passed the same without amendments.

HOUSE CONCURS IN SENATE BILL No. 209

He also returned to the Senate, Senate Bill No. 209, entitled:

An Act to further amend section seven (b) of the act approved the nineteenth day of March one thousand nine hundred nine (P. L. 46) entitled "An act to regulate the practice of osteopathy in the State of Pennsylvania to provide for the establishment of a State Board of Osteopathic Examiners to define the powers and duties of said Board of Osteopathic Examiners to provide for the examining and licensing of osteopaths in this State and to provide penalties for the violation of this act" by further regulating the requirements for license as an osteopathic surgeon

with the information that the House has passed the same without amendments.

HOUSE CONCURS IN SENATE BILL No. 218

He also returned to the Senate, Senate Bill No. 218, entitled:

An Act to further amend Sections 601, 602 and 605 of and to add Sections 601.1, 601.2 and 601.3 to the act approved the fourth day of May, one thousand nine hundred twenty-seven, (P. L. 519), entitled "An act concerning boroughs and revising amending and consolidating the law relating to boroughs," changing and further providing procedure to create change or establish boundaries of wards in boroughs imposing additional duties on borough councils, providing in certain cases for local option and terminating unfinished proceedings heretofore commenced for such purposes

with the information that the House has passed the same without amendments.

HOUSE CONCURS IN SENATE BILL No. 244

He also returned to the Senate, Senate Bill No. 244, entitled:

An Act reducing for a limited period of time the training period of interneship in osteopathic hospitals in order to qualify for examination for license by the Osteopathic Surgeons' Examining Board to practice major surgery and suspending inconsistent laws

with the information that the House has passed the same without amendments.

HOUSE CONCURS IN SENATE BILL No. 248

He also returned to the Senate, Senate Bill No. 248, entitled:

An Act regulating and providing fees of the clerks of quarter sessions of counties of the fourth class

with the information that the House has passed the same without amendments.

HOUSE CONCURS IN SENATE BILL No. 268

He also returned to the Senate, Senate Bill No. 268, entitled:

An Act to amend section seventeen of the act approved the seventh day of June one thousand nine hundred and seventeen (P. L. 363) entitled "An act relating to the organization jurisdiction and procedure of the orphans' courts the powers and duties of the judges thereof and appeals therefrom" by prescribing procedure in cases affecting the interest of any lunatic, weak-minded person, presumed decedent or any person who may be unknown or unborn or under disability or out of the jurisdiction under such circumstances that actual notice cannot reasonably be given to such person

with the information that the House has passed the same without amendments.

HOUSE CONCURS IN SENATE BILL No. 359

He also returned to the Senate, Senate Bill No. 359, entitled:

An Act to amend section sixteen of the act, approved the twelfth day of July, one thousand nine hundred thirteen (P. L. 711), entilted "An act establishing a court for the county of Philadelphia; prescribing its jurisdiction and powers; providing for the service of its writs, process, or warrant by the proper officers of the county or city of Philadelphia; regulating the procedure therein, and appeals therefrom, and providing for the expenses thereof," by extending its powers to include the issuance of writs of habeas corpus

with the information that the House has passed the same without amendment.

BILLS SIGNED

The PRESIDENT (Lieutenant-Governor John C. Bell, Jr.) announced that the Chief Clerk having reported that the following bills had passed both houses of the General Assembly and the same being correct, the titles were publicly read as follows:

House Bill No. 547, entitled:

An Act to further amend the act, approved the first day of June one thousand eight hundred eighty-nine (P. L. 420), entitled "A further supplement to an act, entitled 'An act to provide revenue by taxation,' approved the seventh day of June, Anno Domini one thousand eight hundred and seventy-nine," by increasing for a further limited period of time the rate of tax imposed by the act upon the gross receipts of certain companies, limited partnerships, associations, joint-stock associations, copartnerships and persons.

House Bill No. 655, entitled:

An Act to amend clause (g) of section nineteen of the act, approved the twenty-fifth day of May, one thousand nine hundred thirty-seven (P. L. 849), entitled "The Permanent Registration Act in Cities of the Third Class," by changing the procedure relating to the registration of state and federal employes.

House Bill No. 660, entitled:

An Act to amend clause (g) of section nineteen of the act, approved the twenty-fifth day of May, one thousand nine hundred thirty-seven (P. L. 814), entitled "The Permanent Registration Act in Cities of the Second Class," by changing the procedure relating to the registration of state and federal employes.

House Bill No. 661, entitled:

An Act to amend clause (g) of section nineteen of the act, approved the first day of June, one thousand nine hundred thirty-seven (P. L. 1132), entitled "The Permanent Registration Act in Cities of the Second class A," by changing the procedure relating to the registration of state and federal employes.

Whereupon,

The PRESIDENT (Lieutenant-Governor John C. Bell, Jr.) in the presence of the Senate signed the same.

HOUSE MESSAGES

SENATE BILL No. 137, RETURNED WITH AMENDMENTS

The Clerk of the House of Representatives being introduced, returned to the Senate, Senate Bill No. 137, entitled:

An Act to validate and quiet the title to real estate in this Commonwealth held by a foreign corporation unauthorized to transact business in Pennsylvania and heretofore conveyed to a citizen of the United States or a corporation authorized to hold such real estate

with the information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

The PRESIDENT. The bill as amended will appear on to-morrow's Calendar.

SENATE BILL No. 211, RETURNED WITH AMENDMENTS

He also returned to the Senate, Senate Bill No. 211, entitled:

An Act to further amend section nine hundred eight subsection A of section one thousand six and subsection B of section one thousand one hundred nine of the act approved the fifteenth day of May one thousand nine hundred and thirty-three (P. L. 624) entitled "An act relating to the business of banking and to the exercise of fiduciary powers by corporations providing for the organization of corporations with fiduciary powers and of banking corporations with or without fiduciary powers including the conversion of National banks into State banks and for the licensing of private bankers defining the rights powers duties liabilities and immunities of such corporations of existent corporations authorized to engage in a banking business with or without fiduciary powers of private bankers and of the officers directors trustees shareholders attorneys and other employes of all such corporations or private bankers or of affiliated corporations associations or persons restricting the exercise of banking powers by any other corporation association or person and of fiduciary powers by any other corporation conferring powers and imposing duties upon the courts prothonotaries recorders of deeds and certain State departments commissions and officers imposing penalties and repealing certain acts and parts of acts" further regulating the amount and maintenance by further providing for the powers and duties and limitations upon powers of corporations and persons authorized to engage in a banking or fiduciary business or both

with the information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

The PRESIDENT. The bill as amended will appear on tomorrow's Calendar.

SENATE BILL No. 313 RETURNED WITH AMENDMENTS

He also returned to the Senate, Senate Bill No. 313, entitled:

An Act authoriing the Department of Public Instruction to act as agent for the several school districts and vocational school districts in the purchase, without bids, and distribution among such districts of materials, supplies and equipment subject to priorities and on which prices have been stabilized, to be used in vocational education of workers on war work; and validating such action heretofore taken

with the information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

The PRESIDENT. The bill as amended will appear on tomorrow's Calendar.

SENATE BILL No. 388 RETURNED WITH AMENDMENTS

He also returned to the Senate, Senate Bill No. 388, entitled:

An Act to amend sections three and four of and to add section 6.1 to the act, approved the thirty-first day of July, one thousand nine hundred forty-one (P. L. 644), entitled "An act to authorize housing authorities to undertake the development or administration of projects to provide safe and sanitary dwellings for persons engaged in national defense activities and who would not otherwise be able to secure such dwellings within the vicinity thereof; to limit the initiation of the development of such projects until December 31, 1943; to authorize housing authorities to cooperate with or act as agent of the Federal Government in the development and administration of such projects of the Federal Government, to acquire or lease such projects and to sell or lease certain projects to the Federal Government; to authorize public bodies to assist such projects of housing authorities and of the Federal Government to provide safe and sanitary dwellings for persons engaged in national defense activities," by extending the time in which the development of projects may be initiated thereunder and authorizing housing authorities to cooperate with and assist counties, cities, boroughs and incorporated towns

with the information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

The PRESIDENT. The bill as amended will appear on tomorrow's Calendar.

SENATE BILL No. 389 RETURNED WITH AMENDMENTS

He also returned to the Senate, Senate Bill No. 389, entitled:

An Act to amend clause (g) of section three of, and to add section fourteen and one-tenth to, the act approved the twenty-eighth day of May, one thousand nine hundred thirty-seven, (P. L. 955), entitled "An act to promote public health, safety, morals, and welfare by declaring the necessity of creating public bodies, corporate and politic, to be known as housing authorities to engage in slum clearance, and to undertake projects, to provide dwelling accommodations for persons of low income; providing for the organization of such housing authorities; defining their powers and duties; providing for the exercise of such powers, including the acquisition of property by purchase, gift or eminent domain, the renting and selling of property, and including borrowing money, issuing bonds, and other obligations, and giving security thereof; prescribing the remedies of obligees of housing authorities; authorizing housing authorities to enter into agreements, including agreements with the United States, the Commonwealth, and political subdivisions and municipalities thereof; defining the application of zoning, sanitary, and building laws and regulations to projects built or maintained by such housing authorities; exempting the property and securities of such housing authorities from taxation; and imposing duties and conferring powers upon the State Board of Housing, and certain other State officers and departments," authorizing housing authorities to cooperate with and assist counties cities boroughs and incorporated towns

with the information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

The PRESIDENT. The bill as amended will appear on tomorrow's Calendar.

HOUSE BILLS FOR CONCURRENCE

He also presented for concurrence bills of the House, as follows:

House Bill No. 153, entitled:

An Act authorizing the Department of Property and Supplies with the advice and approval of the Pennsylvania Historical Commission to acquire on behalf of the Commonwealth of Pennsylvania certain land upon which is located the site of Fort LeBoeuf in Waterford Borough, Erie County, or so much thereof, as may be necessary as a historical memorial providing for the control, management, supervision, improvement, restoration and maintenance thereof; authorizing the Pennsylvania Historical Commission in cooperation with other agencies to make and enforce rules and regulations for the preservation and visitation thereof; authorizing the Pennsylvania Historical Commission to cooperate with the Daughters of the American Colonists and interested patriotic societies in providing funds for a restoration of Fort LeBoeuf and making an appropriation.

Which was committed to the Committee on State Government.

House Bill No. 275, entitled:

An Act authorizing and directing the Legislative Reference Bureau to compile, edit and publish a compilation of laws relating to townships of the first class; and making an appropriation.

Which was committed to the Committee on County Government.

House Bill No. 428, entitled:

An Act making an appropriation to the Trustees of the Pennsylvania State College for expenditure by the School of Mineral Industry under the supervision of the Department of Mines for the purpose of developing new uses and markets for slate and slate products.

Which was committed to the Committee on Appropriations.

House Bill No. 560, entitled:

An Act to further amend section four hundred two of the act approved the fifth day of December, one thousand nine hundred thirty-six, (P. L. 2897-1937), entitled "Unemployment Compensation Law," to correct an error in previous amendment in connection with provisions covering ineligibility for compensation.

Which was committed to the Committee on Workmen's Compensation.

House Bill No. 608, entitled:

An Act to further amend section six of the act, approved the fifth day of May, one thousand nine hundred and eleven (P. L. 198), entitled "An act to establish a county court for the county of Allegheny, and prescribing its powers and duties; regulating the procedure therein, and providing for the expenses thereof," by conferring upon said county court jurisdiction in certain criminal actions and in divorce, appeals from the Workmen's Compensation Board, and appeals from the Pennsylvania Liquor Control Board.

Which was committed to the Committee on Judiciary General.

House Bill No. 682, entitled:

An Act to further amend clause (b) of section twenty-seven of the act, approved the seventh day of June, one thousand nine hundred seventeen (P. L. 447), entitled as amended, "Fiduciaries Act of 1917," by further regulating the discharge of charges on real estate.

Which was committed to the Committee on Judiciary General.

House Bill No. 714, entitled:

An Act to further amend section five hundred nine of the act, approved the eleventh day of July, one thousand nine hundred twenty-three (P. L. 998), entitled "Mental Health Act of 1923," by providing for the payment, in certain cases, of a portion of the sums collected by the Commonwealth from private sources to the political subdivisions which have contributed to the cost of care and maintenance of such patients.

Which was committed to the Committee on Public Health.

House Bill No. 716, entitled:

An Act to amend Section three of the act approved the second day of July, one thousand nine hundred and thirty-seven (P. L. 2793), entitled "An act authorizing and empowering any city, county, school district, or other municipality which shall have acquired a limited title to real estate for municipal purposes, to secure a title in fee simple to any such real estate; and providing and regulating the procedure in such cases," by reducing to one year the period within which any person claiming a reversionary or other interest in and to such property may petition the Court of Common Pleas of the County in which such real estate is situated for the assessment and recovery of any damages to which he may be entitled; and making final against any subsequent claim the determination thereof.

Which was committed to the Committee on Judiciary General.

House Bill No. 721, entitled:

An Act to amend Section 6 of the Act approved the third day of June one thousand nine hundred and fifteen (P. L. 954), entitled "An act to protect the public health and safety; by regulating the erection, alteration, repair, use, occupancy, maintenance, sanitation, and condemnation of dwellings, two-family dwellings, rooming-houses, and tenements; by regulating the use, maintenance, and sanitation of the ground surrounding the same, the adjoining buildings, and all vacant land, in cities of the first class; providing for their inspection, the abatement of nuisances, the vacating of uninhabitable houses, and the filing of liens; creating a Division of Housing and Sanitation; and providing penalties for violations of the provisions thereof, and repealing all laws inconsistent therewith" by providing for certain exceptions to the applicability of the provisions of that section.

Which was committed to the Committee on Public Health.

House Bill No. 745, entitled:

An Act to further amend clauses six and nine of section one of the act approved the twenty-seventh day of June, one thousand nine hundred twenty-three (P. L. 858), entitled "State Employes Retirement Law," further defining State employes and original members.

Which was committed to the Committee on State Government.

House Bill No. 759, entitled:

An Act to further amend section one of the act approved the twenty-ninth day of June, one thousand nine hundred twenty-three, (P. L. 944), entitled "An act relating to salaries, compensation, bonds, offices, and supplies of certain county officers, their deputies and clerks,

in counties of the sixth class," by fixing the salary of the treasurer.

Which was committed to the Committee on County Government

House Bill No. 763, entitled:

An Act to amend section one of the act approved the tenth day of July, one thousand nine hundred forty-one, (P. L. 405), entitled "An act providing a method for supplying, perfecting and recording birth records of certain persons whose births have not heretofore been made a public record or whose record of birth is incomplete or incorrect; making such records competent legal evidence; prescribing fees. and imposing certain duties upon the orphans' court and the Bureau of Vital Statistics of the Department of Health; authorizing the orphans' court to appoint masters for the determination of certain questions; and requiring counties to pay the compensation of such masters," further regulating the proofs required.

Which was committed to the Committee on Public Health.

House Bill No. 901, entitled:

An Act to amend section one of the act, approved the eighth day of May, one thousand eight hundred ninety-five (P. L. 44), entitled "An act providing for the release and discharge of encumbrances or charges on land in all cases in which the period of twenty-one years has elapsed after the principal of the encumbrance or charge has become due and payable, and no payment has been made within such period of twenty-one years on account of such encumbrance or charge by the owner or owners of the land sought to be released and discharged and no sufficient release is of record in the county, and regulating proceedings for such release and discharge," further regulating the publication of notice in such proceedings to discharge encumbrances and charges on land.

Which was committed to the Committee on Judiciary General.

House Bill No. 1052, entitled:

An Act to further amend section five hundred eight of the act, approved the eighteenth day of May, one thousand nine hundred eleven (P. L. 309), entitled "Public School Code," by further regulating the incurring, funding, and refunding of indebtedness, temporary and permanent. the retirement of indebtedness, and the borrowing in anticipation of current revenues.

Which was committed to the Committee on Education.

House Bill No. 1063, entitled:

An Act making an appropriation to the Board of Finance and Revenue for the payment of certain moral claims against the Commonwealth.

Which was committed to the Committee on Appropriations.

House Bill No. 1075, entitled:

An Act making an appropriation to the Department of Property and Supplies for the construction and improvement of buildings and equipment at certain State institutions operating under the Department of Welfare.

Which was committed to the Committee on Appropriations.

House Bill No. 1110, entitled:

An Act making an appropriation to the George Jr., Republic Association, Grove City, Pennsylvania.

Which was committed to the Committee on Appropriations.

REPORTS FROM COMMITTEES

BILLS RE-REFERRED

Mr. TALLMAN, from the Committee on State Government, reported as amended, House Bill No. 671, entitled:

A Further Supplement to the act approved the first day of April one thousand eight hundred and sixty-three (P. L. 213) entitled "An act to accept the grant of Public Lands by the United States to the several states for the endowment of Agricultural Colleges" making an appropriation for carrying the same into effect.

Which was re-referred to the Committee on Appropriations.

Mr. HENRY I. WILSON, from the Committee on Judiciary Special, reported as committed, House Bill No. 640, entitled:

An Act requiring the names of all signers and witnesses to be printed or typewritten below their signatures on certain documents and other written instruments entitled to be recorded or filed; and prohibiting the recording or filing thereof for failure to comply with such requirement.

He also, from the Committee on Judiciary Special, reported as committed, House Bill No. 510, entitled:

An Act to amend sections seven hundred thirty-one and seven hundred thirty-three of the act, approved the twenty-fourth day of June, one thousand nine hundred thirty-nine (P. L. 872), entitled "An act to consolidate, amend and revise the penal laws of the Commonwealth," authorizing the courts to issue writs of execution and attachment against property, money and wages of defendants in separation and non-support cases, and the attachment of wages in desertion and non-support cases.

Mr. TAYLOR, from the Committee on Appropriations, reported as committed, House Bill No. 112, entitled:

An Act authorizing the Armory Board of the State of Pennsylvania to construct and erect in the County of Dauphin a memorial or monument in memory of the residents of Dauphin County who served in the forces of the United States during World War I and making an appropriation.

Mr. THOMAS, from the Committee on County Government, reported as committed, House Bill No. 1039, entitled:

An Act to further amend section five hundred forty-seven of the act approved the first day of May one thousand nine hundred thirty-three (Pamphlet Laws 103) entitled "An act concerning townships of the second class and amending revising consolidating and changing the law relating thereto" by further regulating publication of the auditors' report

He also, from the Committee on County Government, reported as committed, House Bill No. 584, entitled:

An Act authorizing counties of the second class to stacks or other source including provisions for the pay- stocks or other source including provisions for the pay- ment of inspection and certificates of compliance fees incident thereto authorizing the expediture of money for

the employment of persons and the acquisition of property for effectuating such regulations and providing penalties for the violation thereof.

Mr. JAMES, from the Committee on Corporations, re-reported as amended, Senate Bill No. 517, entitled:

An Act to further amend section ten of the act, approved the twenty-ninth day of May, one thousand eight hundred and eighty-five (P. L. 29) entitled "An act to provide for the incorporation and regulation of natural gas companies," providing that natural gas companies shall have the right of eminent domain for the storage of natural gas and manufactured fuel gas beneath the surface of any lands situate within the territory of production, pipe lines, or of supply of such corporation.

Mr. KEPHART, from the Committee on Judiciary Special, re-reported as committed, House Bill No. 36, entitled:

An Act abating certain tax penalties and interest on unpaid county city borough town township school district poor district and county institution district taxes with certain exceptions prohibiting the sale of real property for the nonpayment of any such taxes for a certain period and preserving certain tax liens and providing for the extension thereof.

Mr. McGINNIS, from the Committee on Judiciary General, reported as committed, House Bill No. 501, entitled:

An Act regulating the lien of judgments; prescribing the procedure for the revival of judgments, and for the continuance of the lien thereof; and repealing certain acts and parts of acts

Mr. WALKER, from the Committee on Judiciary General, reported as committed, House Bill No. 585, entitled:

An Act to amend section six of the act, approved the twelfth day of June, one thousand eight hundred seventy-eight (P. L. 196), entitled "An act supplementary to an act, entitled 'An act to consolidate revise and amend the penal laws of this Commonwealth,' approved the thirty-first day of March, Anno Domini one thousand eight hundred and sixty," by fixing the time for the commencement and prosecution of indictments for felonies committed by certain persons.

PERMISSION TO ADDRESS SENATE

Mr. JASPAN asked and obtained unanimous consent to address the Senate.

Mr. JASPAN. Mr. President, I desire to interrogate the Chairman of the Committee on Public Health.

The PRESIDENT. Will the gentleman from Northumberland, Senator Deitrick, permit himself to be interrogated?

Mr. DEITRICK. I will, Mr. President.

Mr. JASPAN. Mr. President, does the gentleman from Northumberland have in his possession Senate Bill No. 632, introduced by Senators Stiefel, DiSilvestro and myself?

Mr. DEITRICK. I have not.

Mr. JASPAN. The gentleman does not?

Mr. DEITRICK. I have not.

Mr. JASPAN. I desire to ask the gentleman from Northumberland, Senator Deitrick, whether he was present when Senate Bill No. 632 was introduced by Senators Stiefel, DiSilvestro and myself last Thursday?

Mr. DEITRICK. I was in the next room, yes.

Mr. JASPAN. Was not Senate Bill No. 632 referred to the Committee on Public Health?

Mr. DEITRICK. I do not believe so, Mr. President.

Mr. JASPAN. Mr. President, I am anxious to know what disposition was made of Senate Bill No. 632, as introduced last Thursday by Senators Stiefel, DiSilvestra and myself.

The PRESIDENT. For the information of the gentleman from Philadelphia, Senator Jaspan, the bill to which he refers, Senate Bill No. 632, was referred by the Chair last Thursday to the Committee on Public Health, but the bill has just this moment been delivered to the Chairman of that committee.

Mr. JASPAN. Mr. President, may I further interrogate the gentleman from Northumberland, Senator Deitrick?

The PRESIDENT. Will the gentleman from Northumberland permit himself to be further interrogated?

Mr. DEITRICK. Yes, Mr. President.

Mr. JASPAN. Mr. President, does the Chairman of the Committee on Public Health expect to hold a meeting of that committee some time today in order to consider this all-important bill, particularly as it affects Philadelphia and neighboring counties?

Mr. DEITRICK. I do not know what the bill is, Mr. President.

Mr. JASPAN. Does the gentleman from Northumberland, Senator Deitrick, expect to read the bill within the next half-hour or hour.

Mr. DEITRICK. I do not, no.

Mr. JASPAN. This is a very important bill, as it affects Philadelphia, and may I suggest to the gentleman from Northumberland that he read the bill and then hold a meeting of the Committee on Public Health today, if it is at all possible.

Mr. DEITRICK. Mr. President, the Senator from Philadelphia, Senator Jaspan, will notice that it is now just about five o'clock and we are just entering into today's session. I do not know whether or not I will have an opportunity to call a meeting of the Committee on Public Health today. I do not know whether we will have time for such a meeting, but I will be glad to read the bill.

Mr. JASPAN. Mr. President, I have been given to understand that after the dinner hour, we expect to come back and deal with important legislation.

This is a very important bill, Mr. President, as it affects Philadelphia and surrounding territory. It deals with the water situation in Philadelphia that many of us have discussed, and we are very much interested that such legislation should pass at this session—not the next session—at this session. Therefore, may I impress upon the Chairman of the Committee on Public Health the urgency of this bill.

The PRESIDENT. The Chair is sure that Doctor Deitrick will carefully consider the suggestion of the gentleman from Philadelphia.

RESOLUTION

SENATE BILL No. 246, PRINTER'S No. 187 BE RECALLED FROM THE GOVERNOR

Mr. WADE offered the following resolution which was twice read, considered and agreed to:

In the Senate, May 3, 1943.

Resolved (if the House of Representatives concur), that Senate Bill No. 246, Printer's No. 187, entitled "An act to enable tax collectors and receivers of taxes in counties of the sixth class to make return to the county commissioners of unpaid taxes assessed on seated lands for certain years and validating the liens of such taxes" be recalled from the Governor for the purpose of amendment.

Ordered, That the Clerk present the same to the House of Representatives for concurrence.

Mr. WADE. Mr. President, in explanation of the resolution just introduced and adopted, recalling a bill from the Governor, I wish to advise the members of the Senate that unfortunately the printers left out an entire line from the bill, and that is the purpose of the resolution, in order to correct the bill.

NOMINATIONS BY THE GOVERNOR

NOTARIES PUBLIC

The Secretary to the Governor being introduced, presented in writing from His Excellency, the Governor of the Commonwealth, nominations for appointment as Notaries Public.

CONSIDERATION OF NOTARIES PUBLIC

Mr. WATKINS. Mr. President, I move that the Senate do now proceed to the consideration of nominations for appointment as Notaries Public, sent to the Senate, by His Excellency, the Governor of the Commonwealth, on May 3, 1943.

Mr. LETZLER. Mr. President, I second the motion.

The motion was agreed to.

The nominations were read as follows:

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, May 3, 1943.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for reappointment as Notaries Public, for terms of four years to compute from the dates set opposite their names:

ALLEGHENY COUNTY

Miss Margaret Kenny, Dormont, May 6, 1943.

NORTHAMPTON COUNTY

James W. Johnson, Pen Argyl, May 6, 1943.

ALLEGHENY COUNTY

John W. Ford, Pittsburgh, 700 Koppers Bldg., May 7, 1943.

PHILADELPHIA COUNTY

Byron A. Thalheimer, Phila., SW Cor. 5th St. and Olney Ave., May 7, 1943.

EDWARD MARTIN.

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, May 3, 1943.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for appointment as Notaries Public, for terms of four years to compute from the date of confirmation:

ALLEGHENY COUNTY

W. H. Leonard, Robinson Twp., Groveton.
Chester A. Somers, Verona.

BUCKS COUNTY

Mrs. Virginia B. Rysdale, Doylestown.

DELAWARE COUNTY

Mrs. Marian L. Harrop, Millbourne.
Theo. B. Richardson, Lansdowne.

McKEAN COUNTY

Miss Rita K. Murphy, Bradford.

PHILADELPHIA COUNTY

Miss Sara G. Lavin, Phila., 1620 S. 49th St.

EDWARD MARTIN.

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, May 3, 1943.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for appointment as Notaries Public, for terms of four years to compute from the date of confirmation:

CAMBRIA COUNTY

O. E. Pursel, Johnstown.

MONTGOMERY COUNTY

Miss Helen R. Dimeco, Pottstown.

PHILADELPHIA COUNTY

Mrs. Regina G. Donohoe, Phila., 938 N. 63d St.
William Thomas Gore, 2d, Phila., 1025 Marlyn Rd.
Miss Mary R. Martin, Phila., 4441 Frankford Ave.
Miss Rose Squires, Phila., 2501 Phila. Sav. Fund Bldg.
Miss Gussella C. Walker, Phila., 40 S. 19th St.

EDWARD MARTIN.

A motion was made by Mr. WATKINS and Mr. LETZLER,

That the Senate do advise and consent to said nominations.

The motion was agreed to.

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—46

Barr,	Ealy,	Letzler,	Tallman,
Becker,	Farrell,	Mallery,	Taylor,
Bowers,	Geltz,	McCreesh,	Thomas,
Carr,	Gourley,	McGinnis,	Tyler,
Chapman,	Haluska,	McQuiddy,	Wade,
Coleman,	Heyburn,	Ruth,	Walker,
Cox	Holland,	Scarlett,	Watkins,
Crider,	Homsher,	Shapiro,	Wilson, H. I.,
Crowe,	James,	Snowden,	Wilson, T. B.,
Deitrick,	Jaspan,	Stevenson,	Woodring,
Dent,	Jones,	Stiefel,	Woodward,
DiSilvestro,	Kephart,		

NAYS—0

Two-thirds of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Governor be informed accordingly.

EXECUTIVE NOMINATIONS

A motion was made by Mr. WATKINS and Mr. CROWE,

That the Senate do now resolve itself into Executive Session, for the purpose of considering the nominations of His Excellency, the Governor of the Commonwealth, which were laid on the table yesterday.

The motion was agreed to.

The Clerk read the nominations as follows:

MEMBERS OF THE CRAWFORD COUNTY BOARD OF ASSISTANCE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, April 28, 1943.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for appointment as members of the Crawford County Board of Assistance:

Mrs. Esta Fleming (Republican), Cochranton, to serve until December 31, 1945, and until her successor is duly appointed and qualified, vice Mrs. Jeannette W. Hood Beatty, whose term expired.

Robert W. Byham (Republican), R. D. No. 2, Guys Mills, to serve until December 31, 1945, and until his successor is duly appointed and qualified, vice Emmett Allen, whose term expired.

EDWARD MARTIN.

DIRECTOR OF THE PENNSYLVANIA POST-WAR PLANNING COMMISSION

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, April 28, 1943.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Mark S. James, 120 South Homewood Avenue, Pittsburgh, Allegheny County, for appointment as Director of the Pennslyvania Post-War Planning Commission, until annulled.

EDWARD MARTIN.

Whereupon

A motion was made by Mr. WATKINS and Mr. JAMES

That the Senate do advise and consent to the nominations reported.

The motion was agreed to.

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—46

Barr,	Ealy,	Letzler,	Tallman,
Becker,	Farrell,	Mallery,	Taylor,
Bowers,	Geltz,	McCreesh,	Thomas,
Carr,	Gourley,	McGinnis,	Tyler,
Chapman,	Haluska,	McQuiddy,	Wade,
Coleman,	Heyburn,	Ruth,	Walker,
Cox,	Holland,	Scarlett,	Watkins,
Crider,	Homsher,	Shapiro,	Wilson, H. I.,
Crowe,	James,	Snowden,	Wilson, T. B.,
Deitrick,	Jaspan,	Stevenson,	Woodring,
Dent,	Jones,	Stiefel,	Woodward,
DiSilvestro,	Kephart,		

NAYS—0

Two-thirds of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Governor be informed accordingly.

EXECUTIVE SESSION RISES

Mr. WATKINS. Mr. President, I move that the Executive Session do now rise.

Mr. FARRELL. Mr. President, I second the motion.

The motion was agreed to.

BILLS ON FINAL PASSAGE

Agreeably to order,

The Senate resumed the consideration of House Bill No. 545, as follows:

An Act to further amend section four of the act approved the twenty-first day of May one thousand nine hundred thirty-one (P. L. 149) entitled "An act imposing a State tax payable by those herein defined as distributors on liquid fuels used or sold and delivered within the Commonwealth which are ordinarily practically and commercially usable in internal combustion engines for the generation of power providing for the collection and lien of the tax and the distribution and use of the proceeds thereof requiring such distributors to secure permits to file corporate surety bonds and reports and to retain certain records imposing duties on retail dealers common carriers county commissioners and such distributors providing for rewards imposing certain costs on counties conferring powers and imposing duties on certain State officers and departments providing for refunds imposing penalties and making an appropriation" by imposing and continuing the additional emergency tax on liquid fuels for a fur- their limited period of time

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section four of the act approved the twenty-first day of May one thousand nine hundred thirty-one (P. L. 149) entitled "An act imposing a State tax payable by those herein defined as distributors on liquid fuels used or sold and delivered within the Commonwealth which are ordinarily practically and commercially usable in internal combustion engines for the generation of power providing for the collection and lien of the tax and the distribution and use of the proceeds thereof requiring such distributors to secure permits to file corporate surety bonds and reports and to retain certain records imposing duties on retail dealers common carriers county commissioners and such distributors providing for rewards imposing certain costs on counties conferring powers and imposing duties on certain State officers and departments providing for refunds imposing penalties and making an appropriation" as last amended by the act approved the twenty-ninth day of May one thousand nine hundred forty-one (P. L. 60) is hereby further amended to read as follows

Section 4 Imposition of Tax Exemptions and Deductions A permanent State tax of three cents a gallon or fractional part thereof is hereby imposed and assessed upon all liquid fuels used or sold and delivered by distributors within this Commonwealth excepting liquid fuels delivered to the United States Government on presentation of a duly authorized United States Government exemption certificate or other evidence satisfactory to the department and such liquid fuels used or sold and delivered as are not within the taxing power of this Commonwealth under the Commerce Clause of the Constitution of the United States Provided That the tax herein imposed and assessed shall be collected by and paid to the Commonwealth but once in respect to any liquid fuels

In addition to such tax an additional emergency State tax of one cent a gallon or fractional part thereof is

hereby imposed and assessed upon all liquid fuels used or sold and delivered by distributors within ths Commonwealth for the period beginning on the day this act becomes effective and ending on the thirty-first day of May one thousand nine hundred and [forty-three] forty-five.

Distributors shall be liable to the Commonwealth for the collection and payment of the tax imposed by this act The tax imposed by this act shall be collected by the distributor at the time the liquid fuels are used or sold and delivered by the distributor and shall be borne by the consumer

The tax shall be payable upon liquid fuels sold and delivered to or used by the Commonwealth and every political subdivision thereof

The department shall allow such handling and storage losses of liquid fuels as are substantiated to its satisfaction

Section 2 This act shall become effective immediately upon its final enactment

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—28

Becker,	Deitrick,	Kephart,	Thomas,
Bowers,	Farrell,	Letzler,	Tyler,
Carr,	Geltz,	Mallery,	Walker,
Chapman,	Heyburn,	Scarlett,	Watkins,
Cox,	Homsher,	Snowden,	Wilson, H. I.,
Crider,	James,	Tallman,	Wilson, T. B.,
Crowe,	Jones,	Taylor,	Woodward,

NAYS—15

Barr,	Gourley,	McCreesh,	Shapiro,
Coleman,	Haluska,	McGinnis,	Stiefel,
Dent,	Holland,	McQuiddy,	Woodring,
DiSilvestro,	Jaspan	Ruth,	

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate resumed the consideration of Senate Bill No. 594, as follows:

An Act to amend section one of the act approved the twelfth day of May one thousand nine hundred and thirty-nine (P. L. 133) entitled "An act to regulate the sale and possession of sulfanilamide and its derivaties in the interest of public health" by excepting sulfathiazole-impregnated finger or small adhesive gauze bandages

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section one of the act approved the twelfth day of May one thousand nine hundred and thirty-nine (P. L. 133) entitled "An act to regulate the sale and possession of sulfanilamide and its derivatives in the interest of public health" is hereby amended to read as follows

Section 1 The drug known as sulfanilamide and any of its derivatives except sulfathiazole-impregnated finger or small adhesive gauze bandages shall not be sold at retail or dispensed to any person except upon the written prescription of a duly licensed physician dentist or veterinarian compounded or dispensed by a registered pharmacist or under the immediate personal supervision of a registered pharmacist and no pharmacist shall dispense any such drug without affixing to the container in which the drug is sold or dispensed a label bearing the name and address of the pharmacist the date compounded and the consecutive number of the prescription under which it is recorded in his prescription files together with the name of the physician dentist or veterinarian prescribing it Provided That the provisions of this section of this act shall not apply to a duly licensed physician dentist or veterinarian Provided however That they keep a record of the amount of such drugs purchased and a dispensing record showing the date name of the quantity of the drugs dispensed and the name and address of the patient No physician dentist or veterinarian shall dispense any such drug without affixing to the container in which the drug is sold or dispensed a label bearing the name and address of the dispenser the date dispensed the name and address of the patient and the directions for the use of the drug by the patient

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—46

Barr,	Ealy,	Letzler,	Tallman,
Becker,	Farrell,	Mallery,	Taylor,
Bowers,	Geltz,	McCreesh,	Thomas,
Carr,	Gourley,	McGinnis,	Tyler,
Chapman,	Haluska,	McQuiddy,	Wade,
Coleman,	Heyburn,	Ruth,	Walker,
Cox,	Holland,	Scarlett,	Watkins,
Crider,	Homsher,	Shapiro,	Wilson, H. I.,
Crowe,	James,	Snowden,	Wilson, T. B.,
Deitrick,	Jaspan,	Stevenson,	Woodring,
Dent,	Jones,	Stiefel,	Woodward,
DiSilvestro,	Kephart,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate resumed the consideration of House Bill No. 675, entitled:

An Act to further reenact and amend section seventeen of the act approved the twenty-ninth day of May one thousand nine hundred thirty-one (P. L. 280) entitled "An act relating to delinquent taxes on seated lands and prescribing interest charges on non-payment thereof requiring the receivers and collectors of county city borough town township school district and poor district taxes to make a return to the county commissioners of such unpaid taxes and providing for the lien thereof authorizing the county treasurers to collect such taxes and to sell seated lands at public sale for taxes heretofore or hereafter returned as unpaid and authorizing the county commissioners to purchase such lands and resell the same under certain circumstances" making the sale of land purchcased at treasurer's sale discretionary providing for the readvertisement of such sales heretofore advertised but not held authorizing the sale of such property on court order and the redemption thereof after such sale free and clear of all mortgages, municipal claims and ground rents and validating previous sales.

On the question,

Shall the bill pass finally?

POINT OF INQUIRY

Mr. WOODRING. Mr. President, I rise on a point o inquiry.

The PRESIDENT. The gentleman from Northampton will proceed.

Mr. WOODRING. Mr. President, today's Calendar shows House Bill No. 675 as on final passage. I am of the opinion that this bill was passed over in order last Thursday and should be on third reading today. Am I correct?

Mr. HENRY I. WILSON. Mr. President, I have that memorandum also, but the way I have it, House Bill No. 675 went over in order on final passage on that day; whether rightfully or wrongfully, it was on final passage, not third reading, on April 29. I believe the bill had the wrong Printer's number, which has been corrected.

The PRESIDENT. The record show that House Bill No. 675 passed third reading as amended and, therefore, is now properly on final passage.

Mr. WOODRING. Then, Mr. President, I would like to ask that the vote by which this bill passed third reading be reconsidered, for the following reasons:

On page 6 of the bill there is a clause which provides for the distribution of the fund after a sale; the schedule of distribution provides for the distribution of the costs of the sale and for municipal tax claims and for state claims and so forth.

This bill, Mr. President, primarily is designed to discharge mortgages. There is, however, in the schedule of distribution nowhere any clause to take care of the distribution to the mortgagees, which are divested by this sale, and there is no scheme of participation in the fund under the present language of the bill.

I have, therefore, prepared a very brief amendment which I would like to have considered at this time.

RECONSIDERATION OF HOUSE BILL No. 675

Mr. WOODRING. Mr. President, I move that the Senate do now reconsider the vote by which House Bill No. 675 passed third reading.

The PRESIDENT. How did the Senator vote?

Mr. WOODRING. Mr. President, I voted "aye."

Mr. DENT. Mr. President, I second the motion.

The PRESIDENT. How did the Senator vote?

Mr. DENT. Mr. President, I voted "aye."

On the question,

Will the Senate agree to the motion?

SENATE AT EASE

Mr. WATKINS. Mr. President, may we be at ease for a few minutes?

The PRESIDENT. The Senate will be at ease.

(The Senate was at ease.)

POINT OF INFORMATION

Mr. WATKINS. Mr. President, I rise on a point of information.

The PRESIDENT. The gentleman from Schuylkill will proceed.

Mr. WATKINS. Mr. President, I understand that the motion of the gentleman from Northampton, that the vote by which House Bill 675 passed third reading be reconsidered, is to be withdrawn.

I desire to interrogate the gentleman from Northampton.

The PRESIDENT. Will the gentleman from Northampton permit himself to be interrogated?

Mr. WOODRING. I will, Mr. President.

Mr. WATKINS. Mr. President, does the gentleman from Northampton wish to withdraw his motion?

MOTION TO RECONSIDER WITHDRAWN

Mr. WOODRING. I withdraw the motion temporarily.

BILL OVER IN ORDER

Mr. WATKINS. Mr. President, I ask unanimous consent that House Bill No. 675, on final passage go over in its order, temporarily.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 26, as follows:

An Act providing for the payment of moneys to school districts of the fourth class the taxes of which have been reduced by the acquisition of certain lands and property by the Commonwealth

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 In all cases where the Commonwealth has at any time since the first day of June one thousand nine hundred and eight acquired any lands or property within the limits of any school district of the fourth class for use in connection with any educational welfare or penal institution and the amount of property within the school district taxable for school purposes has thereby been reduced and no provision has heretofore been made for reimbursing the school district either in whole or in part for the loss of such revenue the board of school directors of any such school district shall immediately after the effective date of this act certify to the Auditor General and the Department of Public Instruction the assessed valuation of such lands and property at the time of such acquisition

Section 2 After the effective date of this act the board of school directors shall from year to year at the time of its annual levy of taxes for school purpose certify to the Auditor General and Department of Public Instruction the rate of its levy for the next school year Thereupon the Department of Public Instruction shall ascertain the amount of taxes which would have been collected upon the assessed valuation certified as hereinbefore provided at the rate of the levy so certified Upon the ascertainment of such amount the same shall be paid by the Commonwealth from time to time from the general fund

Section 3 This act is intended to make provision for payments by the Commonwealth to school districts in addition to all other payments now provided for by law and shall not be construed to repeal or in anywise effect any other law making such provision

Section 4 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to.

On the question,

Shall the bill pass finally?

Mr. SHAPIRO. Mr. President, I understood this bill was going to be held up for further consideration, when

it was reported out of committee, because it seems to me that this bill changes the whole system of our government. A sovereign has the right to take land but now this bill provides that when a sovereign government takes land by right of its sovereignty, it has to pay to the county the tax which the county would have received if the sovereign had not taken it.

My understanding was that this bill was going over in order for further consideration. If I am wrong and it is not going to be given further consideration, I will be obliged to vote "no."

And the question recurring,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—45

Barr,	Ealy,	Kephart,	Tallman,
Becker,	Farrell,	Letzler,	Taylor,
Bowers,	Geltz,	Mallery,	Thomas,
Carr,	Gourley,	McCreesh,	Tyler,
Chapman,	Haluska,	McGinnis,	Wade,
Coleman,	Heyburn,	McQuiddy,	Walker,
Cox,	Holland,	Ruth,	Watkins,
Crider,	Homsher,	Scarlett,	Wilson, H. I.,
Crowe,	James,	Snowden,	Wilson, T. B.,
Deitrick,	Jaspan,	Stevenson,	Woodring,
Dent,	Jones,	Stiefel,	Woodward,
DiSilvestro,			

NAYS—1

Shapiro,

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 55, as follows:

An Act to amend section two hundred fourteen of the act approved the eighteenth day of May one thousand nine hundred eleven (P. L. 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" providing for temporary filling of vacancies on boards of school directors in districts of the second third and fourth class caused by induction or enlistment in the military or naval forces of the United States in time of war

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section two hundred fourteen of the act approved the eighteenth day of May one thousand nine hundred eleven (P. L. 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" is hereby amended to read as follows

Section 214 In case any vacancy shall occur in any board of school directors in any school district of this Commonwealth by reason of death resignation removal from the district or otherwise such vacancy shall in a school district of the first class be filled for the unexpired term by the court of common pleas of the county in which such school district is situated and in a school district of the second third and fourth classes the remaining members of the board of school directors shall by a majority vote thereof fill such vacancy within thirty (30) days thereafter In a district of the second third or fourth class the person selected to fill such vacancy shall hold his office if the term thereof so long continues until the first Monday of December after the first municipal election occurring more than thirty (30) days after his appointment at which election an eligible person shall be elected for the remainder of the unexpired term Provided That if by reason of a tie vote or otherwise such vacancy shall not have been filled by the board of school directors as is herein provided within thirty (30) days after such vacancy shall have occurred the court of common pleas of the proper county upon the petition of ten or more resident taxpayers shall fill such vacancy by the appointment of a suitable person for the unexpired term And provided further That when any member of a board of school directors heretofore or hereafter enlists or is inducted into the military or naval forces of the United States in time of war a temporary vacancy shall be declared which shall be filled by the remaining members of the board or the court as the case may be until the return of such member of the board from the military or naval service or until the expiration of the term for which he shall have been elected whichever shall be the shorter period

Section 2 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—46

Barr,	Ealy,	Letzler,	Tallman,
Becker,	Farrell,	Mallery,	Taylor,
Bowers,	Geltz,	McCreesh,	Thomas,
Carr,	Gourley,	McGinnis,	Tyler,
Chapman,	Haluska,	McQuiddy,	Wade,
Coleman	Heyburn,	Ruth,	Walker,
Cox,	Holland,	Scarlett,	Watkins,
Crider,	Homsher,	Shapiro,	Wilson, H. I.,
Crowe,	James,	Snowden,	Wilson, T. B.,
Deitrick,	Jaspan,	Stevenson,	Woodring,
Dent,	Jones,	Stiefel,	Woodward,
DiSilvestro,	Kephart,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which the concurrence of the House is requested.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 56, as follows:

An Act authorizing the Department of Highways and counties cities boroughs towns and townships to adopt and take over as public roads and highways certain highways taken over located extended or constructed by the Federal Government or any agency thereof in the exercise of he war power and providing the procedure therefor

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Whenever the Federal Government or any agency thereof has in the exercise of the war power taken over any existing public highway and has or has not relocated the same in whole or in part and has or has not constructed an extension thereof to a point not theretofore reached by a public highway or has constructed or caused to be constructed a highway where no highway theretofore existed the Department of Highways may with the consent in writing of the Federal Government or such agency adopt and take over such highway as a State highway and shall thereafter maintain and reconstruct such highway in the same manner with like power and authority as provided by the laws of the Commonwealth applicable to State highways

In any case where it shall appear that the Department of Highways does not desire to adopt and take over any such highway as a State highway the same may be adopted and taken over in like manner as a public road or highway by ordinance of the corporate authorities of any city borough town or township of the first class or by resolution of the corporate authorities of any county or any township of the second class in which the same is located which road or highway shall thereafter be maintained and reconstructed by the unit of government making the adoption in the same manner with like power and authority as provided by law with respect to highways under its jurisdiction Before the unit of government shall adopt such ordinance or resolution it shall ascertain the desire of the Department of Highways and the ordinance or resolution in order to be valid and effective shall state that the Department of Highways has expressed its desire in writing not to adopt and take over such highway as a State highway Any such statement in the ordinance or resolution shall be conclusive

Section 2 Where on any such highway so authorized to be adopted and taken over the facilities of any public utility were constructed across such highway at grade or above or below grade or at the same or different levels or the highway was constructed across the facilities of any public utility in either event without prior order of the Pennsylvania Public Utility Commission the adoption procedure shall not be deemed to have been completed until an order has been first obtained from said Commission under and in accordance with the Public Utility Law Approving such crossing or which shall determine and prescribe the points at which and the manner in which such crossing shall be constructed altered relocated or abolished or the manner and conditions in or under which the crossing shall be maintained operated and protected to effectuate the prevention of accidents and the promotion of the safety of the public

Section 3 Whenever a road or highway is adopted and taken over under the provisions of this act the Department of Highways or unit of government adopting the same as a public road or highway shall cause a description and plan thereof to be made showing the center line of the road or highway and the established width thereof as fixed at the time when the same was established as a highway in the exercise of the war power and shall cause such description and plan to be acknowledged by the officer or agent of the department or unit of government making such description and plan Thereupon such description plan and acknowledgment shall be recorded in the office of the Recorder of Deeds of the county in which the road or highway is located in the book in which descriptions of highways are recorded The Department of Highways or unit of Government shall also enter such description and plan on any general plan of its highways roads streets and alleys which it is required by law to maintain

Section 4 Any highway adopted and taken over under the provisions of this act shall thereafter be a public road or highway as fully to all intents and purposes as though the same had been laid out opened and constructed under and in accordance with the laws of this Commonwealth

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution.

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—46

Barr,	Ealy,	Letzler,	Tallman,
Becker,	Farrell,	Mallery,	Taylor,
Bowers,	Geltz,	McCreesh,	Thomas,
Carr,	Gourley,	McGinnis,	Tyler,
Chapman,	Haluska,	McQuiddy,	Wade,
Coleman,	Heyburn,	Ruth,	Walker,
Cox,	Holland,	Scarlett,	Watkins,
Crider,	Homsher,	Shapiro,	Wilson, H. I.,
Crowe,	James,	Snowden,	Wilson, T. B.,
Deitrick,	Jaspan,	Stevenson,	Woodring,
Dent,	Jones,	Stiefel,	Woodward,
DiSilvestro,	Kephart,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which the concurrence of the House is requested.

BILL ON THIRD READING AMENDED

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 92, entitled:

An Act to amend the act approved the twenty-fourth day of June one thousand nine hundred thirty-nine (P. L. 872) entitled "An act to consolidate amend and revise the penal laws of the Commonwealth" changing and revising sections of said act relating to obstructing an officer in the execution of process fornication and bastardy lotteries firearms receiving stolen property trespass on posted property cheating by fraudulent pretenses principals in the second degree and accessories aiders and abettors and repealing certain sections relating to larceny and certain existing acts.

On the question,

Will the Senate agree to the bill on third reading?

Mr. KEPHART. Mr. President, I ask unanimous consent to offer an amendment at this time.

The PRESIDENT. Is there objection?

Mr. SHAPIRO. I should first like to have the amendments read.

(The amendments were read by the Clerk.)

Mr. SHAPIRO. I have no objection, Mr. President.

Mr. WOODRING. Mr. President, I desire to interrogate the gentleman from Philadelphia, Senator Kephart.

The PRESIDENT. Will the gentleman from Philadelphia permit himself to be interrogated?

Mr. KEPHART. I will, Mr. President.

Mr. WOODRING. Mr. President, I understand that this amendment is to a section of the bill which pertains to trespass on real estate.

Mr. KEPHART. That is right.

Mr. WOODRING. And this language which would be deleted from the bill by the amendment of the gentleman

from Philadelphia provides for the manner in which notices shall be posted.

Mr. KEPHART. That is correct.

Mr. WOODRING. I object to the offer of the amendment, Mr. President I do so very carefully and out of great respect for my colleague from Philadelphia, Senator Kephart, but it seems to me that that language is a very beneficial addition to the trespass clause of the Penal Code.

MOTION TO RECONSIDER VOTE BY WHICH HOUSE BILL 675 PASSED SECOND READING

Mr. KEPHART. Mr. President, I move that the vote by which House Bill 92 passed second reading be reconsidered.

OBJECTION WITHDRAWN TO INTRODUCTION OF AMENDMENTS

Mr. WOODRING. Mr. President, in order that it shall not be necessary to go through the procedure of reconsidering the vote by which House Bill No. 92 passed second reading, and because of the lateness of the hour, I am going to withdraw my objection and ask my colleagues to vote "no" on the amendment.

Therefore, Mr. President, I withdraw my objection.

MOTION TO RECONSIDER WITHDRAWN

Mr. KEPHART. Mr. President, I withdraw my motion to reconsider the vote by which this bill passed second reading.

And the question recurring,

Will the Senate agree to the bill on second reading?

Mr. KEPHART. I offer the following amendments.

The Clerk read the amendments as follows:

Amend Section 1 (Section 954), page 7, by omitting all of lines 22, 23 and 24.

On the question,

Will the Senate agree to the amendments?

It was agreed to.

On the question,

Will the Senate agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill as amended lie over for printing on final passage.

BILL RECOMMITTED

Mr. WOODWARD. Mr. President, I move that Senate Bill No. 127 on third reading, entitled:

An Act permitting certain organizations to conduct the playing of the game bingo under certain circumstances providing for the issuance suspension and revocation of licenses therefor and for payment of a registration fee and providing penalties

be recommitted to the Committee on Law and Order.

Mr. BECKER. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

Mr. McCREESH. Mr. President, I suppose it is really useless to say any more about this bill, but the evening is young yet and we might as well have a little time on this bill.

First, of all, Mr. President, I am surprised that the gentleman from Philadelphia, Senator Woodward, took the floor, because as a rule he is very considerate in what he does. If it had been the Republican Floor Leader that was picked to do this trick, I would not mind. This bill has been on the Calendar, it has been in and out of committee three or four times, and I can not understand why it came out on the floor now just for the purpose of being killed.

I am very much surprised and I certainly do feel hurt that we have perhaps forty-eight or fifty state Senators here, the majority of them around the ages of fifty, sixty and seveny-five, and all of these men know the pleasures that may be enjoyed by playing the game of bingo.

Those people who play bingo do not frequent taprooms or ball rooms, and if they did, they would not be fit to go around a ball room floor—and I include myself in the bunch—and I say to you, Mr. President, I am very much surprised at this action. There are thousands of people in Philadelphia and all over the the state—I have had letters from American Legion Posts, from Veterans of Foreign Wars and other associations, all backing this bill. If there is a law against playing bingo, then why do we not get some way of enforcing it and have people locked up all over the state, but perhaps they have pull in one place and play bingo and then in another place they have not the right to play bingo because some one comes in and for some reason the game of bingo is stopped.

If I were the gentleman from Philadelphia, Senator Woodward, when a bill like this comes on the floor, I would simply sit down and take no part in recommitting such a bill, and again I say I am very sorry and I do not see what good the gentleman from Philadelphia, Senator Woodward, gets out of recommitting such a bill.

I am going to ask for a roll call on the motion.

Mr. WOODWARD. It is with great regret, Mr. President, that I am in opposition to my colleague from Philadelphia, Senator McCreesh, who represents more people than any other Senator on the floor.

The trouble here is that we took the same action with regard to this bill previously and then, "bingo", the bill was out again on the Calendar. This time I hope it will stay in committee and not appear again on the Calendar.

Mr. HALUSKA. Mr. President, in the last session of the Legislature it seems that I handled bingo bills and every time I rose to my feet some one hollered "bingo," and for that reason I refrained this Session from introducing such bills.

I must agree with my colleague from Philadelphia, Senator McCreesh, when he said that he was surprised that once again this bill is to be recommitted. I can not quite understand the attitude of this Senate. The attitude might be that the lobbyists once again have ruled.

We have bingo games being played in every hamlet in Pennsylvania, a game in which elderly persons of our Commonwealth find pleasure, men and women who find no other pleasures, and we all know as law makers, that

today they are playing bingo illegally and no one has the courage to go back to our local authorities and ask that bingo players be penalized. I dare say that not one of you men have the courage to try to stop it, but you do have the courage to sit here and recommit such a bill.

There is no harm in this bill. It is a good piece of Legislation and I say again that if it is illegal, let us offer a resolution and have the state police go out and raid every place where bingo is played. If it is not that bad let us pass the bill and make those persons feel that they are playing bingo legally.

I am more than surprised to know the attitude of this body.

Mr. JASPAN. Mr. President, I have no particular interest in this bill. However, I feel that our Republican friends are not keeping faith with my colleague from Philadelphia, Senator McCreesh.

When this bill was first reported out it was sent back to committee with the understanding that there was a companion bill introduced by a state representative—I believe his name was Tiemann—and the understanding was that they would consider both bills and, therefore, it went back to committee.

Now, Mr. President, we have this bill out once again and my colleague from Philadelphia, Senator McCreesh, not knowing that they intended to play fast and lose, was unprepared. I say it is a sad state of affairs. Let us be honest. If you want to defeat the bill, defeat it on the floor. As I said before I am not interested in this matter, but let us keep faith with one of our Senators.

This bill was considered along with Representative Tienmann's bill and of the two, the bill introduced by Senator McCreesh was reported out, and now the last moment you are ready to send it back to committee once more. For what reason? I have not heard a good reason yet and I ask all my colleagues to vote against the motion to recommit this bill.

Mr. DiSILVESTRO. Mr. President, I desire to interrogate the gentleman from Clearfield, Senator Letzler.

Mr. PRESIDENT. Will the gentleman from Clearfield permit himself to be interrogated?

Mr. LETZLER. I will, Mr. President.

Mr. DiSILVESTRO. Mr. President, will the gentleman from Clearfield tell me whether a religious group last week went on record in Clearfield, Pennsylvania, against the bingo bill.

Mr. LETZLER. I think, Mr. President, there were resolutions adopted at a meeting or a conference held in Clearfield.

Mr. DiSILVESTRO. Mr. President, that is the answer to the statement of my colleague from Philadelphia, Senator Jaspan. It is a sad time when in Pennsylvania the people of a big state like the Keystone State must live according to the moods, fashions and customs of religious groups.

I think that it is not fair to a city like Philadelphia, or a city like Pittsburgh or a big community where people would like to play bingo, that a small segregated group from another part of the state of Pennsylvania should tell us what to do. I think that this should be a question of local option and that people who like to play bingo should have that right to play bingo and those who do not like to play bingo, let them do just whatever they want.

And the question recurring,

Will the Senate agree to the motion?

(During the calling of the roll the following occurred.)

Mr. McCREESH. Mr. President, I would like to inquire how the Senator from Philadelphia, Senator Farrell, voted; I did not hear him vote.

Mr. PRESIDENT. How did the gentleman from Philadelphia, Senator Farrell vote?

Mr. FARRELL. I voted, "aye", Mr. President.

The yeas and nays were required by Mr. BARR and Mr. McCREESH and were as follows, viz:

YEAS—27

Becker,	Ealy	Mallery,	Tyler,
Bowers,	Farrell,	Scarlett,	Wade,
Carr,	Geltz,	Snowden,	Walker,
Chapman,	Heyburn,	Stevenson,	Wilson, H. I.,
Crider,	Homsher,	Tallman,	Wilson, T. B.,
Crowe,	Jones,	Taylor,	Woodward,
Deitrick,	Letzler,	Thomas,	

NAYS—18

Barr,	Gourley,	Kephart,	Ruth,
Coleman,	Haluska,	McCreesh,	Shapiro,
Cox,	Holland,	McGinnis,	Stiefel,
Dent,	James,	McQuiddy,	Watkins,
DiSilvestro,	Jaspan,		

So the question was determined in the affirmative.

BILLS ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 134, as follows:

An Act to further amend section eleven of the act approved the thirteenth day of May one thousand nine hundred twenty-five (P. L. 644) entitled "An act relating to and regulating the solicitation of moneys and property for charitable religious benevolent humane and patriotic purposes" by providing that said act shall not apply to certain war veterans' organizations or the subordinate units thereof

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section eleven of the act approved the thirteenth day of May one thousand nine hundred twenty-five (P. L. 644) entitled "An act relating to and regulating the solicitation of moneys and property for charitable religious benevolent humane and patriotic purposes" as amended by the act approved the twenty-second day of June one thousand nine hundred thirty-one (P. L. 871) is hereby amended to read as follows

Section 11 This act shall not apply to fraternal organizations incorporated under the laws of the Commonwealth religious organizations raising funds for religious purposes colleges schools universities labor unions municipalities or subdivisions thereof nor to charitable institutions or agencies required by the provisions of existing law to file reports with the Department of Welfare or with any other department or office of the Commonwealth nor to any war veterans' organization or any subordinate units thereof whenever the purpose for which it is soliciting funds has been approved by the Department of Military Affairs

Section 2 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—46

Barr,	Ealy,	Letzler,	Tallman,
Becker,	Farrell,	Mallery,	Taylor,
Bowers,	Geltz,	McCreesh,	Thomas,
Carr,	Gourley,	McGinnis,	Tyler,
Chapman,	Haluska,	McQuiddy,	Wade,
Coleman,	Heyburn,	Ruth	Walker,
Cox,	Holland,	Scarlett,	Watkins,
Crider,	Homsher,	Shapiro,	Wilson, H. I.,
Crowe,	James,	Snowden,	Wilson, T. B.,
Deitrick,	Jaspan,	Stevenson,	Woodring,
Dent,	Jones,	Stiefel,	Woodward,
DiSilvestro,	Kephart,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which the concurrence of the House is requested.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 143, as follows:

An Act validating certain expenditures heretofore made by county commissioners in order to furnish filing cabinets or other office equipment to rationing boards

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Whenever any board of county commissioners has heretofore expended county funds to purchase and furnish filing cases or other office equipment to any rationing board or similar agency operating in such county and if such purchase does not evidence any fraud or conspiracy to violate the provisions of any laws of the Commonwealth regulating the affairs of counties then such purchase or expenditure of funds is hereby authorized ratified confirmed and validated notwithstanding the fact that such expenditure of funds or purchase exceeded the authority of said board of county commissioners

No board of county commissioners or any member thereof shall be subject to surcharge for any expenditure or purchase as aforesaid

Section 2 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—45

Barr,	Ealy,	Kephart,	Tallman,
Becker,	Farrell,	Letzler,	Taylor,
Bowers,	Geltz,	Mallery,	Thomas,
Carr,	Gourley,	McCreesh,	Tyler,
Chapman,	Haluska,	McGinnis,	Wade
Coleman,	Heyburn,	McQuiddy,	Walker,
Cox,	Holland,	Ruth,	Watkins,
Crider,	Homsher,	Scarlett,	Wilson, H. I.,
Crowe,	James,	Snowden,	Wilson, T. B.,
Deitrick,	Jaspan,	Stevenson,	Woodring,
Dent,	Jones,	Stiefel,	Woodward,
DiSilvestro,			

NAYS—1

Shapiro,

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 150, entitled:

An Act to further amend clause (17) of subdivision (4) of subsection (j) of section four of the act approved the fifth day of December one thousand nine hundred thirty-six (1937 P. L. 2897) entitled "An act establishing a system of unemployment compensation to be administered by the Department of Labor and Industry and its existing and newly created agencies with personnel (with certain exceptions) selected on a civil service basis requiring employers to keep records and make reports and certain employers to pay contributions based on payrolls to provide moneys for the payment of compensation to certain unemployed persons providing procedure and administrative details for the determination payment and collection of such contributions and the payment of such compensation providing for cooperation with the Federal Government and its agencies creating certain special funds in the custody of the State Treasurer and prescribing penalties" excluding services of real estate salesmen real estate brokers and unsalaried newspaper correspondents from the definition of "employment"

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Clause (17) of subdivision (4) of subsection (j) of section four of the act approved the fifth day of December one thousand nine hundred thirty-six (1937 P. L. 2897) entitled "An act establishing a system of unemployment compensation to be administered by the Department of Labor and Industry and its existing and newly created agencies with personnel (with certain exceptions) selected on a civil service basis requiring employers to keep records and make reports and certain employers to pay contributions based on payrolls to provide moneys for the payment of compensation to certain unemployed persons providing procedure and administrative details for the determination payment and collection of such contributions and the payment of such compensation providing for cooperation with the Federal Government and its agencies creating certain special funds in the custody of the State Treasurer and prescribing penalties" as last amended by section one of the act approved the twenty-third day of April one thousand nine hundred forty-two (P. L. 60) is hereby further amended to read as follows

Section 4 Definitions The following words and phrases as used in this act shall have the following meanings unless the context clearly requires otherwise

* * * *

(j) * * * *

(4) The word "employment" shall not include

* * * *

(17) Service performed by an individual for an employer as an insurance agent or real estate salesman or as an insurance solicitor or as a real estate broker if all such service performed by such individual for such employer is performed for remuneration solely by way of commission or services performed by an individual as an unsalaried correspondent for a newspaper who receives no compensation or compensation only for copy accepted for publication

Section 2 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—45

Barr,	Ealy,	Kephart,	Tallman,
Becker,	Farrell,	Letzler,	Taylor,
Bowers,	Geltz,	Mallery,	Thomas,
Carr,	Gourley,	McCreesh,	Tyler,
Chapman	Haluska,	McGinnis,	Wade,
Coleman,	Heyburn,	McQuiddy,	Walker,
Cox,	Holland,	Ruth	Watkins,
Crider,	Homsher,	Scarlett,	Wilson, H. I.,
Crowe,	James,	Snowden,	Wilson, T. B.,
Deitrick,	Jaspan,	Stevenson,	Woodring,
Dent,	Jones,	Stiefel,	Woodward,
DiSilvestro,			

NAYS—1

Shapiro,

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

BILL RECOMMITTED

Mr. HEYBURN. Mr. President, I move that House Bill No. 156, on third reading, entitled:

An Act to amend section three hundred two of the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1225) entitled "An act concerning game and other wild birds and wild animals and amending revising consolidating and changing the law relating thereto" exempting for the duration of the present war any persons in the armed forces from the payment of a fee to the Commonwealth for resident hunting licenses

be recommitted to the Committee on Forests and Waters, Game and Fish.

Mr. TALLMAN. Mr. President, I second the motion.

The motion was agreed to.

BILL OVER IN ORDER

Mr. HEYBURN. Mr. President, I ask unanimous consent that House Bill No. 171, on third reading, entitled:

An Act to further amend the act approved the second day of May one thousand nine hundred twenty-nine (P. L. 1278) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto" further clarifying the term "deceased service persons" changing the provisions for the burial of deceased service persons and their widows and for markers and headstones on their graves and prescribing additional duties for veterans' grave registrars

go over in its order.

The PRESIDENT. Is there obections? The Chair hears none.

BILL ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 198, as follows:

An Act to amend section nine hundred fifteen of the act approved the first day of May one thousand nine hundred thirty-three (P. L. 103) entitled "An act concerning townships of the second class and amending revising consolidating and changing the law relating thereto" continuing the liability of taxpayers after the tax collector has been exonerated

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section nine hundred fifteen of the act approved the first day of May one thousand nine hundred thirty-three (P. L. 103) entitled "An act concerning townships of the second class and amending revising consolidating and changing the law relating thereto" is hereby amended to read as follows

Section 915 Exonerations The supervisors shall at all times make abatements or exonerations for uncollectible occupation taxes mistakes indigent persons unseated lands et cetera as to them shall appear just and reasonable The township secretary shall enter in a book or books to be kept for that purpose the names of all persons abated or exonerated together with the reason why the amount of the tax and date when made and given to the collector a certificate directed to the treasurer stating the nature of the tax and the amount exonerated in order to make settlement accordingly When a tax collector has been exonerated from the collection of certain taxes such action by the supervisors shall not in any way have the effect of discharging or limiting the liability of the taxable but all methods of enforcing collection of taxes shall continue as though no exoneration had been made

Section 2 This act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—45

Barr,	Ealy,	Kephart,	Tallman,
Becker,	Farrell,	Letzler,	Taylor,
Bowers,	Geltz,	Mallery,	Thomas,
Carr,	Gourley,	McCreesh,	Tyler,
Chapman,	Haluska,	McGinnis,	Wade,
Coleman,	Heyburn,	McQuiddy,	Walker,
Cox,	Holland,	Ruth,	Watkins,
Crider,	Homsher,	Scarlett,	Wilson, H. I.,
Crowe,	James,	Snowden,	Wilson, T. B.,
Deitrick,	Jaspan,	Stevenson,	Woodward,
Dent,	Jones,	Stiefel,	Woodring,
DiSilvestro,			

NAYS—1

Shapiro,

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

BILL RECOMMITTED

Mr. HEYBURN. Mr. President, I move that House Bill No. 254, on third reading, entitled:

An Act authorizing the Pennsylvania Historical Commission on behalf of the Commonwealth of Pennsylvania, to acquire, by gift, the Harmony Society Graveyard in the Borough of Ambridge, Pennsylvania, providing for the control, management and maintenance thereof; authorizing the Commission to make and enforce rules and regulations for the preservation, maintenance and visitation thereof

be recommitted to the Committee on State Government.

Mr. DEITRICK. Mr. President, I second the motion.

The motion was agreed to.

BILL ON THIRD READING AND FINAL PASSAGE RECALLED FROM THE GOVERNOR

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 272, as follows:

An Act to apportion the Commonwealth of Pennsylvania into congressional districts

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 For the purpose of electing representatives of the people of Pennsylvania to serve in the House of Representatives in the Congress of the United States this Commonwealth shall be divided into thirty-three districts which shall have one congressman each as follows

The first district shall consist of the first second third fourth twenty-sixth thirtieth thirty-sixth thirty-ninth and forty-eighth wards of the city of Philadelphia

The second district shall consist of the twenty-seventh thirty-fourth fortieth forty-fourth forty-sixth fifty-first and fifty-second wards of the city of Philadelphia

The third district shall consist of the fifth sixth seventh eighth ninth tenth eleventh twelfth thirteenth fourteenth fifteenth sixteenth seventeenth eighteenth nineteenth twentieth twenty-fifth thirty-first and forty-fifth wards of the city of Philadelphia

The fourth district shall consist of the twenty-fourth twenty-eighth twenty-ninth thirty-second thirty-seventh thirty-eighth and forty-seventh wards of the city of Philadelphia

The fifth district shall consist of the twenty-third thirty-third thirty-fifth forty-first and forty-third wards of the city of Philadelphia

The sixth district shall consist of the twenty-first twenty-second forty-second forty-ninth and fiftieth wards of the city of Philadelphia

The seventh district shall consist of the county of Delaware

The eighth district shall consist of the counties of Bucks and Lehigh

The ninth district shall consist of the counties of Lancaster and Chester

The tenth district shall consist of the county of Lackawanna

The eleventh district shall consist of the county of Luzerne

The twelfth district shall consist of the counties of Schuylkill and Northumberland

The thirteenth district shall consist of the county of Berks

The fourteenth district shall consist of the counties of Bradford Pike Susquehanna Wayne Columbia Montour Sullivan and Wyoming

The fifteenth district shall consist of the counties of Clinton Lycoming Potter Tioga McKean and Cameron

The sixteenth district shall consist of the county of Montgomery

The seventeenth district shall consist of the counties of Fulton Huntingdon Juniata Mifflin Perry Snyder Bedford and Union

The eighteenth district shall consist of the counties of Cumberland Dauphin and Lebanon

The nineteenth district shall consist of the counties of Warren Jefferson Venango Forest Clarion and Elk

The twentieth district shall consist of the counties of Northampton Carbon and Monroe

The twenty-first district shall consist of the counties of Adams York and Franklin

The twenty-second district shall consist of the counties of Clearfield Centre and Blair

The twenty-third district shall consist of the counties of Fayette and Somerset

The twenty-fourth district shall consist of the counties of Greene and Washington

The twenty-fifth district shall consist of the counties of Beaver Butler and Lawrence

The twenty-sixth district shall consist of the counties of Armstrong Indiana and Cambria

The twenty-seventh district shall consist of the county of Westmoreland

The twenty-eighth district shall consist of the counties of Mercer Crawford and Erie

The twenty-ninth district shall consist of the seventh eighth eleventh twelfth thirteenth and fourteenth wards of the city of Pittsburgh the boroughs of Chalfant Churchill Edgewood Forest Hills Oakmont Pitcairn Swissvale Verona and Wilkinsburg in the county of Allegheny and the townships of Braddock Patton Penn Plum and Wilkins in the county of Allegheny

The thirtieth district shall consist of the twenty-first twenty-fifth twenty-sixth and twenty-seventh wards of the city of Pittsburgh the boroughs of Aspinwall Avalon Bellevue Ben Avon Heights Blawnox Brackenridge Bradford Woods Cheswick Edgeworth Emsworth Etna Fox Chapel Glenfield Haysville Leetsdale Millvale Osborne Sewickley Sewickley Heighth Sharpsburg Springdale Tarentum West View in the county of Allegheny and the townships of Aleppo East Deer Fawn Franklin Frazer Hampton Harrison Harmar Indiana Kilbuck Leet Marshall McCandless O'Hara Ohio Pine Reserve Richland Ross Sewickley Sewickley Heights Shaler Springdale and West Deer in the County of Allegheny

The thirty-first district shall consist of the nineteenth twentieth twenty-eighth twenty-ninth thirtieth and thirty-second wards of the city of Pittsburgh the boroughs of Brentwood Bridgeville Carnegie Castle Shannon Coraopolis Crafton Dormont Greentree Heidelberg Ingram Mt. Oliver the fifth election district of McDonald Oakdale Mckees Rocks Rosslyn Farms Thornburg in the county of Allegheny and the townships of Baldwin Bethel Collier Crescent Findlay Kennedy Mt Lebanon Moon Neville North Fayette Robinson Scott South Fayette Upper St Clair and Stowe in the county of Allegheny

The thirty-second district shall consist of the first second third fourth fifth sixth ninth tenth fifteenth sixteenth seventeenth eighteenth twenty-second twenty-third and twenty-fourth wards of the city of Pittsburgh

The thirty-third district shall consist of the thirty-first ward of the city of Pittsburgh the cities of Clairton Duquesne and McKeesport in the county of Allegheny the boroughs of Braddock Dravosburg East Pittsburgh East McKeesport Elizabeth Glassport Homestead Liberty Munhall North Braddock Port Vue Rankin the first election district of Trafford Turtle Creek Versailles Wall Whitaker West Homestead West Elizabeth and Wilmerding in the county of Allegheny and the townships of Elizabeth Forward Jefferson Lincoln Mifflin North Versailles Snowden South Versailles and Versailles in the County of Allegheny

Section 2 The first election under this act shall be held at the general election in the year one thousand nine hundred forty-four

The members of Congress now in office shall continue in such office until the expiration of their respective terms Vacancies now existing or happening after the passage of this act and before the commencement of the terms of the members elected at the election of one thousand nine hundred forty-four shall be filled for the unexpired terms in the manner now provided by law

Section 3 The act approved the twenty-fifth day of February one thousand nine hundred forty-two (P. L. 7) entitled "An act concerning the election of representatives of the people of Pennsylvania to serve in the House of Representatives of the Congress of the United States providing for the apportionment of the Commonwealth into congressional districts and for the election of one representative in Congress at large" is hereby repealed

All other acts and parts of acts inconsistent herewith are hereby repealed

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution.

On the question,

Shall the bill pass finally?

Mr. WOODRING. Mr. President, having requested the floor prior to passage of this bill on third reading, I would like the record to note my objection to its passage on third reading and also my objection to the bill on final passage. For the reasons I stated last Thursday, I feel that this bill is unlawfully on the Calendar and, therefore, I object to its consideration.

Mr. SHAPIRO. Mr. President, I desire the record to show my objection to passage of this bill in its present form.

Mr. JASPAN. I object to passage of this bill. I contend that it is unconstitutional. I contend, as I stated before, that this bill is unconstitutional and if enacted into law it will be declared unconstitutional, in view of the fact that a reapportionment bill was passed in 1942 and became law. Once we have a reapportionment after a census, we certainly can not pass another reapportionment bill and make it a law once more. Since 1790 there have been reapportionment bills once every ten years, not every two or three or five or six years, but every ten years.

As I previously stated, Mr. President, I renew my objection to passage of this bill on constitutional grounds. I have yet to hear anyone on the other side to say that it is constitutional.

Mr. HOLLAND. Mr. President, I want to point out to the members of the Senate that there is one man in particular who is very much in favor of this bill. This man is a member of Congress and before Pearl Harbor, he was noted for his opposition to preparedness, and he also had his office used by seditionists in passing out legislation. According to the Philadelphia Record of Thursday April 22, Representative Fish backs the G.O.P. redistributing plan for the state of Pennsylvania with the statement that if this bill is passed he will be be Chairman of the Rules Committee and will run the House.

I might also point out that there has always been the question in the minds of those who prosecuted his secretary, Mr. Hill, that Mr. Hill was merely taking the rap for Congressman Fish.

Mr. DENT. I object to this bill in its present form, because I am convinced that if the Governor signs it, it will be thrown out by the courts because after careful examination I find that you have missed certain ward lines and boundary lines in districts.

And the question recurring,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—31

Becker,	Farrell,	Letzler,	Tyler,
Bowers,	Geltz,	Mallery,	Wade,
Carr,	Haluska,	Scarlett,	Walker,
Chapman,	Heyburn,	Snowden,	Watkins,
Crider,	Homsher,	Stevenson,	Wilson, H. I.,
Crowe,	James,	Tallman,	Wilson, T. B.,
Deitrick,	Jones,	Taylor,	Woodward,
Ealy,	Kephart,	Thomas,	

NAYS—15

Barr,	DiSilvestro,	McCreesh,	Shapiro,
Coleman,	Gourley,	McGinnis,	Stiefel,
Cox,	Holland,	McQuiddy,	Woodring.
Dent,	Jaspan,	Ruth,	

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILL RECOMMITTED

Mr. HEYBURN. Mr. President, I move that House Bill No. 289, on third reading, entitled:

An Act to amend section eight of the act approved the ninteenth day of March one thousand nine hundred forty-one (P. L. 3) entitled "An act providing for the organization government discipline maintenance and regulation of an additional land force to be known as the Pennsylvania Reserve Defense Corps for the defense of the Commonwealth during any period of time in which the National Guard of Pennsylvania or any part thereof shall be in active service of the United States" providing compensation for officers and enlisted men in said Pennsylvania Reserve Defense Corps for armory drills

be recommitted to the Committee on Judiciary Special.

Mr. WALKER. Mr. President, I second the motion.

The motion was agreed to.

BILLS ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 315, as follows:

An Act to further amend section sixteen of the act approved the eleventh day of April one thousand eight hundred sixty-two (P. L. 471) entitled "A further supplement to the act entitled 'An act for the regulation and continuance of a system of education by common schools' approved the eighth day of May one thousand eight hundred and fifty-four" clarifying and providing for the computation of cost of tuition for pupils from without the school district in certain cases

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section sixteen of the act approved the eleventh day of April one thousand eight hundred sixty-two (P. L. 471) entitled "A further supplement to the act entitled 'An act for the regulation and continuance of a system of education by common schools' approved the eighth day of May one thousand eight hundred and fifty-four" as last amended by the act approved the twenty-second day of April one thousand nine hundred and fifteen (P. L. 165) is hereby further amended to read as follows

Section 16 That the trustees of any academy or seminary in this Commonwealth which received money or land therefrom for educational purposes are hereby authorized and empowered to convey by deed of not less than two-thirds of their number to be approved by the court of common pleas of the county within which said academy or seminary is located all the real estate buildings property and funds of or belonging thereto to the board of schools of the district in which the main building thereof may be situated to be used and applied by said directors for the purposes of common school education therein or if so designated in said conveyance said lands property and funds or their equivalent in value shall be devoted to the establishment and maintenance of an industrial school in which instruction shall be given in manual training husbandry and domestic science and for no other

purpose Provided That when such property shall be used toward the maintenance of such industrial or high common school the citizens of the county within which said district is situated shall have the right to have their sons and daughters admitted into such industrial or high school if duly qualified on paying to the treasurer of said district the same rate of suition for each which it shall annually cost said district per student for the maintenance of such industrial or high school aside from the use therein of the property and funds so conveyed to said district as hereinbefore provided The cost of tuition per student shall be computed upon the basis of the average daily attendance for the entire school term in the same manner as such cost is computed for school purposes generally under the school laws of this Commonwealth It shall include the cost of the following items and no others (1) instruction including salaries of members of the teaching and supervisory staff and attendance of teachers at institutes (2) textbooks including library books furnished to school libraries and school supplies limited to the repair and replacement of typewriters and school apparatus and such supplies as are by the school laws designated school supplies of the second class and (3) fuel light water and janitor service and shall also include ten per centum (10%) of the total cost of said items

The trustees of the academy or seminary may enter into an agreement with the board of school directors of the school district to conduct jointly the aforesaid educational work and may bear a part or the whole of the expense thereof or the trustees may contract with the directors so that the directors may have sole charge and supervision of such instruction

The trustees may with the approval of the court of common pleas convert the whole or part of the assets of the academy or seminary into cash and transfer the same or transfer the assets in whole or in part to the board of school directors upon the express condition that the principal or corpus of the assets shall forever remain intact and that only the income or use thereof be available for such instruction

Section 2 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—45

Barr,	Ealy,	Kephart,	Tallman,
Becker,	Farrell,	Letzler,	Taylor,
Bowers,	Geltz,	Mallery,	Thomas,
Carr,	Gourley,	McCreesh,	Tyler,
Chapman,	Haluska,	McGinnis,	Wade,
Coleman,	Heyburn,	McQuiddy,	Walker,
Cox,	Holland,	Ruth,	Watkins,
Crider,	Homsher,	Scarlett,	Wilson, H. I.,
Crowe,	James,	Snowden,	Wilson, T. B.,
Deitrick,	Jaspan,	Stevenson,	Woodring,
Dent,	Jones,	Stiefel,	Woodward,
DiSilvestro,			

NAYS—1

Shapiro,

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 317, as follows:

An Act to further amend section two of the act approved the fourth day of June one thousand nine hundred and fifteen (P. L. 828) entitled "An act to provide revenue by imposing a State tax upon sales or agreements to sell or memoranda of sales of stock and upon deliveries or transfers of shares or certificates of stock in domestic and foreign corporations copartnership associations and joint-stock associations providing the manner of collecting such tax and prescribing penalties" by further extending the exemptions from the tax imposed by the said act

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section two of the act approved the fourth day of June one thousand nine hundred and fifteen (P. L. 828) entitled "An act to provide revenue by imposing a State tax upon sales or agreements to sell or memoranda of sales of stock and upon deliveries or transfers of shares or certificate of stock in domestic and foreign corporations copartnership associations and joint-stock associations providing the manner of collecting such tax and prescribing penalties" as last amended by the act approved the fifteenth day of June one thousand nine hundred thirty-nine (P. L. 403) is hereby further amended to read as follows

Section 2 This act does not impose a tax upon an agreement evidencing the deposit of stock certificates as collateral security for money loaned thereon if such stock certificates are not actually sold nor upon such stock certificates so deposited nor upon mere loans of stock or the return thereof nor shall the provisions of this act apply to transfers of certificates otherwise taxable from a trustee or trustees to a trustee or trustees substituted by court order or in accordance with the terms of the trust agreement or to a surviving trustee or trustees provided in either case the same continue to be held by such transferee or transferees for the same purposes for which they were held prior to such transfer nor to deliveries or transfers (1) from a fiduciary to a nominee of such fiduciary or (2) from one such nominee of such fiduciary to another such nominee if such certificates continue to be held by such nominee for the same purposes for which they would be held if retained by such fiduciary or from such nominee to such fiduciary nor to such transfers from a deceased person to his or her executor or administrator nor from a ward to his or her guardian nor from a guardian to the ward where such transfer is made pursuant to the relationship of executor or administrator or guardian and ward nor to deliveries or transfers to a broker or his registered nominee for sale nor to deliveries or transfers by a broker or his registered nominee to a customer for whom and upon whose order the broker has purchased same nor to deliveries or transfers by a purchasing broker to his registered nominee if the shares or certificates so delivered or transferred are to be held by such nominee for the same purpose as if held by the broker but such deliveries or transfers to or from a broker or his registered nominee shall be accompanied by a certificate setting forth the facts nor upon transfers of certificates (1) from the owner thereof to a custodian if under a written agreement between the parties the certificates are to be held or disposed of by such custodian for and subject at all times to the instructions of the owner or from such custodian to such owner or (2) from such custodian to a nominee of such custodian or from one such nominee to another such nominee if in either case the certificates continue to be held by such nominee for the same purpose for which they would be held if retained by such custodian or from such nominee to such custodian

Section 2 This act shall become effective immediately upon its final enactment

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—28

Becker,	Farrell,	Letzler,	Thomas,
Bowers,	Geltz,	Mallery,	Tyler,
Carr,	Heyburn,	Scarlett,	Wade,
Chapman,	Homsher,	Snowden,	Walker,
Crider,	James,	Stevenson,	Watkins,
Deitrick,	Jones,	Tallman,	Wilson, H. I.,
Ealy,	Kephart,	Taylor,	Woodward,

NAYS—16

Barr,	DiSilvestro,	Jaspan,	Ruth,
Coleman,	Gourley,	McCreesh,	Shapiro,
Cox,	Haluska,	McGinnis,	Stiefel,
Dent,	Holland,	McQuiddy,	Woodring,

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 355, as follows:

An Act to amend section three of the act approved the twenty-seventh day of May one thousand eight hundred forty-one (P. L. 400) entitled "An act relating to the election of county treasurers and for other purposes" by changing certain provisions as to the ineligibility of certain county officers to election as county treasurer

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 That section three of the act approved the twenty-seventh day of May one thousand eight hundred forty-one (P. L. 400) entitled "An act relating to the election of county treasurers and for other purposes" is hereby amended to read as follows

Section 3 No judge clerk or prothonotary of any court register of wills recorder of deeds county commissioner or county auditor shall be eligible to [election] serve as county treasurer during their continuance in office nor shall any [county commissioner or] county auditor be eligible until the expiration of one year next after the term for which they shall have been elected nor shall any county treasurer serve in such office for more than two years in any term of four years

Section 2 This act shall become effective immediately upon its final enactment

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—29

Becker,	Farrell,	Letzler,	Thomas,
Bowers,	Geltz,	Mallery,	Tyler,
Carr,	Heyburn,	Scarlett,	Wade,
Chapman,	Homsher,	Snowden,	Walker,
Crider,	James,	Stevenson,	Wilson, H. I.,
Crowe,	Jones,	Tallman,	Wilson, T. B.,
Deitrick,	Kephart,	Taylor,	Woodward,
Ealy,			

NAYS—16

Barr,	DiSilvestro,	Jaspan,	Ruth,
Coleman,	Gourley,	McCreesh,	Shapiro,
Cox,	Haluska,	McGinnis,	Stiefel,
Dent,	Holland,	McQuiddy,	Woodring,

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives for concurrence.

HOUSE BILL No. 675, PRINTER'S No. 679 CALLED UP

Mr. WOODRING. Mr. President, I call up at this time House Bill No. 675, Printer's No. 679, on page two of the Final Passage Calendar.

RECONSIDERATION OF HOUSE BILL No. 675

Mr. WOODRING. Mr. President, I move that the Senate do now reconsider the vote by which House Bill No. 675, entitled:

An Act to further reenact and amend section seventeen of the act approved the twenty-ninth day of May one thousand nine hundred thirty-one (P. L. 280) entitled "An act relating to delinquent taxes on seated lands and prescribing interest charges on non-payment thereof requiring the receivers and collectors of county city borough town townships school district and poor district taxes to make a return to the county commissioners of such unpaid taxes and providing for the lien thereof authorizing the county treasurers to collect such taxes and to sell seated lands at public sale for taxes heretofore or hereafter returned as unpaid and authorizing the county commissioners to purchase such lands and resell the same under certain circumstances" making the sale of land purchased at treasurer's sale discretionary providing for the readvertisement of such sales heretofore advertised but not held authorizing the sale of such property on court order and the redemption thereof after such sale free and clear of all mortgages, municipal claims and ground rents and validating previous sales

passed third reading.

The PRESIDENT. How did the Senator vote?

Mr. WOODRING. Mr. President, I voted "aye".

Mr. DENT. Mr. President, I second the motion.

The PRESIDENT. How did the Senator vote?

Mr. DENT. Mr. President, I voted "aye".

On the question,

Will the Senate agree to the motion?

POINT OF INFORMATION

Mr. WATKINS. Mr. President, I rise on a point of information.

The PRESIDENT. The gentleman from Schuylkill will proceed.

Mr. WATKINS. What is the present status of this bill, Mr. President,

The PRESIDENT. It is on final passage.

Mr. WATKINS. What is the motion before the Senate?

The PRESIDENT. A motion has been made by the gentleman from Northampton, Senator Woodring, to reconsider the vote by which House Bill No. 675 passed third reading.

Mr. WATKINS. Mr. President, I think the amendment to be offered to this bill is helpful to the bill and I ask my colleagues to vote "aye" on the motion.

And the question recurring,

Will the Senate agree to the motion?

The motion was agreed to.

BILL ON THIRD READING AMENDED

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 675, entitled:

An Act to further reenact and amend section seventeen of the act approved the twenty-ninth day of May one thousand nine hundred thirty-one (P. L. 280) entitled "An act relating to delinquent taxes on seated lands and prescribing interest charges on non-payment thereof requiring the receivers and collectors of county city borough town township school district and poor district taxes to make a return to the county commissioners of such unpaid taxes and providing for the lien thereof authorizing the county treasurers to collect such taxes and to sell seated lands at public sale for taxes heretofore or hereafter returned as unpaid and authorizing the county commissioners to purchase such lands and resell the same under certan circumstances" making the sale of land purchased at treasurer's sale discretionary providing for the readvertisement of such sales heretofore advertised but not held authorizing the sale of such property on court order and the redemption thereof after such sale free and clear of all mortgages, municipal claims and ground rents and validating previous sales

On the question,

Will the Senate agree to the bill on third reading?

Mr. WOODRING. Mr. President, I ask unanimous consent to offer amendments at this time.

The PRESIDENT. Is there objection? The Chair hears none.

The Clerk read the amendments as follows:

Amend Section 1, page 6, line 7 by omitting the word "and"; Amend Section 1, page 6, line 7 by inserting after the word "property" the following: "and fifth, mortgage and other liens in order of their priority."

On the question,

Will the Senate agree to the amendments?

They were agreed to.

On the question,

Will the Senate agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill as amended lie over for printing on final passage.

BILLS ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 356, as follows:

An Act to amend sections twelve and seventeen of the act approved the twenty-first day of June one thousand hundred thirty-nine (P. L. 626) entitled "An act providing for and regulating the assessment and valuation of all subjects of taxation in counties of the second class creating and prescribing the powers and duties of a Board of Property Assessment Appeals and Review imposing duties on certain county and city officers abolishing the board for the assessment and revision of taxes in such counties and prescribing penalties" by providing for appeals from the judgment order or decrees of the court of common pleas to the Supreme or Superior Court and for exoneration and refund of taxes when any assessment has been reduced by the Board of Property Assessment Appeals and Review or by any court

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Sections twelve and seventeen of the act approved the twenty-first day of June one thousand nine hundred thirty-nine (P. L. 626) entitled "An act providing for and regulating the assessment and valuation of all subjects of taxation in counties of the second class creating and prescribing the powers and duties of a Board of Property Assessment Appeals and Review imposing duties on certain county and city officers abolishing the board for the assessment and revision of taxes in such counties and prescribing penalties" are hereby amended to read as follows

Section 12 After action on such assessments by the board any taxpayer dissatisfied with the assessment of his property may appeal therefrom to the court of common pleas of the county within sixty (60) days from the date of notice of the assessment as provided by existing law and it shall be the duty of the court to hear and determine said appeal and if necessary to make such changes in the assessment as may be right and proper [The action of the court thereon shall be final] Any taxpayer or the Board of Property Assessment Appeals and Review may appeal from the judgment order or decree of the court of common pleas of such county to the Supreme or Superior Court in the same manner as appeals are taken in other cases to the said Supreme or Superior Court Provided That where such judgment order or decree of the court of common pleas was made affecting a 1943 assessment prior to the effective date of this act appeals to the Supreme or Superior Court may be taken at any time within three (3) calendar months after such effective date Only one such appeal may be taken during the period of any triennial assessment unless the assessed valuation of the property has been changed during such period

Section 17 [No appeal taken from any such assessments shall affect the validity of any taxes assessed but if such assessment shall thereafter be reduced an exoneration shall be granted or restitution ordered for the excess of taxes paid by reason of any improper increase in the assessment] No appeal taken from any assessment made under this act shall prevent the collection of the taxes based upon such assessment but in case such assessment shall be or shall heretofore have been reduced a proper exoneration shall be granted if the taxes based upon such assessment have not been paid or if the taxes based upon such assessment have been paid the excess taxes collected shall be refunded to the person or persons who shall have paid the same No such appeal shall operate to relieve the appellant from liability for accrued interest and penalties on any unpaid taxes based upon the assessment as finally established

Section 2 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—41

Barr,	DiSilvestro,	Jaspan,	Tamman,
Becker,	Ealy,	Jones,	Taylor,
Bowers,	Farrell,	Kephart,	Thomas,
Carr,	Geltz,	Letzler,	Tyler,
Chapman,	Gourley,	Mallery,	Wade,
Coleman,	Haluska,	McGinnis,	Walker,
Cox,	Heyburn,	Ruth,	Watkins,
Crider,	Holland,	Scarlett,	Wilson, H. I.,
Crowe,	Homsher,	Snowden,	Woodring,
Deitrick,	James,	Stevenson,	Woodward,
Dent,			

NAYS—4

McCreesh,	McQuiddy,	Shapiro,	Stiefel,

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 360, as follows:

An Act to further amend the first three paragraphs of section one thousand two hundred one of the act approved the eighteenth day of May one thousand nine hundred eleven (P. L. 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" making wartime emergency provisions for substitute teachers

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The first three paragraphs of section one thousand two hundred one of the act approved the eighteenth day of May one thousand nine hundred eleven (P. L. 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" as last amended by the act approved the twentieth day of June one thousand nine hundred thirty-nine (P. L. 482) are hereby further amended to read as follows

Section 1201 The board of school directors in every school district in this Commonwealth shall employ the necessary qualified professional employes substitutes and temporary professional employes to keep the public schools open in their respective districts in compliance with the provisions of this act Whenever the secretary of any board of school directors with the approval of the proper district or county superintendent presents to the Superintendent of Public Instruction satisfactory evidence that it is impossible for the board during the present wartime emergency to obtain a suitable qualified teacher for a regular vacancy the board may for a period not longer than one year beyond the cessation of wartime hostilities employ a substitute to fill a bona fide vacancy until an acceptable qualified teacher can be obtained

The term "professional employe" as used in this act shall include teachers supervisors supervising principals principals directors of vocational education dental hygienists visiting teachers school secretaries the selection of whom is on the basis of merit as determined by eligibility lists school nurses who are certified as teachers and any regular full-time employe of a school district who is duly certified as a teacher

The term "substitute" shall mean any individual who has been employed to perform the duties of a regular professional employe during such period of time as the said regular professional employe is absent on sabbatical leave or for other legal cause authorized and approved by the board of school directors or to perform the duties of a temporary professional employe who is absent or who has been employed with the approval of the district or county superintendent and of the Superintendent of Public Instruction during the present wartime emergency and for a period not longer than one year beyond the cessation of hostilities to fill a vacancy until an acceptable qualified teacher can be obtained

Section 2 This act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as folows, viz:

YEAS—46.

Barr,	Ealy,	Letzler,	Tallman,
Becker,	Farrell,	Mallery,	Taylor,
Bowers,	Geltz,	McCreesh,	Thomas,
Carr,	Gourley,	McGinnis,	Tyler,
Chapman,	Haluska,	McQuiddy,	Wade,
Coleman,	Heyburn,	Ruth,	Walker,
Cox,	Holland,	Scarlett,	Watkins,
Crider,	Homsher,	Shapiro,	Wilson, H. I.,
Crowe,	James,	Snowden,	Wilson, T. B.,
Deitrick,	Jaspan,	Stevenson,	Woodring,
Dent,	Jones,	Stiefel,	Woodward,
DiSilvestro,	Kephart,		

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 361, as follows:

An Act to amend section six hundred fifteen of the act approved the eighteenth day of May one thousand nine hundred eleven (P. L. 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" by changing the requirement for approval of repairs of school buildings in districts of the third and fourth class

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section six hundred fifteen of the act approved the eighteenth day of May one thousand nine hundred eleven (P. L. 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" as last amended by the act approved the eighth day of July one thousand nine hundred forty-one (P. L. 287) is hereby further amended to read as follows

Section 615 After the organization of the State Council of Education provided for in this act no public school buildings shall be contracted for constructed or reconstructed in any school district of the second third or fourth class until their plans and specifications have been submitted to the State Council of Education and any recommendations concerning the same by the State Council of Education have been laid before the board of school directors Provided however That where ordinary repairs are proposed such as plastering painting replacement of floors improvement of school grounds repairing or providing walks roadways or retaining walls the cost of which in districts of the second class will not exceed one thousand dollars ($1,000) or in districts of the third and fourth class will not exceed [one hundred dollars ($100)] five hundred dollars ($500) no submission of plans for such repairs to the State Council of Education shall be required Where any structural change is involved such as moving or adding doors windows partitions making additions or any excavations approval of the State Council of Education shall be required regardless of the cost of such structural change

Section 2 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—45.

Barr,	Ealy,	Kephart,	Tallman,
Becker,	Farrell,	Letzler,	Taylor,
Bowers,	Geltz,	Mallery,	Thomas,
Carr,	Gourley,	McCreesh,	Tyler,
Chapman,	Haluska,	McGinnis,	Wade,
Coleman,	Heyburn,	McQuiddy,	Walker,
Cox,	Holland,	Ruth,	Watkins,
Crider,	Homsher,	Scarlett,	Wilson, H. I.,
Crowe,	James,	Snowden,	Wilson, T. B.,
Deitrick,	Jaspan,	Stevenson,	Woodring,
Dent,	Jones,	Stiefel,	Woodward,
DiSilvestro,			

NAYS—1.

Shapiro,

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 363, as follows:

An Act to further amend section one thousand four hundred thirteen of the act approved the eighteenth day of May one thousand nine hundred eleven (P. L. 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" by changing the period covered by reports of boards of school directors and the provisions for institutions in which blind or deaf children may be educated

The General Assembly of the Commonwealth of Pennsyvania hereby enacts as follows

Section 1 The last paragraph of section one thousand four hundred thirteen of the act approved the eighteenth day of May one thousand nine hundred eleven (P. L. 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" as last amended by the act approved the twenty-fourth day of June one thousand nine hundred thirty-nine (P. L. 786) is hereby further amended to read as follows

Section 1413

* * * * *

On or before the first day of [October] November of each year the secretary of the board of school directors in each district in which special education for physically or mentally handicapped children is provided shall make such reports [in regard to such special education maintained during the previous year and that for which the approval of the State Council of Education is desired as may be required by the Department of Public Instruction] as may be required by the Department of Public Instruction in regard to such special education being maintained for the current school year for which the approval of the State Council of Education is desired When any child between the ages of six (6) and twenty-one (21) years of age resident in this Commonwealth who is blind or deaf is enrolled with the approval of the Department of Public Instruction as a pupil in any of the schools or institutions for the blind or deaf under the supervision of [and] or approved by the Department of Public Instruction the school district in which such child is resident shall pay twenty-five per centum (25%) of the cost of tuition and maintenance of such child in such school or institution as determined by the Department of Public Instruction and for the tuition and maintenance of such children the Commonwealth shall pay out of funds appropriated to the department for special education seventy-five per centum (75%) of the cost of their tuition and maintenance as determined by the department Provided That the Commonwealth shall pay out of moneys appropriated to the department for special education the cost of tuition and maintenance of any child between the ages of six (6) and twenty-one (21) years of age who is blind or deaf and is enrolled with the approval of the Department of Public Instruction as a pupil in any of the schools or institutions for the blind or deaf under the supervision of [and] or approved by the Department of Public Instruction if the residence of such child in a particular school district in the Commonwealth cannot be determined When any person less than six (6) or more than twenty-one (21) years of age resident in this Commonwealth who is blind or deaf is enrolled with the approval of the Department of Public Instruction as a pupil in any of the schools or institutions for the blind or deaf under the supervision of [and] or approved by the Department of Public Instruction the Commonwealth shall pay to such school or institution out of moneys appropriated to the department for special education the cost of tuition and maintenance of such person as determined by the Department of Pubic Instruction To facilitate payments by the several school districts to the schools or institutions in which deaf or blind children are enrolled of amounts due by such districts for their proportion of the cost of tuition and maintenance of such children the Superintendent of Public Instruction shall withhold from any moneys due to such districts out of any State appropriation for the assistance as reimbursement of school districts the amounts due by such districts to such schools or institutions for the blind or the deaf and amounts so withheld shall be paid to such schools or institutions by warrant of the Auditor General upon the State Treasurer after requisition of the Superintendent of Public Instruction for which purpose all amounts so withheld are hereby specifically appropriated to the Department of Public Instruction Payments of the Commonwealth's proportion of the cost of tuition and maintenance of blind or deaf pupils enrolled in schools or institutions for the blind or for the deaf as hereinbefore provided shall be made quarterly out of moneys appropriated to the Department of Public Instruction for special education by warrant of the Auditor General upon the State Treasurer after requisition by the Superintendent of Public Instruction For the purpose of enabling the Department of Public Instruction to determine from time to time what amounts are due to schools for the blind or for the deaf hereunder such schools shall forward to the department at such times and in such form as the department shall prescribe sworn statements setting forth the names ages and residences of all pupils enrolled hereunder specifying the school districts liable for a part of the cost of tuition and maintenance of any such pupils the per capita cost of and maintenance of pupils and such other information as the department shall require

Section 2 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—46.

Barr,	Ealy,	Letzler,	Tallman,
Becker,	Farrell,	Mallery,	Taylor,
Bowers,	Geltz,	McCreesh,	Thomas,
Carr,	Gourley,	McGinnis,	Tyler,
Chapman,	Haluska,	McQuiddy,	Wade,
Coleman,	Heyburn,	Ruth,	Walker,
Cox,	Holland,	Scarlett,	Watkins,
Crider,	Homsher,	Shapiro,	Wilson, H. I.,
Crowe,	James,	Snowden,	Wilson, T. B.,
Deitrick,	Jaspan,	Stevenson,	Woodring,
Dent,	Jones,	Stiefel,	Woodward,
DiSilvestro,	Kephart,		

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILL OVER IN ORDER

Mr. BARR. Mr. President, I ask unanimous consent that House Bill No. 364, on third reading, entitled:

An Act to amend the title and to further amend sections one two and three of the act approved the twenty-first day of May one thousand nine hundred thirty-seven (P. L. 787) entitled "An act authorizing the compromise or reduction of tax claims on real property purchased by any county city borough town school district or poor district at any sale for the nonpayment of taxes and the the reconveyance or private sale of such property" giving each political subdivision having tax or municipal claims against any such real property the right to petition court for a compromise agreement or sale authorized by the act and extending the time for the holding of a hearing thereon

go over in its order, temporarily.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 369, as follows:

An Act to amend section five hundred thirty-six of the act approved the eighteenth day of May one thousand nine hundred eleven (P. L. 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" making further provision for the fiscal year in school districts of the second class

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section five hundred thirty-six of the act approved the eighteenth day of May one thousand nine hundred eleven (P. L. 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" is hereby amended to read as follows

Section 536 In all school districts of the second third and fourth class in this Commonwealth the fiscal year shall begin on the first Monday of July each year Provided That by resolution of the board of school directors of any school district of the second class adopted by a two-thirds vote of the members thereof at a meeting of the board after not less than ten days' notice of the fact that such resolution would be presented for action at such meeting and upon approval of the Superintendent of Public Instruction the fiscal year of such school district may be fixed so as to begin on the first day of January in each year instead of on the first Monday of July as hereinabove provided

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—46

Barr,	Ealy	Letzler,	Tallman,
Becker,	Farrell,	Mallery,	Taylor,
Bowers,	Geltz,	McCreesh,	Thomas,
Carr,	Gourley,	McGinnis,	Tyler,
Chapman,	Haluska,	McQuiddy,	Wade,
Coleman,	Heyburn,	Ruth,	Walker,
Cox,	Holland,	Scarlett,	Watkins,
Crider,	Homsher,	Shapiro,	Wilson, H. I.,
Crowe,	James,	Snowden,	Wilson, T. B.,
Deitrick,	Jaspan,	Stevenson,	Woodring,
Dent,	Jones,	Stiefel,	Woodward,
DiSilvestro,	Kephart,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 372, as follows:

An Act to amend clause eight of section seven hundred and two of the act approved the first day of May one thousand nine hundred and thirty-three (P. L. 103) entitled "An act concerning townships of the second class and amending revising consolidating and changing the law relating thereto" by empowering townships of the second class to levy a tax under certain circumstances for the purpose of paying for the removal and disposal of ashes garbage and other refuse material

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Clause eight of section seven hundred and two of the act approved the first day of May one thousand nine hundred and thirty-three (P. L. 103) entitled "An act concerning townships of the second class and amending revising consolidating and changing the law relating thereto" is hereby amended to read as follows

Section 702 Supervisors to Exercise Powers The corporate powers of townships of the second class shall be exercised by the township supervisors They shall have power

* * * *

VIII Garbage Regulations To provide for the care and removal of ashes garbage and other refuse material including the imposition and collection of reasonable fees and charges therefor and on petition of a majority of the adult taxable residents of any territory within the township which has been definitely defined set apart and limited by the township supervisors with the approval of the township auditors as a village prior to the filing of any such petition the supervisors shall either with township employes and facilities or with independent contractors provide for the removal from the village of ashes or garbage or other refuse material as the case may be and for the disposal thereof The supervisors shall levy a per capita tax upon all adult taxable residents of any such village sufficient to defray the cost of such removal and disposal Such tax shall be collected in the same manner as other per capital taxes and the collector shall receive the same commission thereon The treasurer of the board of supervisors shall receive all such tax collected and keep the same in a separate account and pay the same out only upon orders signed by the chairman and attested by the secretary of the board of supervisors The treasurer shall make an annual report of the account to the auditors of the township

Section 2 This act shall be effective immediately

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—46

Barr,	Ealy,	Letzler,	Tallman,
Becker,	Farrell,	Mallery,	Taylor,
Bowers,	Geltz,	McCreesh,	Thomas,
Carr,	Gourley,	McGinnis,	Tyler,
Chapman,	Haluska,	McQuiddy,	Wade,
Coleman,	Heyburn,	Ruth,	Walker,
Cox,	Holland,	Scarlett,	Watkins,
Crider,	Homsher,	Shapiro,	Wilson, H. I.,
Crowe,	James,	Snowden,	Wilson, T. B.,
Deitrick,	Jaspan,	Stevenson,	Woodring,
Dent,	Jones,	Stiefel,	Woodward,
DiSilvestro,	Kephart,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

BILLS RECOMMITTED

Mr. HEYBURN, Mr. President, I move that Senate Bill No. 374 on third reading, entitled:

An Act to further amend section 402 of the act, approved the ninth day of April, one thousand nine hundred and twenty-nine (P. L. 343), entitled, "An act relating to the finances of the State government; providing for the settlement, assessment, collection, and lien of taxes, bonus, and all other accounts due the Commonwealth, the collection and recovery of fees and other money or property due or belonging to the Commonwealth, or any agency thereof, including escheated property and the proceeds of its sale, the custody and disbursement or other disposition of funds and securities belonging to or in the possession of the Commonwealth, and the settlement of claims against the Commonwealth, the resettlement of accounts and appeals the courts, refunds of moneys erroneously paid to the Commonwealth, auditing the accounts of the Commonwealth and all agencies thereof of all public officers collecting moneys payable to the Commonwealth or any agency thereof, and all receipts of appropriations from the Commonwealth and imposing penalties; affecting every department, board, commission and officer of the State government, every political subdivision of the State, and certain officers of such subdivisions every person, association, and corporation required to pay, assess, or collect taxes, or to make returns or reports under the laws imposing taxes for State purposes, or to pay license fees or other moneys to the Commonwealth, or any agency thereof, every State depository and every debtor or creditor of the Commonwealth," exempting the affairs of the State Building and Loan Insurance Board from audit by the Auditor General

be recommitted to the Committee on Banking.

Mr. BECKER. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

Mr. WOODRING. I, too, Mr. President, rise to second the motion.

The PRESIDENT. The gentleman from Northampton will be noted on the record as another seconder.

Mr. JASPAN. Mr. President, I desire to interrogate the Majority Floor Leader.

The PRESIDENT. Will the gentleman from Delaware permit himself to be interrogated?

Mr. HEYBURN. I will, Mr. President.

Mr. JASPAN. May I ask the Majority Floor Leader why this bill is being sent back to the Committee on Banking?

Mr. HEYBURN. By action of the Republican Caucus Mr. President, the bill is going back to the committee for further study.

Mr. JASPAN. Mr. President, I desire to further interrogate the gentleman from Delaware.

The PRESIDENT. Will the gentleman from Delaware permit himself to be further interrogated?

Mr. HEYBURN. I will, Mr. President.

Mr. JASPAN. Am I to take from that, realizing the short time we have to go before final adjournment, that this bill is to be relegated to the ash heap or retired further into the shade.

Mr. HEYBURN. Mr. President, the bill has had three readings now and it is not necessarily being relegated to the ash heap.

And the question recurring,

Will the Senate agree to the motion?

Mr. JASPAN. Mr. President, I ask for a roll call.

The yeas and nays were required by Mr. JASPAN and were as follows, viz:

YEAS—41.

Barr,	Ealy,	Letzler,	Taylor,
Becker,	Geltz,	Mallery,	Thomas,
Bowers,	Gourley,	McGinnis,	Tyler,
Carr,	Haluska,	McQuiddy,	Wade,
Chapman,	Heyburn,	Ruth,	Walker,
Coleman,	Holland,	Scarlett,	Watkins,
Cox,	Homsher,	Shapiro,	Wilson, H. I.,
Crider,	James,	Snowden,	Wilson, T. B.,
Crowe,	Jones,	Stevenson,	Woodring,
Deitrick,	Kephart,	Tallman,	Woodward,
Dent,			

NAYS—4.

DiSilvestro,	Farrell,	Jaspan,	Stiefel,

So the question was determined in the affirmative.

Mr. HEYBURN. Mr. President at the request of the

Republican Caucus I move that Senate Bill No. 375 on third reading, entitled:

An Act to amend sections 504A, 607 and 608A of the act, approved the fifteenth day of May, one thousand nine hundred and thirty-three (P. L. 565), entitled "An act relating to the powers and duties of the Department of Banking and the Secretary of Banking in exercising supervision over, and taking possession of and conducting or liquidating the business and property of, corporations, associations, and persons receiving deposits or otherwise transacting a banking business, corporations acting as fiduciaries and building and loan associations; providing for the payment of the expenses of the Department of Banking by supervised corporations, associations, or persons, and appropriating the Banking Department Fund; authorizing the Department of Banking, under certain circumstances, to examine corporations, associations, or persons affiliated, or having business transactions with supervised corporations, associations or persons; authorizing appeals to the Supreme Court and prescribing and limiting the powers and duties of certain other courts and their prothonotaries, registers of wills, recorders of deeds, and certain State departments, commissions, and officers; authorizing certain local public officers and State departments to collect fees for services rendered under this act; providing penalties; and repealing certain acts and parts of acts," by providing for the taking of possession of the business and property of building and loan associations and savings and loan associations the shares of which are insured in the State Building and Loan Fund

be recommitted to the Committee on Banking for the purpose of further study.

On the question,

Will the Senate agree to the motion?

Mr. WOODRING. Mr. President, if the gentleman from Delaware, Mr. Heyburn, will accept an amendment, I should like to second the motion and add as an amendment to the motion "for possible amendments."

Mr. HEYBURN. I will accept the amendment to the motion.

Mr. WOODRING. I second the motion.

On the question,

Will the Senate agree to the motion?

It was agreed to.

BILL ON THIRD READING AMENDED

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 395, entitled:

An Act to amend sections three and twenty-two and clause eighty-eight of section one hundred one of the act approved the twenty-eighth day of May one thousand nine hundred thirty-seven (P. L. 1019) entitled "An act relating to statutory laws prescribing an enacting clause for statutes fixing the effective date and time of statutes hereafter enacted providing for notice of application for local and special legislation for the correction of errors in statutes and for the printing and publication of statutes prescribing rules for the interpretation of statutes defining certain words and phrases when used in statutes and prescribing rules for the construction and operation of amendments reenactments and repeals of statutes" further providing for the position of the enacting clause and the preparation of laws for printing and further defining the phrase "political subdivision."

On the question,

Will the Senate agree to the bill on third reading?

Mr. KEPHART. Mr. President, I ask unanimous consent to offer amendments at this time.

The PRESIDENT. Is there objection? The Chair hears none.

The Clerk read the amendments as follows:

Amend title of bill, line 1, by striking out the word "sections" and inserting in lieu thereof the word: "section"; amend title of bill, line 1, by striking out the words "and twenty-two"; amend bill, section 1, page 2, line 1 by striking out the word "Sections" and inserting in lieu thereof the word: "Section"; amend bill, Section 1, page 2, line 1 by striking out the words "and twenty-two"; amend bill, page 2, line 23 by striking out all of lines 23, 24 and 25, and on page 3, by striking out all of lines 1 to 9 inclusive.

On the question,

Will the Senate agree to the amendments?

They were agreed to.

On the question,

Will the Senate agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill as amended lie over for printing on final passage.

RECESS

Mr. HEYBURN. Mr. President, I move that the Senate do now take a recess until 9:30 o'clock p. m

Mr. WALKER. Mr. President, I second the motion.

The motion was agreed to.

AFTER RECESS

The PRESIDENT. The time of recess having elapsed the Senate will be in order.

REPORTS FROM COMMITTEES

Mr. HEYBURN. Mr. President, I move that the Senate do now return to the order of business of reports of committees.

Mr. CHAPMAN. Mr. President, I second the motion.

The motion was agreed to.

PERMISSION TO ADDRESS SENATE

Mr. HAPMAN asked and obtained unanimous consent to address the Senate.

Mr. CHAPMAN. Mr. President and members of the Senate, I think perhaps I should say a few words before reporting from committee a bill on our state-aided hospitals. I called your attention to the penal and correctional institutions and departments of the state last week.

Tonight I am about to report from committee a bill from the House relative to state-aided hospitals. As you may recall, I introduced a resolution in the Senate that passed the Senate and the House, increasing the per diem allowance for service cases in state-aided hospitals from $3.00 to $3.50. That resolution called on the committee to make an investigation of state-aided hospitals, which we did very carefully. We have sent to each of our state-aided hospitals, which number 174, a six page questionnaire asking them to state the amount of their appropriation during 1939 and 1941, and we find that the average cost for such hospitals in the 1939-1941 biennium was $3.48 per patient. The average cost in the 1941-1943 biennium was $4.41 per patient.

It is interesting to note that the free service has declined from the 1939-1941 biennium appropriation, which was over $5,000,000, and in the 1941-1943 biennium it declined to $4,000,000. Pay patient visits during 1939-1941 amounted to $41,000,000, which increased in the 1941-1943 biennium to $53,000,000.

These six page questionnaires have been returned and from the information therein received we are justified in increasing the per diem allowance to state-aided hospitals from $3.00 to $3.50.

I am about to report from the Committee on Appropriations House Bill No. 1107. This bill has been gone over very carefully. We have visited every one of these state-aided hospitals, personally, besides receiving these questionnaires. This amounts to approximately $8,500,000.

I am also about to report from the Committee on Appropriations House Bill No. 1109, as amended, and at the same time I shall report, as amended, House Bill 1106 in reference to state-aided homes and institutions of the State.

Mr. President, I request that there be no more amendments made to any of these bills, as it would interfere with our date of adjournment. I hope that all the Senators, both Democrats and Republicans, are satisfied with the findings of the Committee on Appropriations.

Mr. CHAPMAN, from the Committee on Appropriations, reported as amended, House Bill No. 671, entitled:

A Further Supplement to the act approved the first day of April one thousand eight hundred and sixty-three (P. L. 213) entitled "An act to accept the grant of Public Lands by the United States to the several states for the endowment of Agricultural Colleges" making an appropriation for carrying the same into effect.

Mr. CHAPMAN, from the Committee on Appropriations, reported as amended, House Bill No. 1107, entitled:

An Act making an appropriation to the Department of Welfare for the maintenance of certain hospitals.

He also, from the Committee on Appropriations, reported as amended, House Bill No. 1106, entitled:

An Act making an appropriation to the Department of Welfare for the maintenance of certain homes.

Mr. JAMES, from the Committee on Municipal Government, reported as committed, House Bill No. 273, entitled:

An Act to further amend the act approved the fourth day of May one thousand nine hundred twenty-seven (P. L. 519) entitled "An act concerning boroughs and revising amending and consolidating the law relating to boroughs" by further regulating the affairs of boroughs and revising amending and changing the law relating thereto.

Mr. CARR, from the Committee on Insurance, reported as committed, House Bill No. 665, entitled:

An Act to amend section three hundred sixteen of the act approved the seventeenth day of May one thousand nine hundred and twenty-one (P. L. 682) entitled "An act relating to insurance amending revising and consolidating the law providing for the incorporation of insurance companies and the regulation supervision and protection of home and foreign insurance companies Llodys associations reciprocal and inter-insurance exchanges and fire insurance rating bureaus and the regulation and supervision of insurance carried by such companies associations and exchanges including insurance carried by the State Workmen's Insurance Fund providing penalties and repealing existing laws" by extending the provisions to include officers and employes.

Mr. FARRELL, from the Committee on Judiciary General, reported as committed, House Bill No. 1064, entitled:

An Act to amend the act, approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 343), entitled "An act relating to the finances of the State government; providing for the settlement, assessment, collection, and lien of taxes, bonus, and all other accounts due the Commonwealth, the collection and recovery of fees and other money or property due or belonging to the Commonwealth, or any agency thereof, including escheated property and the proceeds of its sale, the custody and disbursement or other disposition of funds and securities belonging to or in the possession of the Commonwealth, and the settlement of claims against the Commonwealth, the resettlement of accounts and appeals to the courts, refunds of moneys erroneously paid to the Commonwealth, auditing the accounts of the Commonwealth and all agencies thereof, of all public officers collecting moneys payable to the Commonwealth, or any agency thereof, and all receipts of appropriations from the Commonwealth and imposing penalties; affecting every department, board, commission, and officer of the State government, every political subdivision of the State, and certain officers of such subdivisions, every person, association, and corporation required to pay, assess, or collect taxes, or to make returns or reports under the laws imposing taxes for State purposes, or to pay license fees or other moneys to the Commonwealth, or any agency thereof, every State depository and every debtor or creditor of the Commonwealth," by providing for the manner of payment of escheators' fees, informants' commissions, and other lawful charges due from moneys escheated to the Commonwealth, and escheatable moneys paid to the Commonwealth without escheat; designating the funds to which such moneys shall be credited; and making an appropriation.

Mr. STEVENSON, from the Committee on Appropriations, re-reported as committed, House Bill No. 929, entitled:

An Act creating a commission to study the method of participation by the Commonwealth and local school districts in the maintenance of a thorough and efficient system of public schools prescribing its powers and duties and making an appropriation.

PERMISSION TO ADDRESS SENATE

Mr. STEVENSON asked and obtained unanimous consent to address the Senate.

Mr. STEVENSON. Mr. President, I am about to report from the Committee on Appropriations House Bill No. 1101, the General Appropriation Bill, which, however, we desire to have returned to the Committee on Appropriations after it has been read once. It will be necessary to do that in order that we may insert the amount of money that is to be applied to increase the pay of teachers. House Bill No. 1101 is to have just one reading.

REPORTS FROM COMMITTEES

Mr. STEVENSON, from the Committee on Appropriations, reported as committed, House Bill No. 1101, entitled:

An Act to provide for the ordinary expenses of the Executive Legislative and Judicial Departments of the

Commonwealth interest on the public debt and the support of the public schools for two years beginning June first one thousand nine hundred and forty-three and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending May thirty-first one thousand nine hundred and forty-three.

Mr. THOMAS, from the Committee on County Government, reported as committed, House Bill No. 422, entitled:

An Act to amend section four of the act approved the ninth day of April one thousand eight hundred and seventy (P. L. 1121) entitled "A Supplement to an act entitled 'An act for the regulation and government of the Lehigh county prison' approved the sixth day of April one thousand eight hundred and sixty-nine" by increasing the salaries of prison inspectors in Lehigh county.

PERMISSION TO ADDRESS SENATE

Mr. WOODWARD asked and obtained unanimous consent to address the Senate.

Mr. WOODWARD. Mr. President, I listened very carefully to the report of the Chairman of the Committee on Appropriations with regard to state-aided hospitals. I have met members of some of the staffs of state-aided hospitals who came here to prove their case and to get $3.50 per capita, per diem, but there are ten state owned hospitals we do not hear anything about and I am trying to find out what their per diem rate is, and I will lay a bet that it is more than $3.50. I am going to find out somehow and I will report later.

PERMISSION TO ADDRESS SENATE

Mr. JASPAN asked and obtained unanimous consent to address the Senate.

Mr. JASPAN. Mr. President, in answer to the remarks of the gentleman from Philadelphia, Doctor Woodward, as to the actual cost of maintaining free patients at the various hospitals, it was indicated very clearly by the gentleman from Warren, Doctor Chapman, that for the biennium starting in 1941 it ran much above $4.00, and in time may run much above that. I think $3.50 is a happy medium, and I think the gentleman from Philadelphia, Doctor Woodward, should be satisfied without further investigation. The fact remains that the gentleman from Warren, Senator Chapman, is Chairman of the Committee on Appropriations and that committee, together with the sub-committee, did a very good job and there is no need for further investigation.

REPORTS FROM COMMITTEES

Mr. WOODWARD, from the Committee on Welfare, Public Assistance and Pensions, reported as amended, House Bill No. 1071, entitled:

An Act to further amend the act approved the twenty-fourth day of June one thousand nine hundred thirty-seven (P. L. 2051) entitled "An act relating to public assistance providing for and regulating assistance to certain classes of persons designated and defined as dependent children aged persons blind persons and other persons requiring relief providing for the administration of this act by the Department of Public Assistance and county boards of assistance hereby created for this purpose authorizing the Department of Public Assistance to cooperate with and to accept and disburse moneys received from the United States Government for assistance to such persons providing for the liquidation of the State Emergency Relief Board Boards of Trustees of the Mothers' Assistance Fund and Boards of Trustees of Pension Fund for the Blind and repealing laws relating to mothers' assistance pensions for the blind old age assistance and the State Emergency Relief Board" declaring the legislative intent restricting the powers of the Department of Public Assistance and the State Board of Public Assistance extending the powers of county boards of assistance and making provision reciprocal with other states for assistance to certain aged persons

Mr. SHAPIRO, from the Committee on Welfare, Public Assistance and Pensions, reported as committed, House Bill No. 245, entitled:

An Act making an appropriation to the Department of Welfare for use by the State Council for the Blind in supplying home instruction for adult blind persons.

Mr. WADE, from the Committee on Insurance, reported as committed, House Bill No. 827, entitled:

An Act to amend section two thousand four hundred and four of the act, approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 177), entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments, boards, commissions, and officers thereof, including the boards of trustees of State Normal Schools, or Teachers Colleges; abolishing, creating, reorganizing or authorizing the reorganization of certain administrative departments, boards, and commissions; defining the powers and duties of the Governor and other executive and administrative officers, and of the several administrative departments, boards, commissions, and officers; fixing the salaries of the Governor, Lieutenant-Governor, and certain other executive and administrative officers; providing for the appointment of certain administrative officers, and of all deputies and other assistants and employes in certain departments, boards, and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments, boards and commissions shall be determined," as amended, in order to provide automobile liability insurance on vehicles owned by the United States of America and its instrumentalities, which are loaned to and operated by State employes and certain other persons.

Mr. SNOWDEN, from the Committee on Highways, reported as committed, Senate Bill No. 635, entitled:

An Act to amend the act, approved the twenty-second day of June, one thousand nine hundred and thirty-one (P. L. 594), entitled "An act establishing certain township roads as State highways; authorizing their construction, maintenance, and improvement under certain conditions and restrictions; limiting the obligation of the Commonwealth in the construction of certain structures located on such highways; conferring certain powers upon the Department of Highways and local authorities; persons, associations and corporations for sharing the cost of the maintenance and construction of such highways; and making an appropriation to carry out the provisions of said act," by changing certain routes.

EXECUTIVE NOMINATIONS

Mr. WATKINS from the Committee on Executive Nominations reported with a favorable recommendation the following nomination, made by His Excellency, the Governor, which was laid over for one day under the rules.

MEMBERS OF THE BOARD OF TRUSTEES OF FARVIEW STATE HOSPITAL

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, April 29, 1943.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for appointment as members of the Board of Trustees of Farview State Hospital, for terms of four years, and until their successors are qualified:

Derwood A. Wolfe, Laanna, (P.O.) Wayne County, to fill a vacancy.

R. LeRoy Dangler, R. D., Mount Pocono, Monroe County, to fill a vacancy.

EDWARD MARTIN.

RESOLUTION

RECALLING SENATE BILL No. 69, PRINTER'S No. 63 FROM THE GOVERNOR

Mr. HOMSHER. Mr. President, I ask unanimous consent to offer a resolution at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. HOMSHER, offered the following resolution which was twice read, considered and agreed to:

In the Senate of Pennsylvania, May 3, 1943.

Resolved (if the House of Representatives concur), That Senate Bill No. 69, Printer's No. 63, entitled "A supplement to the act approved the eleventh day of May, one thousand nine hundred and five (P. L. 518), entitled 'An act making an appropriation for the erection of a home or school for indigent orphans to be called the Thaddeus Stevens Industrial and Reform School of Pennsylvania, in which school provision shall be made for giving instruction in reading, writing, arithmetic, drawing, duties of citizenship, elementary manual training, the elements of farming, and other requisite branches,' authorizing the Thaddeus Stevens Industrial School to collect fees for board and tuition from certain special students"

be recalled from the Governor for the purpose of further consideration.

Ordered, That the Clerk present the same to the House of Representatives for concurrence.

RECESS

Mr. HEYBURN. Mr. President, I move that the Senate do now take a short recess so that a meeting of the Committee on Labor and Industry may be held in the office of the President Pro Tempore.

Mr. THOMAS B. WILSON. Mr. President, I second the motion.

The motion was agreed to.

AFTER RECESS

The PRESIDENT. The time of recess having elapsed the Senate will be in order.

REPORT FROM COMMITTEE

Mr. THOMAS. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. THOMAS, from the Committee on Labor and Industry, reported as committed, Senate Bill No. 593, entitled:

An Act relating to vocational rehabilitation; accepting the provisions and benefits of the act of Congress, approved the second day of June, one thousand nine hundred and twenty, entitled "An act to provide for the promotion of vocational rehabilitation of persons disabled in industry or otherwise and their return to civil employment"; providing for the rehabilitation of persons disabled in industry and their return to civil employment; imposing duties upon the Bureau of Rehabilitation, the Department of Labor and Industry and the State Treasurer.

BILLS ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 406, as follows:

An Act to further amend section three hundred eleven of the act approved the second day of May one thousand nine hundred and twenty-nine (P. L. 1278) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto" extending the retirement system of counties of the second class to additional employes

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section three hundred eleven of the act approved the second day of May one thousand nine hundred twenty-nine (P. L. 1278) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto" as last amended by the act approved the fifteenth day of June one thousand nine hundred thirty-nine (P. L. 365) is hereby further amended to read as follows

Section 311 "County Employe" Defined A county empoye for the purpose of this subdivision of this act is any person employed by the county or by the county institution district or by any county workhouse and inebriate asylum or by any county correctional institution or by the county retirement system at a wage or salary payable at stated intervals that is to say semi-monthly monthly quarterly or annually The term may at the option of the Retirement Board include any person elected by the vote of the people In all cases of doubt the Retirement Board shall determine who is an employe within the meaning of this act

Section 2 The provisions of this act shall become effective immediately upon its final enactment

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—46

Barr,	Ealy,	Letzler,	Tallman,
Becker,	Farrell,	Mallery,	Taylor,
Bowers,	Geltz,	McCreesh,	Thomas,
Carr,	Gourley,	McGinnis,	Tyler,
Chapman,	Haluska,	McQuiddy,	Wade,
Coleman,	Heyburn,	Ruth,	Walker,
Cox,	Holland,	Scarlett,	Watkins,
Crider,	Homsher,	Shapiro,	Wilson, H. I.,
Crowe,	James,	Snowden,	Wilson, T. B.,
Deitrick,	Jaspan,	Stevenson,	Woodring,
Dent,	Jones,	Stiefel,	Woodward,
DiSilvestro,	Kephart,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 411, as follows:

An Act authorizing the Department of Property and Supplies with the approval of the Governor and the Board of Trustees of the Philadelphia State Hospital to acquire a certain tract of land for the use of said hospital and making an appropriation therefor

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The Department of Property and Supplies with the approval of the Governor and the Board of Trustees of the Philadelphia State Hospital is hereby authorized to purchase in the name of the Commonwealth of Pennsylvania a certain tract of land known as the Tomlinson Farm of approximately sixty acres situated within the bounds of the City of Philadelphia contiguous to land already owned and administered by the Commonwealth at the said Institution so as to avoid private ownership and development and to provide building sites for immediate contemplated construction to relieve serious overcrowding and to provide acreage for the production of vegetables to replace that taken out of production by the location of recently erected buildings

Section 2 Said tract or tracts of land when purchased shall be added to the lands of the Philadelphia State Hospital The deeds of conveyance shall be deposited with the Secretary of Internal Affairs

Section 3 The said lands shall not be acquired until the titles thereto have been approved by the Department of Justice

Section 4 The sum of fifteen thousand dollars ($15,000) or so much thereof as may be necessary is hereby appropriated to the Department of Property and Supplies for the payment of the purchase price of said tract of land and the expenses incidental thereto including title searches

Section 5 This act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—46

Barr,	Ealy,	Letzler,	Tallman,
Becker,	Farrell,	Mallery,	Taylor,
Bowers,	Geltz,	McCreesh,	Thomas,
Carr,	Gourley,	McGinnis,	Tyler,
Chapman,	Haluska,	McQuiddy,	Wade,
Coleman,	Heyburn,	Ruth,	Walker,
Cox,	Holland,	Scarlett,	Watkins,
Crider,	Homsher,	Shapiro,	Wilson, H. I.,
Crowe,	James,	Snowden,	Wilson, T. B.,
Deitrick,	Jaspan,	Stevenson,	Woodring,
Dent,	Jones,	Stiefel,	Woodward,
DiSilvestro,	Kephart,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 416, as follows:

An Act authorizing the Department of Property and Supplies with the approval of the Governor and the Board of Trustees of Western State Penitentiary to acquire certain tracts of land for the use of the State Penitentiary at Rockview and making an appropriation therefor

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The Department of Property and Supplies with the approval of the Governor and the Board of Trustees of Western State Penitentiary is hereby authorized to purchase in the name of the Commonwealth of Pennsylvania the following tracts of land

(1) A certain tract of land of approximately seven acres together with dwelling farm and smaller out buildings known as the Catherine Fravel property situated in Benner Township Centre County surrounded by the present property of the Western State Penitentiary and so located as to constitute a menace while in private ownership to the proper administration of the institution

(2) A certain tract of land of approximately two acres together with dwelling farm and smaller outbuildings known as the F H Smith property situated in Benner Township Centre County Pennsylvania

(3) A certain tract of land of approximately four acres together with a dwelling farm and smaller outbuildings known as the G S Smith property situated in Benner Township Centre County Pennsylvania

(4) A certain tract of land of approximately four acres together with dwelling farm and smaller outbuildings known as the Martin Luther Ishler property situated in Benner Township Centre County Pennsylvania

All of said tracts are situated in Benner Township Centre County Pennsylvania and contiguous to the present property of said institution The purpose of the purchase is so as to rectify the property lines thereof and make possible the use of said lands with the buildings thereon for the said institution

Section 2 Said tracts of land when purchased shall be added to the lands of the State Penitentiary at Rockview The deeds of conveyance shall be deposited with the Secretary of Internal Affairs

Section 3 The said lands shall not be required until the titles thereto have been approved by the Department of Justice

Section 4 The sum of six thousand eight hundred dollars ($6,800) or as much thereof as may be necessary is hereby appropriated to the Department of Property and Supplies for the payment of the purchase price of said tracts of lands and the expenses incidental thereto including title searches

Section 5 This act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—46

Barr,	Ealy,	Letzler,	Tallman,
Becker,	Farrell,	Mallery,	Taylor,
Bowers,	Geltz,	McCreesh,	Thomas,
Carr,	Gourley,	McGinnis,	Tyler,
Chapman,	Haluska,	McQuiddy,	Wade,
Coleman,	Heyburn,	Ruth,	Walker,
Cox,	Holland,	Scarlett,	Watkins,
Crider,	Homsher,	Shapiro,	Wilson, H. I.,
Crowe,	James,	Snowden,	Wilson, T. B.,
Deitrick,	Jaspan,	Stevenson,	Woodring,

Dent,	Jones,	Stiefel,	Woodward,
DiSilvestro,	Kephart,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILL RECOMMITTED

Mr. HEYBURN, Mr. President, I move that Senate Bill No. 426, on third reading, entitled:

An Act to further amend section one thousand four hundred four of the act, approved the eighteenth day of May, one thousand nine hundred eleven (P. L. 309), entitled "An act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws, general, special or local, or any parts thereof, that are or may be inconsistent therewith," by authorizing boards of school directors to enter into contracts with the approval of the Department of Public Instruction whereby transportation is furnished by boards having facilities therefor to pupils of other boards in return for such payments by such other boards as may be agreed upon; and providing that the entrance into any such contract shall not affect or limit the right of any board of school directors to receive reimbursement from the Commonwealth under any act of Assembly for the cost of transporting pupils

be recommitted to the Committee on Education for the purpose of further deliberation.

Mr. HOMSHER. Mr. President, I second the motion.

The motion was agreed to.

BILLS ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 428, as follows:

An Act authorizing the Department of Property and Supplies with the approval of the Governor and the Board of Trustees of Danville State Hospital to acquire certain tracts of land for the use of said hospital and making an appropriation therefor

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The Department of Property and Supplies with the approval of the Governor and the Board of Trustees of Danville State Hospital is hereby authorized to purchase in the name of the Commonwealth of Pennsylvania the following tracts of land

(1) A certain tract of land of approximately twelve acres including residence known as the William Diebert property situated in Mahoning Township Montour County contiguous to the present property of said Hospital so as to avoid private ownership of said property and to make possible the use of said lands for the said Hospital

(2) A certain tract of land of approximately forty-three acres including residence known as the Harry J and Elizabeth Schenck property situated in Mahoning Township Montour County contiguous to the present property of said Hospital so as to avoid private ownership of said property and to make possible the use of said lands for said Hospital

(3) A certain tract of land of approximately fifty-nine perches known as the Jacob Springer property situated in Mahoning Township Montour County contiguous to the present property of said Hospital so as to avoid private ownership of said property and to make possible the use of said lands for the said Hospital

(4) A certain tract of land of approximately ninety acres including house barn and other outbuildings known as the Daniel Blizzard Farm situated in Mahoning Township Montour County contiguous to the present property of the Hospital to acquire the valuable farm land for use of said Hospital in order to provide more wholesome work opportunities for patients and also for additional food and forage for use at said Institution

Section 2 Said tract of land when purchased shall be added to the lands of the State Hospital for the Insane at Danville Pennsylvania The deeds of conveyance shall be deposited with the Secretary of Internal Affairs

Said lands shall not be acquired until the titles thereto have been approved by the Department of Justice

Section 3 The sum of sixteen thousand four hundred dollars ($16,400) or as much thereof as may be necessary is hereby appropriated to the Department of Property and Supplies for the payment of the purchase price of said tract of land and the expenses incidental thereto including title searches

Section 4 This act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—46

Barr,	Ealy,	Letzler,	Tallman,
Becker,	Farrell,	Mallery,	Taylor,
Bowers,	Geltz,	McCreesh,	Thomas,
Carr,	Gourley,	McGinnis,	Tyler,
Chapman,	Haluska,	McQuiddy,	Wade,
Coleman,	Heyburn,	Ruth,	Walker,
Cox,	Holland,	Scarlett,	Watkins,
Crider,	Homsher,	Shapiro,	Wilson, H. I.,
Crowe,	James,	Snowden,	Wilson, T. B.,
Deitrick,	Jaspan,	Stevenson,	Woodring,
Dent,	Jones,	Stiefel,	Woodward,
DiSilvestro,	Kephart,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 445, as follows:

An Act giving the consent of the Commonwealth of Pennsylvania to the acquisition by the United States of America of a tract of land in the City and County of Philadelphia Pennsylvania known as the Philadelphia Armor Plate Plant and ceding jurisdiction to the United tates

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The consent of the Commonwealth of Pennsylvania is hereby granted in accordance with the seventeenth clause eighth section of the first article of the Constitution of the United States to the acquisition by the United States of a tract of land in the Forty-first Ward of the City and County of Philadelphia Pennsylvania bounded and described as follows

Beginning at a point on the Southeasterly side of Wissinoming Street (sixty (60) feet wide) at the distance of fifteen hundred twenty-eight (1528) feet three and three-quarter (3¾) inches measured North sixty-one (61) degrees thirty-three (33) minutes thirty-five (35) seconds East from a point the intersection of the said side of Wissinoming Street with the Northeasterly side of Unruh Street (sixty (60) feet wide) thence extending North sixty-one (61) degrees thirty-three (33) minutes thirty-five (35) seconds East along the said Southeasterly side of Wissinoming Street sixty (60) feet five-eighths (⅝) of an inch to a point thence extending South twenty-eight (28) degrees twenty-six (26) minutes twenty-five (25) seconds East ninety-nine (99) feet eight (8) inches to a point thence extending North sixty-one (61) degrees thirty-three (33) minutes thirty-five (35) seconds East eighty-two (82) feet three and three-quarter (3¾) inches to a point in the line of land of the Kensington and Tacony Railroad thence extending along the line of land of the Kensington and Tacony Railroad the three following courses and distances to wit

(1) South five (5) degrees six (6) minutes seven (7) seconds East one hundred twenty-two (122) feet three and one-eighth (3⅛) inches to a point

(2) North eighty-four (84) degrees fifty-three (53) minutes fifty-three (53) seconds East seventeen (17) feet to a point

(3) South five (5) degrees six (6) minutes seven (7) seconds East one hundred ninety-seven (197) feet six (6) inches to a point on the Northwesterly side of Milner Street (sixty (60) feet wide) (stricken from the City Plan by Ordinance of Council dated November 28 1939 and amended December 27 1939) thence extending South sixty-one (61) degrees thirty-three (33) minutes thirty-five (35) seconds West along the said Northwesterly side of Milner Street thirty-one (31) feet three and five-eighths (3⅝) inches to a point thence extending North twenty-eight (28) degrees twenty-six (26) minutes twenty-five (25) seconds West along the line of land about to be conveyed by Henry Disston and Sons Inc to the United States of America four hundred (400) feet to the first mentioned point and place of beginning containing 20.49 acres

Section 2 Jurisdiction in and over the land described in the foregoing section is hereby ceded to the United States in the manner and subject to the conditions and limitations specifically set forth in the Act of Assembly enacted at the Session of the General Assembly of one thousand nine hundred and forty-three entitled "An act relating to reservation of powers of the Commonwealth municipalities and political subdivisions thereof with respect to lands purchased or condemned by the United States"

Section 3 This act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—46

Barr,	Ealy,	Letzler,	Tallman,
Becker,	Farrell,	Mallery,	Taylor,
Bowers,	Geltz,	McCreesh,	Thomas,
Carr,	Gourley,	McGinnis,	Tyler,
Chapman,	Haluska,	McQuiddy,	Wade,
Coleman,	Heyburn,	Ruth,	Walker
Cox,	Holland,	Scarlett,	Watkins,
Crider,	Homsher,	Shapiro,	Wilson, H. I.,
Crowe,	James,	Snowden,	Wilson, T. B.,
Deitrick,	Jaspan,	Stevenson,	Woodring,
Dent,	Jones,	Stiefel,	Woodward,
DiSilvestro,	Kephart,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILL ON THIRD READING AMENDED

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 451, entitled:

An Act to add section seven and one-tenth to the act approved the sixteenth day of July, one thousand nine hundred forty-one (P. L. 400), entitled "An act to protect the debtors, obligors or guarantors of debts for which judgments are entered, or many be entered, and owners of real property affected thereby, and others indirectly liable for the payment thereof, by prescribing the method of fixing the fair market value of such property sold on execution, and limiting the amount collectible thereafter on such judgments," providing for the entry of release and discharge of said judgments under certain circumstances.

On the question,

Will the Senate agree to the bill on third reading?

Mr. HEYBURN. Mr. President, I ask unanimous consent to offer an amendment at this time.

The PRESIDENT. Is there objection? The Chair hears none.

The Clerk read the amendment as follows:

Amend title, Line 11, by inserting after the word "release" and before the word "and" the word "satisfaction."

On the question,

Will the Senate agree to the amendment?

It was agreed to.

On the question,

Will the Senate agree to the bill on third reading, as amended?

It was agreed to.

Ordered, That the bill as amended lie over for printing on final passage.

BILLS ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 452, as follows:

An Act giving the consent of the Commonwealth of Pennsylvania to the acquisition by the United States of America of two tracts of land in Lycoming and Union Counties Pennsylvania known as Pennsylvania Ordnance Works and ceding jurisdiction to the United States

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The consent of the Commonwealth of Pennsylvania is hereby granted in accordance with the seventeenth clause eighth section of the first article of the Constitution of the United States to the acquisition by the United States of two tracts of land in Lycoming and Union Counties Pennsylvania known as the Pennsylvania Ordnance Works the first tract being bounded and described as follows

Beginning on a point in Lycoming County Pennsylvania in the center of U S Route No 15 the Northeast corner of lands of E C Koziol said point being 63 rods South along Route No 15 from the intersection of said highway with Township Route No 413 thence along said highway in a Southeasterly direction 60 rods to a point on said highway thence in a Southwesterly direction along a cross fence line on lands of W S Jarrett 24 rods to a pile of stone thence Southeasterly and still covering lands of W S Jarrett passing a walnut tree on line 32 rods to a stake said stake being 75 feet North of the South side of State Route No 41005 thence parallel to same in a Northeasterly direction 23 rods to a point in the center of U S Route No 15 thence along center of said highway Southeasterly 4 rods to a point in the center line of intersection of Route No 15 and public road leading from Montgomery to Stone Church thence along public road from Montgomery to Stone Church in a Southwesterly direction 31 rods to a point in said highway a Northeast corner of Joseph Hill also Northwest corner of James Sorage thence along the East line of Joseph Hill and along lands of James Sorage in a Southeasterly direction 48 rods to a point a corner of lands of Ross Jarrett thence along Northeast line of lands of Ross Jarrett in a Southeasterly direction 16 rods to a point a Northwest corner of lands of C M Shaffer thence along said lands Southeasterly 10 rods to a point in the center of U S Route No 15 the Northeast corner of C M Shaffer lands thence along the center of said highway and lands of C M Shaffer in a Southeasterly direction 39 rods to a point in said highway the Northeast corner of lands of Ross Jarrett thence along same in a Southeasterly direction 65 rods to a point in center of said highway the Southeast corner of lands of Ross Jarrett a Northeast corner of lands of W P Fraley thence in a Southwesterly direction in the center of said highway the East line of W P Fraley 150 rods to a point in center of said highway and a corner of lands of W P Fraley and Harvey Opp thence in a Southeasterly direction along center of said highway to a point in said highway being the Northeast corner of lands now owned by Guy M Buck thence along center of said highway the East line of Guy M Buck in a Southeasterly direction 158 rods to a point in center of said highway and a corner of lands of O P Wertman thence along the center of said highway in a Southeasterly direction to a point in the center of said highway and the Southeast corner of the lands of O P Wertman lying West of U S Route No 15 thence in a Westerly direction along the lands of O P Wertman and S S Schooley, Estate 32 rods to a point a corner of said lands thence in a Southwesterly direction severing the lands of S S Schooley Estate 57 rods to a point the Northwest corner of lands of J P Beck and East line of Sarah M Bower thence in a Southerly direction along the East line of Sarah M Bower 95 rods to a point a corner of lands of Martha Braucht and Sarah M Bower thence Westerly along the North line of Martha Braucht 55 rods to a point a corner of said lands thence Southwesterly along same lands 24 rods to a point a corner of said lands thence Northwesterly along same lands 33 rods to a point a corner of said lands thence Southwesterly along the North line of Martha Braucht 26 rods to a point a corner of lands of Martha Braucht and Sarah M Bower thence Northwesterly along the North line of lands of Lloyd Tate 26 rods to a point a corner of lands belonging to the United States of America thence along the South line of lands owned by the United States of America in a Northwesterly direction 100 rods to a point in the center of State Highway Route No 44 and a corner of lands of the United States of America and White Deer Valley Church and cemetery thence Southwesterly severing lands of Leroy Frontz 83 rods to a point in the middle of Route 59039 and Northeast corner of Spring Garden school lot thence Southwesterly along West line of Spring Garden school lot 16 rods to a point in the center of road 59027 thence Westerly along the center of 59027 severing lands of Wertman Brothers 96 rods to a point in the center of said highway a corner of lands of Wertman Brothers and S Comley thence Southwesterly along the center of said highway 45 rods to a point in said highway and a corner of lands of S Comley thence along the center of said highway in a general Westerly direction a distance of 62 rods this highway severing lands of A J Datesman to a point on East line of Harry Jamison thence Northeasterly 15.2 rods to a point on the East line of Harry Jamison thence Westerly 102 rods to a point on the West line of John Snoddy thence Southwesterly 15.2 rods along the West line of land of John Snoddy to a point on Route 59027 thence Westerly along said Route 40 rods to a point in center of said highway a corner of lands of Elwood Yeagle thence Northerly along the line of Elwood Yeagle 12.1 rods to a point a corner of lands of Elwood Yeagle and Roscoe Hain thence Westerly along the line of lands of Elwood Yeagle and Roscoe Hain 12.1 rods to a point a corner of said lands thence Southerly along a line adjoining lands of Roscoe Hain 12.1 rods to a point in the center of Route 59027 a corner of lands of Roscoe Hain and Elwood Yeagle thence Westerly along the center of Route 59027 42 rods to the East line of lands of R C Meek Estate a corner of lands of Roscoe Hain and R C Meek Estate thence Westerly along same route 19 rods to a point a corner of lands of Ralph Smith and R C Meek Estate thence along the North boundary of lands of Ralph Smith 54 rods to a point a corner of lands of R C Meek Estate and Ralph Smith thence Westerly 86 rods to a point 21.2 rods North of Route 59027 thence Southeasterly 21.2 rods to a point in the middle of Route 59027 thence Westerly 91 rods to a point in the East line of a tract owned by John Allen and Lina Mary Allen this line severing lands of Ambrose Fairchilds Estate thence Westerly 49 rods along the center of Route 41002 to a point on West line of lands of John and Lina Mary Allen thence Northerly along Allen's West line 38 rods to a corner thence Southeasterly 18 rods to a corner thence Northwesterly 55 rods to a point in the South line of tract owned by William Tietbohl thence Southwesterly along Tietbohl's line 31 rods to the Southwest corner thence Northwesterly 52 rods on Tietbohl's West line to a point in a road a corner of lands of Dr Bucher and William Tietbohl thence in a general Northerly direction along the middle of said road 150 rods to a point in a South line of lands of J W Sullivan thence Westerly 33 rods along a South line of said John Sullivan to a point a corner of lands of Dr Bucher and John Sullivan thence Northerly 13 rods along a West line of Sullivan's land to a point a corner of lands of William Yeagle and John Sullivan thence along a West line of John Sullivan's land Northeasterly 41 rods to a corner thence Southeasterly 18 rods to a corner thence Northerly 46 rods to a corner thence Southeasterly 13 rods to a corner thence Southeasterly 28 rods to a corner a point on a public road a corner of land of R Gruver James Stout Estate and J W Sullivan thence in the middle of said road Northeasterly 55 rods to a point a corner of R Gruver's land thence Northeasterly 21 rods to a point in the center of said road adjoining lands of James Stout Estate a point 64 rods from the Northeast corner of William Yeagle's land thence Northwesterly 77 rods to a point on a South line of James Stout Estate this point being 46 rods from the Northeast corner of William Yeagle's land the same corner as mentioned aforesaid this Northwest line severs William Yeagle's property thence Northwesterly 44 rods to a point on the North line of William Yeagle a corner of lands now of Mahlon Stout thence Westerly along the South line of Mahlon Stout's land 35 rods to a point a Southwest corner of Mahlon Stout thence Northerly along Mahlon Stout's West line 70 rods to a point on the line thence Westerly 37 rods across a wooded tract of land following an old property line and severing H Watson First National Bank of Montgomery and Mary Welsh to a point on the East line of Elwood Luckenbill thence Northeasterly along Luckenbill's East line 74 rods to a point a corner of Elwood Luckenbill's and H Watson First National Bank of Montgomery and Mary Welsh lands thence Westerly 37 rods to a point

a corner of Elwood Luckenbill's West line severing land of Luckenbill thence Northeasterly along a fence line 84 rods to a point in the West line of John Miller's land this line severs Elwood Luckenbill's land thence Northwesterly along John Miller's West line 40 rods to a point on South line of lands of William Tietbohl thence Northwesterly 78 rods severing land of William Tietbohl to a point on the South line of Mrs Sadie Bair's land thence Northwesterly along an old unused road 68 rods to a point in the center of a public road leading to Maple Hill this line severs Mrs. Sadie Bair's land thence Northeasterly along same public road 131 rods to a point on the West line of lands of Ralph Decker this line severs Mrs Sadie Bair's land thence Northwesterly along Ralph Decker's West line 66 rods to the Northwest corner of Ralph Decker's lands thence Northeasterly along Ralph Decker's North line 201 rods to a point a corner of lands of Giles Fritz and Ralph Decker thence Northeasterly along Giles Fritz's North line 66 rods to a Northeast corner of Giles Fritz's land thence Southeasterly 8 rods to a corner Northeasterly 12 rods to a corner a point on Route 41009 leading to Maple Hill thence Southeasterly along the center of said route 41 rods to a point to a corner of lands of Giles Fritz and Maple Hill Church and Cemetery a point in the center of Township Road No 413 thence Southwesterly 12.3 rods along center of said road to a point a corner of lands of Giles Fritz and Maple Hill Church and Cemetery thence Southeasterly along the West line of Maple Hill Church and Cemetery 16 rods to a corner thence along the South line of Maple Hill Church and Cemetery Northeasterly 11.6 rods to a point in the center of Route 41009 leading to Stone Church from Maple Hill thence Northwesterly along said road 11 rods to a point in the center of Route 413 thence Easterly along Route 413 a North line of William L Waldron's lands 181 rods to a point in the center of said road and the Northeast corner of lands of William L Waldron thence Northwesterly along West line of Leonard H Staggart 27 rods to the Northwest corner adjoining lands of Giles Fritz thence Southeasterly along Staggart's North boundary 39 rods to a corner thence Northeasterly along same boundary 36 rods to a corner thence Northeasterly 53 rods to a corner of lands of Leonard H Staggart and William Schrader thence Northeasterly 10 rods to a corner of lands of William Schrader thence Northerly along a West line of William Schrader 31 rods to a Northwest corner of lands of William Schrader thence Northeasterly along Schrader's North line 53 rods to a corner thence along a Northeast line Southeasterly 77 rods to a corner the Northwest corner of Clyde Tallman's land thence along the Northeast line of Clyde Tallman's land Southeasterly 169 rods to a corner of lands of Ross Jarrett and Clyde Tallman thence along the Northeast line of Ross Jarrett's lands Southeasterly 54 rods to a point a corner of lands of Ross Jarrett and Edward Koziol thence Easterly along the North line of lands of Edward Koziol 6 rods to a point in the center of U S Route No 15 the place of beginning All the aforementioned land lying and being situate in Lycoming and Union Counties Pennsylvania and containing 7,604 acres more or less

The second tract is described as all that tract of land situated partly in Brady Township Lycoming County Pennsylvania and partly in Gregg Township Union County Pennsylvania bounded and described as follows Beginning at a point on the center line of U S Highway No 15 being also the Northwest corner of a tract of land owned by Willard P Fraley et al thence Easterly following the property line between the tract owned by W P Fraley and a tract owned by Harvey Opp 50 rods to a corner thence Southerly following the line between Opp and Fraley 72 rods to a corner and a point on the North line of a small tract owned by Emmaline Bower Estate thence Easterly with Bower's and Piatt's North Lines 74 rods to Piatt's Northeast corner thence Southerly with Piatt's East line 10 rods to the Northwest corner of a tract owned by Russel and Clellon Folmar thence Easterly with Folmar's North line 87 rods to a point in the West line of a tract owned by William Feaster thence Southerly and following the line between Feaster and Folmar 56 rods to the Northwest corner of a tract owned by William Coleman thence Easterly with Coleman's North line 14 rods thence Southerly 16 rods thence Easterly 100 rods crossing the Reading Railroad to the low water mark of the West branch of the Susquehanna River thence Southerly and following the flow of said river at the low water mark 308 rods to the Northeast corner of a tract owned by John Myers Estate thence Westerly along Myers North line 70 rods to a point in the East line of a tract owned by Elwood Pick the Northwest corner of Myers property thence Northerly along Pick's East line 18 rods to another point of Pick's East Line this point being near the edge of the woods thence severing Pick's property in a Westerly direction along the edge of the woods in a straight line 63 rods to a point in East line of a tract owned by Horras Bartlow Estate said point being 20 rods South of the Northeast corner of the Bartlow tract thence Southerly along Bartlow's East line 42 rods to another point in Bartlow's line said point being near a lane leading across the Bartlow farm thence Westerly and along North side of said lane severing the Bartlow property 64 rods to a point on the East line of a tract owned by Iva Phillips said point also being on North side of aforementioned lane thence Westerly and still along North side of said lane serving the properties of Iva Phillips and William Feaster 80 rods to a point in the center of U S Route No 15 adjoining lands of C S Rhone thence in a Northerly direction along the center line of U S Highway No 15 to the point of beginning containing 750 acres more or less

Section 2 Jurisdiction in and over the land described in the foregoing section is hereby ceded to the United States in the manner and subject to the conditions and limitations specifically set forth in the Act of Assembly enacted at the Session of the General Assembly of one thousand nine hundred and forty-three entitled "An act relating to reservation of powers of the Commonwealth municipalities and political subdivisions thereof with respect to lands purchased or condemned by the United States"

Section 3 This act shall become effective immediately upon its final enactment

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—46

Barr,	Ealy,	Letzler,	Tallman,
Becker,	Farrell,	Mallery,	Taylor,
Bowers,	Geltz,	McCreesh,	Thomas,
Carr,	Gourley,	McGinnis,	Tyler,
Chapman,	Haluska,	McQuiddy,	Wade,
Coleman,	Heyburn,	Ruth,	Walker,
Cox,	Holland,	Scarlett,	Watkins,
Crider,	Homsher,	Shapiro,	Wilson, H. I.,
Crowe,	James,	Snowden,	Wilson, T. B.,
Deitrick,	Jaspan,	Stevenson,	Woodring,
Dent,	Jones,	Stiefel,	Woodward,
DiSilvestro,	Kephart,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 457, as follows:

An Act giving the consent of the Commonwealth of Pennsylvania to the acquisition by the United States of America to two tracts of land in the Forty-eighth Ward of the City of Philadelphia Pennsylvania known as the Philadelphia Quartermaster Depot and ceding jurisdiction to the United States

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The consent of the Commonwealth of Pennsylvania is hereby granted in accordance with the seventeenth clause eighth section of the first article of the Constitution of the United States to the acquisition by the United States of America of two tracts of land in the Forty-eighth Ward of the City and County of Philadelphia known as the Philadelphia Quartermaster Depot the first tract being bounded and described as follows

Beginning at a point in the southerly side of Oregon Avenue (one hundred and twenty (120) feet wide) said point bearing North Seventy-five degrees zero minutes West (N 75°00′ W) and distant one hundred eighteen eight hundred and twelve thousandths feet (118.812′) from the westerly line of Twentieth Street (sixty (60) feet wide) thence Along the arc of a curve to the left having a radius of three hundred twenty-eight and six hundred and thirteen thousandths feet (328.613′) and a central angle of fifty-one degrees nineteen minutes fifty and six tenths seconds (51°19′50.6″) a distance of two hundred ninety-four and four houndred and one thousandths feet (294.401′) to a point said point bearing South sixty-five degrees eight minutes thirty-four and three tenths seconds West (S 65°08′34.3″ W) and distant two hundred eighty-four and sixty-five hundredths feet (284.65′) from beginning of course thence South fifteen degrees zero minutes West (S 15°00′ W) a distance of two hundred seventeen and five hundred and sixty-five thousandths feet (217.565′) to a point in the northerly line of Johnston Street thence crossing Johnston Street south 34°54′46″ West sixty-three and eighty-two hundredths feet (63.82′) to a point thence Along the South line of Johnston Street South 75°00′ East three hundred fifty-nine and fifty-five thousandths feet (359.055′) to Southwest corner of the intersection of Johnston Street and 20th Street thence South 15°00′ West along the West line of Twentieth Street one thousand one hundred thirty feet (1130.00′) to a point thence North 75°00′ West one thousand six hundred eighteen and one thousandths feet (1618.001′) to a point thence North 72°30′ West one hundred one and thirty-three thousandths feet (101.033′) to a point thence North 67°30′ West one hundred one and thirty-five thousandths feet (101.035′) to a point thence North 25°00′ East twenty-eighth and nine hundred forty-two thousandths feet (28.942′) to a point thence Northwardly on a curve to the right having a radius of five hundred thirty and three hundred seventy-seven thousandths feet (530.377′) with a central angle of 32°02′45.60″ an arc length of two hundred ninety-six and six hundred forty-four thousandths feet (296.644′) to a point thence North 32°09′58.94″ West one hundred twenty-six and five hundred thirty thousandths feet (126.530′) to a point thence Northwardly on a curve to the right having a radius of five hundred seventy-two and five hundred forty-one thousandths feet (572.541′) with a central angle of 33°19′12.55″ an arc length of three hundred thirty-two and nine hundred fifty-nine thousandths feet (332.959′) to a point thence Northwardly on a curve to the right having a radius of five hundred seventy-two and five hundred forty-one thousandths feet (572.541′) with a central angle of 13°50′46.39″ an arc length of one hundred thirty-eight and three hundred sixty-one thousandths feet (138.361′) to a point thence North 15°00′ East one thousand three hundred sixty-five and three hundred sixty-nine thousandths feet (1365.369′) to a point on the west line of Vare Avenue thence Along the West line of Vare Avenue South 30°33′42″ East six hundred fifty-one and twenty-five thousandths feet (651.025′) to a point on the South line of Oregon Avenue thence South 75°00′ East along the South line of Oregon Avenue to the point of beginning containing 82.84 acres more or less

The second tract being bounded and described as follows

Beginning at a point the intersection of the northeasterly house line of Johnston Street (legally open 60′ wide) and the southeasterly house line of Twentieth Street (legally open 60′ wide) thence extending northeastwardly along the southeasterly house line of Twentieth Street (legally open 60′ wide) North 15°00′00″ East a distance of four hundred (400) feet to the southwesterly house line of Oregon Avenue (legally open 120′ wide) thence extending southeastwardly along the southwesterly house line of Oregon Avenue (legally open 120′ wide) South 75°00′00″ East a distance of three hundred eighty-six (386) feet to the northwesterly house line of Nineteenth Street (legally open 60′ wide) thence extending southwestwardly along the northwesterly house line of Nineteenth Street (legally open 60′ wide) South 15°00′00″ West a distance of four hundred (400) feet to the northeasterly house line of Johnston Street (legally open 60′ wide) thence extending northwestwardly along the northeasterly house line of Johnston Street (legally open 60′ wide) North 75°00′00″ West a distance of three hundred eighty-six (386) feet to the first mentioned point and place of beginning containing in area 3.544 acres

Section 2 Jurisdiction in and over the land described in the foregoing section is hereby ceded to the United States in the manner and subject to the conditions and limitations specifically set forth in the Act of Assembly enacted at the Session of the General Assembly of one thousand nine hundred and forty-three entitled "An act relating to reservation of powers of the Commonwealth municipalities and political subdivisions thereof with respect to lands purchased or condemned by the United States"

Section 3 This act shall become effective immediately upon its final enactment

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—46

Barr,	Ealy,	Letzler,	Tallman,
Becker,	Farrell,	Mallery,	Taylor,
Bowers,	Geltz,	McCreesh,	Thomas,
Carr,	Gourley,	McGinnis,	Tyler,
Chapman,	Haluska,	McQuiddy,	Wade,
Coleman,	Heyburn,	Ruth,	Walker,
Cox,	Holland,	Scarlett,	Watkins,
Crider,	Homsher,	Shapiro,	Wilson, H. I.,
Crowe,	James,	Snowden,	Wilson, T. B.,
Deitrick,	Jaspan,	Stevenson,	Woodring,
Dent,	Jones,	Stiefel,	Woodward,
DiSilvestro,	Kephart,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILL ON THIRD READING AMENDED

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 461, entitled:

An Act to amend the act approved the eighteenth day of May, one thousand nine hundred and eleven (P. L.

309), entitled "An act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws, general, special or local, or any parts thereof, that are or may be inconsistent therewith," by providing and regulating the release of pupils from the public schools for religious instruction

On the question,

Will the Senate agree to the bill on third reading?

Mr. HEYBURN. Mr. President, I ask unanimous consent to offer amendments at this time.

The PRESIDENT. Is there objection? The Chair hears none.

The Clerk read the amendments as follows:

Amend title, line 1, by striking out the second word, "amend" and substituting in lieu thereof the following: "add Section one thousand six hundred fifteen to;" Amend title, line 11, by striking out the word "by" after the part word "with" and before the word, "providing".

On the question,

Will the Senate agree to the amendments?

They were agreed to.

On the question,

Will the Senate agree to the bill on third reading, as amended?

It was agreed to.

Ordered, That the bill as amended lie over for printing on final passage.

BILLS ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 462, as follows:

An Act making an appropriation to the State Veterans' Commission for the expenses of the commission furnishing certain assistance to needy Pennsylvania veterans of any war or their dependents for participation in certain defense activities and for the rehabilitation and care of veterans including the acquisition of land and construction of buildings for such purpose

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The sum of eight hundred ninety thousand dollars ($890,000) or as much thereof as may be necessary is hereby appropriated out of the General Fund of the State Veterans' Commission for the two fiscal years beginning June first one thousand nine hundred forty-three for the payment of traveling expenses and other authorized disbursements of the commission salaries wages and expenses of its employes for furnishing funds to provide the necessities of life for and to assist otherwise such Pennsylvania veterans of any war or the widows and infant children or dependents of such veterans as are sick disabled or indigent and who are without means for cooperation in any way with the State Council of Defense in civilian defense activities for planning and providing for the rehabilitation and care of veterans and for the acquisition of land and the construction of buildings with the approval of the Governor as may be deemed necessary for the rehabilitation and care of veterans

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—46

Barr,	Ealy,	Letzler,	Tallman,
Becker,	Farrell,	Mallery,	Taylor,
Bowers,	Geltz,	McCreesh,	Thomas,
Carr,	Gourley,	McGinnis,	Tyler,
Chapman,	Haluska,	McQuiddy,	Wade,
Coleman,	Heyburn,	Ruth,	Walker,
Cox,	Holland,	Scarlett,	Watkins,
Crider,	Homsher,	Shapiro,	Wilson, H. I.,
Crowe,	James,	Snowden,	Wilson, T. B.,
Deitrick,	Jaspan,	Stevenson,	Woodring,
Dent,	Jones,	Stiefel,	Woodward,
DiSilvestro,	Kephart,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILL ON THIRD READING AMENDED

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 467, entitled:

An Act to further amend the act approved the fourth day of May one thousand nine hundred twenty-seven (P. L. 519) entitled "An act concerning boroughs and revising amending and consolidating the law relating to boroughs" by prescribing the procedure to be followed by borough councils and officials in the adoption as a single ordinance of a consolidation revision or codification of all the ordinances of such borough

On the question,

Will the Senate agree to the bill on third reading?

Mr. HEYBURN. Mr. President, I ask unanimous consent to offer amendments at this time.

The PRESIDENT. Is there objections? The Chair hears none.

The Clerk read the amendments as follows:

Amend title, line 1 by striking out he words, "further amend" and substituting in lieu thereof the words, "add Section one thousand eight and one tenth to;" Amend title, line 5, after the word, "boroughs" and before the word, "prescribing", the word, "by'.

On the question,

Will the Senate agree to the amendments?

They were agreed to.

On the question,

Will the Senate agree to the bill on third reading, as amended?

It was agreed to.

Ordered, That the bill as amended lie over for printing on final passage.

BILL OVER IN ORDER

Mr. HEYBURN. Mr. President, I ask unanimous consent that Senate Bill No. 471 on third reading, entitled:

An Act limiting the time within which suits or actions hereafter begun, shall be brought for damages to surface land and property resulting from the mining of coal and operations in connection therewith

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILL RECOMMITTED

Mr. HEYBURN. Mr. President, I move that House Bill No. 476, on third reading, entitled:

An Act to further amend section nine of the act approved the sixteenth day of May one thousand nine hundred and twenty-three (P. L. 207) entitled "An act providing when how upon what property and to what extent liens shall be allowed for taxes and for municipal improvements for the removal of nuisances and for water rents or rates sewer rates and lighting rates for the procedure upon claims filed therefor the methods for preserving such liens and enforcing payment of such claims the effect of judicial sales of the properties liened the distribution of the proceeds of such sales and the redemption of the property therefrom for the lien and collection of certain taxes heretofore assessed and of claims for municipal improvements made and nuisances removed within six months before the passage of this act and for the procedure on tax and municipal claims filed under other and prior acts of Assembly" making additional provision for and fixing the compensation for the filing and collecting of tax claims

be recommitted to the Committee on Judiciary General.

Mr. LETZLER. Mr. President, I second the motion.

The motion was agreed to.

BILL ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 488, as follows:

An Act authorizing the Secretary of Highways at the request of and under agreement with the Public Roads Administration of the United States to lay out establish construct and maintain flight strips and roads to the sites of war activities or to replace roads or streets which have been closed by defense or military activities and to condemn property for such purposes authorizing a width of two hundred feet for such roads in certain cases and making an appropriation

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 To facilitate the war effort the Secretary of Highways upon request of the Commissioner of Public Roads of the United States is hereby authorized to cooperate with the Public Roads Administration of the United States in the making of surveys plans specifications and estimates for and in the construction and maintenance of flight strips and for the construction relation widening or maintenance of roads and streets leading to or serving military and naval reservations or defense industries and defense industry sites or sources of raw materials and for the replacing of existing public roads which have been or may be closed to public use at military and naval reservations and defense industry sites and to enter into agreements with the Public Roads Administration for the payment of the costs of engineering supervision construction maintenance and property damages whether such costs are paid in whole from Federal funds and in part from funds provided by the Commonwealth or any of its political subdivisions

Section 2 The Secretary of Highways with the approval of the Governor is hereby authorized to establish the widths of such roads and streets or bridges which form a part thereof in excess of the width now provided by law but not to exceed two hundred feet when requested so to do by the Public Roads Administration

Section 3 Whenever a proper and duly approved agreement has been entered into between the Secretary of Highways and the Public Roads Administration the Secretary of Highways may lay out establish or widen such roads to such width not exceeding the maximum herein provided as he may deem advisable and may also lay out and establish flight strips to such width and at such locations as deemed advisable by the Public Roads Administration

Section 4 The condemnation of property for the establishment of such flight strips and for the establishing widening and relocating of such roads by the Secretary of Highways as herein provided shall be done by the preparation approval and filing of a plan and property damages shall be determined and paid in the same manner which is now or may be in force for the relocation of State highways in townships regardless of whether or not a State highway is involved Provided however that the Department of Highways shall be fully reimbursed by the Public Roads Administration for such costs and expenditures as it may incur or make where no State highway is involved and provided further that the cost of removal and relocation of any structures of public utilities in place within such flight strips at the time of their taking shall be paid by the Department of Highways from the funds furnished by the Public Roads Administration Where a State highway is involved such reimbursement shall be in accordance with the terms of the agreement entered into as herein provided except that the Department of Highways shall bear no portion of the property damages occasioned by the laying out and establishing of such roads or flight strips in cities

Section 5 The Secretary of Highways in his discretion may agree with the Public Roads Administration that roads or streets constructed as herein provided which are not on the State Highway System as well as flight strips shall be maintained by the Department of Highways provided however that the Department of Highways shall be reimbursed by the Public Roads Administration or proper Federal Agency for all expenditures thus made

Section 6 The term "flight strip" as used in this act shall mean a parcel of land suitable or adaptable for the operation of aircraft thereon or therefrom either with or without grading paving or other air-transport facilities

Section 7 So much of the money in the Motor License Fund from time to time as may be necessary is hereby specifically appropriated to the Department of Highways for carrying out the provisions of this act

Section 8 This act shall become effective immediately upon its final enactment

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Consitution and were as follows, viz:

YEAS—46

Barr,	Ealy,	Letzler,	Tallman,
Becker,	Farrell,	Mallery,	Taylor,
Bowers,	Geltz,	McCreesh,	Thomas,
Carr,	Gourley,	McGinnis,	Tyler,
Chapman,	Haluska,	McQuiddy,	Wade,
Coleman,	Heyburn,	Ruth,	Walker,
Cox,	Holland,	Scarlett,	Watkins,
Crider,	Homsher,	Shapiro,	Wilson, H. I.,
Crowe,	James,	Snowden,	Wilson, T. B.,
Deitrick,	Jaspan,	Stevenson,	Woodring,
Dent,	Jones,	Stiefel,	Woodward,
DiSilvestro,	Kephart,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has

passed the same with amendments in which the concurrence of the House is requested.

Agreeably to ord ,

The Senate proceeded to the third reading and consideration of House Bill No. 497, as follows:

An Act to further amend section one of article two and section one of article ten of the act approved the seventh day of March one thousand nine hundred and one (P. L. 20) entitled "An act for the government of cities of the second class" abolishing the Department of Public Welfare of such cities and transferring its powers and duties and records and certain city property to the county institution district of the county in which the city is located

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section one of article two and section one of article ten of the act approved the seventh day of March one thousand nine hundred and one (P. L. 20) entitled "An act for the government of cities of the second class" as last amended by the act approved the twenty-ninth day of June one thousand nine hundred twenty-three (P. L. 963) are hereby further amended to read as follows

Section 1 There shall be the following executive departments

I Department of Public Safety
II Department of Public Works
III Department of Collector of Delinquent Taxes
IV Department of Assessors
V Department of City Treasurer
VI Department of City Controller
VII Department of Law
[VIII Department of Public Welfare]
IX Sinking Fund Commission
X Department of Public Health
XI Department of Supplies

No department shall be created other than those herein enumerated but councils may by ordinance provide that the city treasurer may be appointed collector of delinquent taxes and also that the city treasurer may be appointed Director of the Department of Supplies [and that one person may be appointed Director of the Department of Public Welfare and the Department of Public Health]

Councils shall provide by ordinance for such bureaus clerks or other subordinate officers as may be required for the transaction of the business of the departments

Each department shall have power to prescribe rules and regulations not inconsistent with any law or ordinance or with the provisions of article one hereof for its own government regulating the conduct of its officers clerks and employes the distribution and performance of its business and the custody use and preservation of the books records papers and property under its control

Each department shall furnish to the mayor or councils or either branch of councils such information as he or they may at any time demand in relation to its affairs

The heads and members of all departments and all subordinate officers clerks and employes shall give bonds as may be fixed by ordinance

The Department of Supplies shall be under the charge of a director who shall be the head thereof

The mayor shall nominate and by and with the advice and consent of the select council appoint the Director of the Department of Supplies

The Department of Supplies shall have the direction control and administration of the purchase and supply of all personal property required in the conduct of the business of the city All other departments shall obtain such personal property by requisition upon the Department of Supplies and not by purchase direct The manner and form of such requisition may be prescribed by ordinance or in default thereof by standing rule of the Department of Supplies All appropriations of money for the purchase and supply of such personal property shall be made to and be expended by the Department of Supplies and all contracts for the purchase of such personal property shall be made and entered into by and with the mayor and Director of the Department of Supplies in the manner now required by law

Article X

Department of Public Welfare

Section 1 The Department of Public Welfare [shall be under the charge of one person who shall be the head thereof to which department shall be confided the construction control and repair care management administration and supervision of the charities almshouses hospitals houses of correction and grounds and all other similar institutions the control or government of which is intrusted to the city

The head of this department shall keep a correct complete record of all the proceedings which shall always be open to the inspection and examination of the city recorder and of any committee appointed by councils or either branch thereof and shall appoint all officers and servants required for the several institutions under his management

Councils shall have power to provide by general ordinance for all things needful for the proper and efficient management of the said institutions and the said department not inconsistent with the provisions of this act and all able-bodied paupers vagrants and other persons admitted or committed to any of the said institutions may be required to work upon the public streets or roads or elsewhere] is hereby abolished All of its powers and duties shall hereafter be exercised and performed by the county institution district of the county in which the city is located under the provisions of the "County Institution District Law" approved the twenty-fourth day of June one thousand nine hundred thirty-seven (P. L. 2017) All property of the city real and personal used in carrying on the functions of the Department of Public Welfare and all records of said department shall be transferred to the county institution district on the effective day of this act All indebtedness of the city whether current or bonded incurred in the acquisition of any such property shall continue the debt and obligation of the city and shall be paid by it

Section 2 The provisions of this act shall become effective on the first day of January one thousand nine hundred forty-five

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Consitution and were as follows, viz:

YEAS—46

Barr,	Ealy,	Letzler,	Tallman,
Becker,	Farrell,	Mallery,	Taylor,
Bowers,	Geltz,	McCreesh,	Thomas,
Carr,	Gourley,	McGinnis,	Tyler,
Chapman,	Haluska,	McQuiddy,	Wade,
Coleman,	Heyburn,	Ruth,	Walker,
Cox,	Holland,	Scarlett,	Watkins,
Crider,	Homsher,	Shapiro,	Wilson, H. I.,
Crowe,	James,	Snowden,	Wilson, T. B.,
Deitrick,	Jaspan,	Stevenson,	Woodring,
Dent,	Jones,	Stiefel,	Woodward,
DiSilvestro,	Kephart,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which the concurrence of the House is requested.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 498, as follows:

An Act to further amend section one hundred two and to amend sections two hundred two and two hundred three of the act approved the twenty-fourth day of June one thousand nine hundred thirty-seven (P. L. 2017) entitled "An act creating in each county (except of the first class) as a separate corporation and in each city of the first and second class as a part of the city government an institution district for the care and maintenance of certain indigent persons and children prescribing the powers and duties of county commissioners county treasurers city departments of public welfare the State Department of Welfare and the State Department of Public Assistance in respect thereto abolishing certain poor districts and terminating the terms of directors overseers guardians and managers of the poor and poor district auditors and providing for the temporary employment of certain of them providing for the transfer vesting sale and disposition of the property of poor districts and the payment of their obligations imposing certain existing obligations on institution districts and on the Commonwealth regulating the affairs of poor districts until abolished revising amending changing and consolidating the law relating to the care of the poor and repealing existing laws" abolishing city institution districts in cities of the second class and transferring their powers and duties and their property to the county institution district of the county in which the city is located

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section one hundred two of the act approved the twenty-fourth day of June one thousand nine hundred thirty-seven (P. L. 2017) entitled "An act creating in each county (except of the first class) as a separate corporation and in each city of the first and second class as a part of the city government an institution district for the care and maintenance of certain indigent persons and children prescribing the powers and duties of county commissioners county treasurers city departments of public welfare the State Department of Welfare and the State Department of Public Assistance in respect thereto abolishing certain poor districts and terminating the terms of directors overseers guardians and managers of the poor and poor district auditors and providing for the temporary employment of certain of them providing for the transfer vesting sale and disposition of the property of poor districts and the payment of their obligations imposing certain existing obligations on institution districts and on the Commonwealth regulating the affairs of poor districts until abolished revising amending changing and consolidating the law relating to the care of the poor and repealing existing laws" as amended by the act approved the ninth day of June one thousand nine hundred thirty-nine (P. L. 308) is hereby further amended to read as follows

Section 102 Definitions As used in this act unless the context otherwise indicates

"Commissioners" means the county commissioners of the county

"County" means every county of this Commonwealth except a county of the first class The word county shall [not be construed to] include territory within any city of the second class

"Institution District" means a county or city institution district managed by the commissioners of the county or the department of public welfare of any city of the first [or second] class as the case may be

"Dependent" means an indigent person requiring public care because of physical or mental infirmity

"Independent Poor District" means a poor district which is not coterminous with a county but shall not be construed to apply to a poor district of a county of the second class or a city of the second class

"Institution" means an infirmary poorhouse almshouse hospital or sanitarium managed by the commissioners of the county or the department of public welfare of a city of the first [or second] class

"Poor Auditor" means an elected or specially appointed auditor of independent poor districts

"Municipality" means any city (except a city of the first [and second] class) borough incorporated town or township

"Local Authorities" means the county commissioners acting as officers of an institution district or the department of public welfare of any city of the first [or second] class

"Poor Director" means a director overseer guardian or manager of any poor district or home for the destitute as now constituted

"Public Charge" shall mean a person who is unable to maintain himself and who requires and receives aid from the Commonwealth or from any political subdivision thereof

The masculine pronoun shall include the feminine

Section 2 Sections two hundred two and two hundred three of said act are hereby amended to read as follows

Section 202 Second Class [City Institution Districts In each city of the second class the laws as to the care of dependents shall continue to be administered by the department of public welfare of the city as provided by this act and the laws relating to such cities Each such city shall constitute an institution district Such district shall not exist as an entity separate and apart from the city but shall be administered as a department of the city government] Cities All territory comprised within cities of the second class shall be a part of the county institution district of the county in which such city is located All city institution districts in cities of the second class are hereby abolished The property real and personal of each existing city institution district in each city of the second class and the property real and personal of each city of the second class used for city institution district purposes on the effective date of these amendments is hereby transferred to and vested in the county institution district of the county wherein the city of the second class is located All indebtedness of any city of the second class whether current or bonded incurred in the acquisition of any of such property or for any other city institution district purpose shall continue the debt and obligation of such city of the second class and shall be paid by it All the powers and duties of cities of the second class in connection with administering the affairs of the city institution district are hereby transferred to the county institution district of the county in which such city is located

Section 203 Records The department of public welfare of each city of the first [and second classes] class shall keep records of the work of the city as an institution district as prescribed by the State Department of Welfare and shall from time to time make such reports to said department as it shall require

Section 3 The provisions of this act shall become effective on the first day of January one thousand nine hundred forty-five

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Consitution and were as follows, viz:

YEAS—46

Barr,	Ealy,	Letzler,	Tallman,
Becker,	Farrell,	Mallery,	Taylor,
Bowers,	Geltz,	McCreesh,	Thomas,
Carr,	Gourley,	McGinnis,	Tyler,

Chapman,	Haluska,	McQuiddy,	Wade,
Coleman,	Heyburn,	Ruth,	Walker,
Cox,	Holland,	Scarlett,	Watkins,
Crider,	Homsher,	Shapiro,	Wilson, H. I.,
Crowe,	James,	Snowden,	Wilson, T. B.,
Deitrick,	Jaspan,	Stevenson,	Woodring,
Dent,	Jones,	Stiefel,	Woodward,
DiSilvestro,	Kephart,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which the concurrence of the House is requested.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 500, as follows:

An Act giving the consent of the Commonwealth of Pennsylvania to the acquisition by the United States of America of two tracts of land in the City and County of Philadelphia Pennsylvania known as the Frankford Arsenal and ceding jurisdiction to the United States

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The consent of the Commonwealth of Pennsylvania is hereby granted in accordance with the seventeenth clause eighth section of the first article of the Constitution of the United States to the acquisition by the United States of America of two tracts of land in the City and County of Philadelphia known as the Frankford Arsenal the first tract known as the "Main Reservation" being bounded and described as follows

Beginning at the Northwest corner of the reservation which is the point of intersection of the center lines of Tacony and Bridge Streets in the City and County aforesaid and running thence Along the said center line of Tacony Street the following three courses (1) N 80°23′15″ E 802.26 feet to a point thence (2) N 67°42′15″ E 1157.75 feet to a point thence (3) N 52°42′15″ E 490.35 feet to a point in the Westerly right-of-way line of the Kensington and Tacony Railroad (now Pennsylvania Railroad) thence

Along the said Westerly right-of-way line the following five courses (4) Southeasterly 132.03 feet along the arc of a curve to the right with a radius of 4118 feet and a central angle of 5°19′ the bearing and length of the subchord being South 38°22′45″ E 131.99 feet to the point of tangency (5) S 35°40′30″ E 1331.16 feet along the tangent to said curve to the point of beginning of a curve to the right (6)) Southerly 491.52 feet along the arc of said curve to the right with a radius of 463 feet and a central angle of 60°49′30″ the bearing and length of long chord being S 5°19′00″ E. 468.78 feet to the point of tangency (7) S 25°05′45″ W 223.47 feet along the tangent to said curve to the point of beginning of a curve to the right (8) Southwesterly 192.19 feet along the arc of said curve to the right with a radius of 2849.93 feet and a central angle of 3°51′50″ the bearing and length of subchord being S 27°01′40″ W 192.16 feet to a point in the outer face of channel wall along the northerly bank of Frankford Creek thence Along the said outer face of channel wall coincident with low water line of Frankford Creek the following four courses (9) S 84°18′15″ W 78.13 feet to a point (10) N 61°25′25″ W 503.38 feet to angle point (11) No 56°38′55″ W 329.18 feet to an angle point (12) N 61°29′55″ W 132.72 feet to an angle point thence (13) Westerly 455 feet more or less along low waterline to an angle point in said wall the bearings and distances along the outer face of said wall (not the true boundary) from beginning to end of course No 13 being as follows (13-a) N 84°14′10″ W 58.27 feet to an angle point (13-b) N 69°24′05″ W 174.62 feet to an angle point (13-c) S 49°44′05″ W 24.96 feet to an angle point (13-d) S 33°20′45″ W 113.53 feet to an angle point (13-e) S 32°52′25″ W 55.73 feet to an angle point (13-f) S 59°55′40″ W 27.35 feet to an angle point (13-g) S 69°06′05″ W 10.30 feet to an angle point thence along the said outer face of channel wall coincident with low water line of Frankford Creek the following seven courses (14) S 73°50′45″ W 16.47 feet to an angle point (15) S 73°26′15″ W 11.27 feet to an angle point (15) S 73°26′15″ W 11.27 feet to an angle point (16) N 88°51′45″ W 8.71 feet to an angle point (17) S 82°05′15″ W 25.44 feet to an angle point (18) N 86°39′45″ W 76.62 feet to an angle point (19) N 84°44′45″ W 83.69 feet to an angle point (20) N 83°05′45″ W 217.72 feet to an angle point thence (21) Westerly 545 feet more or less along the low water line coincident in part with the Southerly face of abandoned wharf to an angle point in said wall the bearings and distances along the outer face of said wall (not the true boundary) from beginning to end of course No 21 being as follows (21-a) N 84°12′25″ W 41.31 feet to an angle point (21-b) S 80°59′15″ W 233.06 feet to an angle point (21-c) S 84°55′05″ W 100.11 feet along the wharf site to an angle point (21-d) S 75°05′35″ W 73.61 feet to an angle point (21-e) S 67°18′15″ W 95.97 feet to an angle point thence (22) S 67°52′35″ W 116.64 feet along the outer face of said channel wall coincident with low water line of Frankford Creek to an angle point thence (23) Westerly 323 feet more or less along the said low water line to a point from which point the bearing and distance to the intersection of the face of said channel wall with the easterly face of the stone post at the end of the stone wall along Bridge Street is N 4°15′50″ E 21.79 feet from said intersection the bearing and distance along the face of said channel wall (not the true boundary) to the point of beginning of course No 23 is N 61°11′35″ E 304.86 feet thence (24) N 19°00′00″ W 66 feet along the easterly edge of a former road to a point thence (25) S 71°00′00″ W 16.5 feet to a point in the center line of Bridge Street thence (26) N 19°00′00″ W 547.58 feet along the said center line of Bridge Street to a point thence (27) N 12°11′25″ W 627.67 feet along the said center line to the point of beginning

The main reservation as above described containing an area of 87.73 acres more or less subject to an easement to the City of Philadelphia dated October 16 1926 for right-of-way for sewer purposes

The second tract known as Parcel A being described as follows

Beginning at the corner in the present sea wall which marks the intersection of the pierhead line and bulkhead line of the Delaware River at the mouth of Frankford Creek as established in 1908 and running thence (1) N 87°02′17″ W 44.99 feet along the outer face of said sea wall on the North side of said creek to a point thence (2) S 84°18′05″ W 70.04 feet continuing along said wall to a point in the southeasterly right-of-way line of the Kensington and Tacony Railroad (now Pennsylvania Railroad) which point is 15.00 feet distant easterly measured at right angles from the center line of the right-of-way of said railroad thence (3) Northeasterly 173.55 feet along the said right-of-way line 15.00 feet distant from and parallel to said center line following a curve to the left with a radius of 2,879.93 feet and a central angle of 3°27′10″ the bearing and distance of the subchord being North 26°49′20″ E 173.52 feet to the point of tangency thence (4) N 25°05′45″ east 512.72 feet along said right-of-way line which is the tangent to said curve to the extreme northerly corner of parcel thence (5) S 35°43′30″ E 500.22 feet to the pierhead line in Delaware River intersecting the outer face of concrete sea wall at a point 197.13 feet from beginning of course thence (6) S 32°20′10″ W 262.76 feet along said pierhead line downstream to a point thence (7) N 87°25′15″ W 331.35 feet along the pierhead line of 1908 to the point of beginning

The parcel as described contains an area of 4.532 acres more or less of which 1.904 acres more or less are upland and 2.628 acres more or less are submerged lands together

with any right to submerged lands the United States may have acquired by the revised pierhead line of 1921

The entire reservation consisting of the main reservation and Parcel A contains an area of 92.26 acres more or less of which 2.628 acres more or less are submerged lands together with any rights to submerged lands the United States may have acquired by the revised pierhead line of 1921 excepting however those tracts over which jurisdiction was ceded by sections three and four of the Act of the General Assembly of the Commonwealth of Pennsylvania approved the thirteenth day of June one thousand eight hundred forty (P. L. 679) entitled "An act to authorize the Lewisburg and Jersey Shore Turnpike Road and Bridge Company to erect gates and receive tolls and for other purposes" and the Act of the General Assembly of the Commonwealth of Pennsylvania approved the thirtieth day of March one thousand nine hundred seventeen (P. L. twenty-nine) entitled "An act giving the consent of the Commonwealth of Pennsylvania to the purchase by the United States of land contiguous to the Frankford Arsenal in Philadelphia County for arsenal purposes and ceding jurisdiction over said land and providing for the retention of concurrent jurisdiction by the Commonwealth of Pennsylvania with the United States on said land for the service of legal processes thereupon"

Section 2 Jurisdiction in and over the land described in the foregoing section is hereby ceded to the United States in the manner and subject to the conditions and limitations specifically set forth in the Act of Assembly enacted at the Session of the General Assembly of one thousand nine hundred and forty-three entitled "An act relating to reservation of powers of the Commonwealth municipalities and political subdivisions thereof with respect to lands purchased or condemned by the United States"

Section 3 This act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—46

Barr,	Ealy,	Letzler,	Tallman,
Becker,	Farrell,	Mallery,	Taylor,
Bowers,	Geltz,	McCreesh,	Thomas,
Carr,	Gourley,	McGinnis,	Tyler,
Chapman,	Haluska,	McQuiddy,	Wade,
Coleman,	Heyburn,	Ruth,	Walker,
Cox,	Holland,	Scarlett,	Watkins,
Crider,	Homsher,	Shapiro,	Wilson, H. I.,
Crowe,	James,	Snowden,	Wilson, T. B.,
Deitrick,	Jaspan,	Stevenson,	Woodring,
Dent,	Jones,	Stiefel,	Woodward,
DiSilvestro,	Kephart,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILLS OVER IN ORDER

Mr. HOMSHER. Mr. President, I ask unanimous consent that House Bill No. 509 on third reading, entitled:

An Act to amend section three hundred and six of the act approved the twenty-fourth day of June, one thousand nine hundred and thirty-seven, (P. L. 2017), entitled "An act creating in each county (except of the first class) as a separate corporation, and in each city of the first and second class as a part of the city government, an institution district for the care and maintenance of certain indigent persons and children; prescribing the powers and duties of county commissioners, county treasurers city departments of public welfare, the State Department of Welfare and the State Department of Public Assistance in respect thereto; abolishing certain poor districts and terminating the terms of directors, overseers, guardians and managers of the poor and poor district auditors, and providing for the temporary employment of certain of them; providing for the transfer, vesting, sale and disposition of the property of poor districts and the payment of their obligations; imposing certain existing obligations on institution districts and on the Commonwealth; regulating the affairs of poor districts until abolished; revising, amending, changing and consolidating the law relating to the care of the poor; and repealing existing laws," providing for fixing the number and compensation of employes of institution districts and conferring powers and imposing duties on county officers

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. HEYBURN. Mr. President, I ask unanimous consent that House Bill No. 511, on third reading, entitled:

An Act to further amend the act, approved the fourth day of June, one thousand nine hundred and thirty-seven, (P. L. 1625), entitled "An act providing for the creation, maintenance and operation of a county employes' retirement system in counties of the third class; and imposing certain charges on counties," extending and further regulating such retirement systems

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. HEYBURN. Mr. President, I ask unanimous consent that House Bill No. 514, on third reading, entitled:

An Act to amend the act approved the fifth day of August one thousand nine hundred forty-one (P. L. 803) entitled "An act providing for the creation maintenance and operation of a county employes retirement system in counties of the fifth class imposing certain charges on counties and prescribing penalties" further regulating such retirement system

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 519, as follows:

An Act establishing as state highways certain county highways and requiring their construction repair and maintenance as such

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 That where any county is responsible for the construction or maintenance of any highway such highway shall if and when the county commissioners consent thereto by resolution a copy of which shall be filed in the office of the clerk of the courts of the proper county and with the Department of Highways be adopted by the Commonwealth as a state highway and shall thereafter

be constructed repaired and maintained at the expense of the Commonwealth as state highways are now constructed repaired and maintained under the provisions of existing laws Provided That no highway shall be taken over by the Commonwealth under the provisions of this act if a contract for the improvement thereof has been entered into between a contractor and the Commonwealth or local authorities or both until such contract shall have been completed

Section 2 The provisions of this act shall become effective immediately upon its final enactment

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—45

Barr,	Ealy,	Kephart,	Tallman,
Becker,	Farrell,	Letzler,	Taylor,
Bowers,	Geltz,	Mallery,	Thomas,
Carr,	Gourley,	McCreesh,	Tyler,
Chapman,	Haluska,	McGinnis,	Wade,
Coleman,	Heyburn,	McQuiddy,	Walker,
Cox,	Holland,	Ruth,	Watkins,
Crider,	Homsher,	Scarlett,	Wilson, H. I.,
Crowe,	James,	Snowden,	Wilson, T. B.,
Deitrick,	Jaspan,	Stevenson,	Woodring,
Dent,	Jones,	Stiefel,	Woodward,
DiSilvestro,			

NAYS—1

Shapiro,

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILL OVER IN ORDER

Mr. HEYBURN. Mr. President, I ask unanimous consent that House Bill No. 519, on third reading, entitled:

An Act to amend the act approved the eighth day of July one thousand nine hundred forty-one (P. L. 298), entitled "An act authorizing the creation of, and providing for, and regulating the maintenance and operation of a county employes' retirement system in counties of the fourth class, imposing certain charges on counties, and fixing penalties," further regulating such retirement systems

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 523, as follows:

An Act to amend subsection (c) of section twelve hundred three of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 343) entitled "An act relating to the finances of the State government providing for the settlement assessment collection and lien of taxes bonus and all other accounts due the Commonwealth the collection and recovery of fees and other money or property due or belonging to the Commonwealth or any agency thereof including escheated property and the proceeds of its sale the custody and disbursement or other disposition of funds and securities belonging to or in the possession of the Commonwealth and the settlement of claims against the Commonwealth the resettlement of accounts and appeals to the courts refunds of moneys erroneously paid to the Commonwealth auditing the accounts of the Commonwealth and all agencies thereof of all public officers collecting moneys payable to the Commonwealth or any agency thereof and all receipts of appropriations from the Commonwealth and imposing penalties affecting every department board commission and officer of the State government every political subdivision of the State and certain officers of such subdivisions every person association and corporation required to pay assess or collect taxes or to make returns or reports under the laws imposing taxes for State purposes or to pay license fees or other moneys to the Commonwealth or any agency thereof every State depository and every debtor or creditor of the Commonwealth" by excepting therefrom the transfer of stock assigned by a decedent before his death as collateral security for a loan and requiring the holder of such stock to report concerning the sale thereof to the Department of Revenue

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Subsection (c) of section twelve hundred three of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 343) entitled "An act relating to the finances of the State government providing for the settlement assessment collection and lien of taxes bonus and all other accounts due the Commonwealth the collection and recovery of fees and other money or property due or belonging to the Commonwealth or any agency thereof including escheated property and the proceeds of its sale the custody and disbursement or other disposition of funds and securities belonging to or in the possession of the Commonwealth and the settlement of claims against the Commonwealth the resettlement of accounts and appeals to the courts refunds of moneys erroneously paid to the Commonwealth auditing the accounts of the Commonwealth and all agencies thereof of all public officers collecting moneys payable to the Commonwealth or any agency thereof and all receipts of appropriations from the Commonwealth and imposing penalties affecting every department board commission and officer of the State government every political subdivision of the State and certain officers of such subdivisions every person association and corporation required to pay assess or collect taxes or to make returns or reports under the laws imposing taxes for State purposes or to pay license fees or other moneys to the Commonwealth or any agency thereof every State depository and every debtor or creditor of the Commonwealth" is hereby amended to read as follows

Section 1203 Procedure Applicable in Cases of Transfer of Corporate Stock Belonging to Decedents' Estates

* * * * * *

(c) No corporation of this Commonwealth or national banking association located in this Commonwealth shall transfer any stock of such corporation or of such banking association standing in the name of a decedent whether resident or nonresident or in the joint names of a decedent and one or more persons or in trust for such decedent unless the Department of Revenue has filed with such corporation or national banking association a certificate that the transfer inheritance tax imposed by law on the transfer of such stock has been fully paid or otherwise consents thereto in writing and it shall be lawful for the Department of Revenue either personally or by represenative to examine the shares of stock of such decedent at the time of such transfer and also the transfer books of said corporation or association showing such transfer The provisions of this section shall not apply to the transfer of stock assigned by a decedent before his death as collateral security for a loan provided that any lender so holding such stock shall upon selling it send a written

report to the Department of Revenue stating the amount for which the stock was sold and the amount which was applied in reduction or payment of the loan Any corporation or national banking association may transfer such stock upon presentation to it of an affidavit of such lender or someone acting on his or its behalf that the stock was held as security at the time of decedent's death

Section 2 This act shall become effective immediately upon its final enactment

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—45

Barr,	Ealy,	Kephart,	Tallman,
Becker,	Farrell,	Letzler,	Taylor,
Bowers,	Geltz,	Mallery,	Thomas,
Carr,	Gourley,	McCreesh,	Tyler,
Chapman,	Haluska,	McGinnis,	Wade,
Coleman,	Heyburn,	McQuiddy,	Walker,
Cox,	Holland,	Ruth,	Watkins,
Crider,	Homsher,	Scarlett,	Wilson, H. I.,
Crowe,	James,	Snowden,	Wilson, T. B.,
Deitrick,	Jaspan,	Stevenson,	Woodring,
Dent,	Jones,	Stiefel,	Woodward,
DiSilvestro,			

NAYS—1

Shapiro,

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

BILL OVER IN ORDER

Mr. COX. Mr. President, I ask unanimous consent that House Bill No. 536, on third reading, entitled:

An Act to further amend section four of the act approved the twenty-ninth day of May one thousand nine hundred and thirty-one (P. L. 280) entitled "An act relating to delinquent taxes on seated lands and prescribing interest charges on nonpayment thereof requiring the receivers and collectors of county city borough town township school district and poor district taxes to make a return to the county commissioners of such unpaid taxes and providing for the lien thereof authorizing the county treasurers to collect such taxes and to sell seated lands at public sale for taxes heretofore or hereafter returned as unpaid and authorizing the county commissioners to purchase such lands and resell the same under certain circumstances" providing that all liens in favor of the Commonwealth other than tax liens charged against real estate heretofore or hereafter sold for taxes by the county treasurers are divested by such sales

go over in its order, temporarily.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 537, as follows:

An Act to amend section one thousand five hundred and two by adding thereto clause XLVII of the act approved the twenty-fourth day of June one thousand nine hundred and thirty-one (P. L. 1206) entitled "An act concerning townships of the first class amending revising consolidating and changing the law relating thereto" authorizing certain townships of the first class to appropriate moneys for the support of hospitals

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section one thousand five hundred and two of the act approved the twenty-fourth day of June one thousand nine hundred and thirty-one (P. L. 1206) entitled "An act concerning townships of the first class amending revising consolidating and changing the law relating thereto" is hereby amended by adding thereto clause XLVII to read as follows

XLVII Hospital Appropriations For townships of the first class having a population of two thousand inhabitants and upwards to appropriate moneys for the support of any incorporated hospital which is engaged in charitable work and extends treatment and medical attention to the residents of such townships but no such appropriation shall exceed in any year the cost of free service extended to residents of the township which is in excess of any amount paid by the Commonwealth towards such free service and in no case more than the sum of one thousand dollars ($1,000)

Section 2 This act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution and were as follows, viz:

YEAS—46

Barr,	Ealy,	Letzler,	Tallman,
Becker,	Farrell,	Mallery,	Taylor,
Bowers,	Geltz,	McCreesh,	Thomas,
Carr,	Gourley,	McGinnis,	Tyler,
Chapman,	Haluska,	McQuiddy,	Wade,
Coleman,	Heyburn,	Ruth,	Walker,
Cox,	Holland,	Scarlett,	Watkins,
Crider,	Homsher,	Shapiro,	Wilson, H. I.,
Crowe,	James,	Snowden,	Wilson, T. B.,
Deitrick,	Jaspan,	Stevenson,	Woodring,
Dent,	Jones,	Stiefel,	Woodward,
DiSilvestro,	Kephart,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

BILL OVER IN ORDER

Mr. HEYBURN. Mr. President, I ask unanimous consent that House Bill No. 541, on third reading, entitled:

An Act to further amend subsection fourteen, of section six hundred two of the act, approved the twenty-ninth day of November, one thousand nine hundred and thirty-three (P. L. 15, 1933-34), entitled, as amended, "An act to regulate and restrain the sale, manufacture, possession, transportation, importation traffic in and use of alcohol, and alcoholic and malt or brewed beverages; conferring powers and imposing duties upon the Pennsylvania Liquor Control Board and its agents, the Department of Public Instruction, other officers of the State government, courts, and district attorneys; authorizing the establishment and operation of State stores for the sale of such beverages not for consumption on the premises, and the granting of

licenses, subject to local option, to sell such beverages for consumption on and off the premises; forbidding importation or bringing of such beverages into the State except as herein provided; prohibiting certain sales or practices in connection with, and transactions in such beverages by licensees and others; providing for the forfeiture of certain property; making disposition of the receipts from State stores and of fees; and imposing penalties," exempting certain coin operation motion picture machines from provisions of the act requiring special permits

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON THIRD READING AMENDED

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 550, entitled:

An Act to further amend sections three and four of the act approved the thirteenth day of May one thousand nine hundred twenty-seven (P. L. 988) entitled "An act providing for and regulating the State registration of nurses and licensed attendants the annual recording of registration certificates and regulating the profession of nursing and repealing certain existing laws" by temporarily changing qualifications for registration

On the question,

Will the Senate agree to the bill on third reading?

Mr. KEPHART. Mr. President, I ask unanimous consent to offer amendments.

The PRESIDENT. Is there objection?

Mr. WOODRING. Mr. President, may we have the amendments read before we pass on them?

(The amendments were read by the Clerk.)

Amend title of bill, line 8, by striking out the word "temporarily"; Amend Bill, Section 1, page 2, line 11 by striking out the part word "-one"; Amend Bill, Section 1, page 2, line 15 by striking out the words "or one," all of line 16 and on line 17, the word "States;" Amend Bill, Section 1, page 3, lines 16 and 17 by striking out the words "or one of whose parents is a naturalized citizen of the United States."

On the question,

Will the Senate agree to the amendments?

Mr. SHAPIRO. I object to the amendments, Mr. President, the reason being that this bill was considered in committee. The purpose of inserting those words was to make sure that any person who became a registered nurse would have at least one parent who was a citizen of this Commonwealth, when she reached the age of twenty. The effect of these amendments is to open the door to qualification of nurses at the age of twenty, even though neither of the parents might be a citizen.

Mr. KEPHART. Mr. President, the effect of these amendments is to require an applicant for nurseship to be a citizen; regardless of what the parents are but the person herself must be a citizen.

Mr. SHAPIRO. Mr. President, this bill was introduced to take care of a situation which requires correction. In one particular case a nurse who was about to graduate, and who will be qualified, is not a citizen because she believed that she was a citizen by virtue of the fact that her father was a citizen. This bill goes further than the stated purpose, because in the case of a nurse whose parents are citizens, and the nurse is not a citizen she will not be able to practice, she will not be able to register, even though she has completed her course.

Certainly, Mr. President, the whole purpose in introducing this bill was to bring about the effect of relieving such a situation. Here are young girls who have studied for years and are qualified to become registered nurses, and they assumed, therefore, by virtue of their parents' citizenship that they could practice, the parents have been citizens for ten or fifteen years, and yet the gentleman from Philadelphia, Senator Kephart, contends they should not be allowed to register, which would be a shame.

Mr. KEPHART. Mr. President, the law has always been that in order to be a registered nurse, one had to be a citizen of the United States. If the purpose of this amendment was to open the door to a person whose parents were not citizens of the United States and the person herself was a citizen, we do not want that amendment. All we want is to lower the age limit from twenty-one to twenty, and that is the purpose of this amendment.

MOTION TO RECONSIDER SENATE BILL No. 550

Mr. KEPHART. Mr. President, I move that the Senate do now reconsider the vote by which Senate Bill No. 550 passed second reading.

The PRESIDENT. How did the Senator vote?

Mr. KEPHART. Mr. President, I voted "aye".

Mr. FARRELL. Mr. President, I second the motion.

The PRESIDENT. How did the Senator vote?

Mr. FARRELL. Mr. President, I voted "aye".

On the question,

Will the Senate agree to the motion?

Mr. RUTH. I suggest, Mr. President, that if they want to amend this bill further that they amend the first two lines on the first page, which includes my name, because this is not my bill any more.

I am not opposed to the twenty year provision at all. In our training school we have a girl who thought she was a citizen until she applied for registration, because her father was naturalized, and under the law up to January 1940, all children under twenty-one were naturalized when the parents were naturalized, but January, 1940, Congress changed the law so that only children under eighteen were naturalized when the parents were naturalized.

This girl of whom I am speaking thought all the time that she was a naturalized citizen. She is ready to go int the armed services, she has offered her services to the country but she can not be accepted on this basis and, accordingly, that is the only feature in the bill that I introduced. Therefore, Mr. President, I think my name should now be taken off the bill, because it is not my bill any more.

There are very few girls in the state that would be affected, but here you have the case of a girl who graduated from a training school, after three years of hard work, paid her tuition, with the idea of becoming a registered nurse, because she believed she was a naturalized citizen, through her father being naturalized, but, of course, Congress changed the law in 1940, during the time she was in school, so that only children under eighteen were naturalized when the parents were naturalized and I feel it will not hurt the state.

We have heard the Governor say that girls should study to be nurses. We need nurses in the armed services and we need nurses in the hospitals. If you try to hire a nurse to come into your home today you can not get one for money or anything else, because they are not available. That is the only feature of the bill in which I was particularly interested and I feel it is unfair to take that provision out of the bill.

Mr. WOODWARD. Before a vote is taken on the amendment, I should like to interrogate the gentleman from Philadelphia, Mr. Kephart.

The PRESIDENT. Will the gentleman from Philadelphia permit himself to be interrogated?

Mr. KEPHART. I will, Mr. President.

Mr. WOODWARD. I have a case at home, and I simply wish to know how this bill, together with the amendment, would apply to this case in my own home, where the husband and wife are citizens, but a daughter, aged twenty, who was a volunteer nurse, is not a citizen—she is an alien; will this strike her down, that is what I want to know? What possible objection can there be to this very intelligent girl of twenty, a volunteer nurse; will this bill put her out of her position?

Mr. KEPHART. Mr. President, this bill will not put her out—she is already out. This bill was an attempt to help her, but the Caucus decided they did not want to go that far and thought that only citizens should be nurses.

Mr. WOODWARD. Mr. President, the thing I dislike about that situation is this: here is a twenty year old girl who is a volunteer nurse, here within the Commonwealth of Pennsylvania, and whether she is an alien or not she is one hundred per cent a good girl as a nurse.

Mr. WATKINS. Mr. President, will the gentleman from Philadelphia, Senator Kephart, consent to be interrogated?

The PRESIDENT. Will the gentleman from Philadelphia permit himself to be interrogated?

Mr. KEPHART. I will, Mr. President.

Mr. WATKINS. Mr. President, is it not true that under the law a girl whose parents are naturalized or citizens, and the girl is an alien, she may become a citizen by a simple petition for derivative citizenship; is that not true.

Mr. KEPHART. Would the gentleman from Schuylkill repeat his inquiry?

Mr. WATKINS. Is it not true, Mr. President, that a girl who is eighteen years of age and under twenty-one, whose parents are naturalized or citizens, can petition for derivative citizenship under the law?

Mr. KEPHART. I do not know the answer, Mr. President.

Mr. RUTH. I can answer that, Mr. President.

Mr. WATKINS. I may be wrong, Mr. President, but it is my understanding of the law that in the case of these girls whose parents are citizens, although they fail to come within the rule that they be under eighteen years of age in which case they automatically would become citizens because of the citizenship of their parents, they still can petition for derivative citizenship, which does not require a wait of two years, and I just wondered whether that was the law.

Mr. RUTH. I can answer that, Mr. President. Just as soon as this girl of whom I was speaking was told that she could not take the state board examination, she immediately made application for citizenship and she was turned down because they do not accept applications from aliens during this war.

The prothonotary in our county is the man who brought this bill to me, because he knows the circumstances and he tried to help that girl become a citizen, but she will not be accepted until after the close of hostilities. Therefore, there is no other way by which this girl can become a registered nurse, unless we pass this bill in the way it is at present.

Mr. THOMAS B. WILSON. Mr. President, while I do not think it is good legislation to pass a bill for one particular person, after I made all this trouble in the Caucus —I am really the one who was responsible—I am wondering if we can not help Reverend Ruth some way. If this bill went over in order until tomorrow, maybe the Republican Caucus might approve the bill and we might thereby help our friend Senator Ruth. If it would be of any help to the gentleman from Berks I will make such a motion.

The PRESIDENT. For the information of the gentleman from McKean there is now a motion before the Senate.

Mr. THOMAS B. WILSON. What is it, Mr. President?

The PRESIDENT. There has been a motion made and duly seconded, to reconsider the vote by which Senate Bill No. 550 passed second reading.

Mr. THOMAS B. WILSON. If I thought it would be of any help, Mr. President, I would ask the gentleman from Philadelphia, Senator Kephart, to withdraw that motion. Maybe we could help this girl and if we could I do not think either Republicans or Democrats want to sit here and be technical and keep some poor girl, in these times, from continuing her education and training and obtaining her standing as a nurse.

I want to freely admit that probably I am more at fault than anyone else and if there is any way of helping this girl, I am willing to help her.

Mr. KEPHART. Mr. President, the amendment I introduced concerning this bill is the result of our Caucus action and if the bill should go over in its order it will fail of passage; it is a Senate bill, it will only be on second reading tomorrow, it will not pass third reading until the following day, and, therefore, it will fail of passage.

It was the thought of the Republican Caucus that while the age limit could be reduced from twenty-one to twenty years of age, only citizens should be eligible to be nurses, even though one of the parents may be an American citizen.

I understand there is one girl involved in this particular instance and the reason that she can not avail herself of the privilege of electing to become a citizen is because she is an enemy alien—her parentage is German. It is unfortunate that is the situation, but it seems to me this bill would be of great benefit to many citizens of the Commonwealth, and the desire is to have the bill passed, reducing the age limit from twenty-one to twenty years of age, which is the purpose of the amendment, and I feel this bill should not be held up by reason of this one particular person.

The PRESIDENT. The gentleman from Philadelphia, Senator Kephart, will recall that his colleague from Phila-

delphia, Senator Woodward, also mentioned a girl in similar circumstances.

Mr. WOODWARD. I am for these alien girls, because I am impressed with this very attractive girl I am talking about who joined the W.A.A.C. and went out to Des Moines, and she was doing very well until they discovered she was an alien and they threw her out and then she had to go to Canada and she did join the W.A.A.C there.

(The Senate was at ease.)

AMENDMENT WITHDRAWN

Mr. KEPHART. Mr. President, I desire to withdraw the amendment I previously offered, in order to present another amendment.

The PRESIDENT. There is already before the Senate a motion properly seconded, to reconsider the vote by which Senate Bill No. 550 passed second reading.

MOTION WITHDRAWN

Mr. KEPHART. Mr. President, I withdraw the motion to reconsider the vote by which Senate Bill No. 550 passed second reading.

Mr. FARRELL. Mr. President, I withdraw my seconding of the motion.

The motion was agreed to.

And the question recurring,

Will the Senate agree to the bill on third reading?

Mr. KEPHART. I ask unanimous consent to offer the following amendments.

The PRESIDENT. Is there objection? The Chair hears none.

The Clerk read the amendments as follows:

Amend title of bill, line 8, by striking out the word "temporarily"; Amend Bill, Section 1, page 2, line 11 by striking out the part word "-one".

On the question,

Will the Senate agree to the amendments?

They were agreed to.

On the question,

Will the Senate agree to the bill on third reading, as amended?

It was agreed to.

Ordered, That the bill as amended lie over for printing on final passage.

BILL ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 551, as follows:

An Act authorizing the Department of Public Instruction with the approval of the Board of Trustees of the Kutztown State Teachers College to contract with the Borough of Kutztown for the right to connect the said college with the borough sewer system and the payment of a part of the cost of construction of such sewer system and making an appropriation

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows:

Section 1 The Department of Public Instruction with the approval of the Board of Trustees of Kutztown State Teachers College is hereby authorized to enter into a contract with the Borough of Kutztown Berks County for the future right to connect the buildings of the said teachers college to the sewer system of the said Borough of Kutztown if and when the said Board of Trustees deem it desirable and for the immediate payment by the Commonwealth of a proportionate part of the cost of construction of such sewer system based on the foot front assessment against the land of the said teachers college bordering on the streets along which the sewer mains are laid.

Section 2 The sum of one thousand seven hundred ninety-eight dollars and forty cents ($1798.40) is hereby appropriated to the Department of Public Instruction for the payment of the Commonwealth's share of the cost of the construction of such sewer system

Section 3 The provisions of this act shall become effective immediately upon final enactment.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—46

Barr,	Ealy,	Letzler,	Tallman,
Becker,	Farrell,	Mallery,	Taylor,
Bowers,	Geltz,	McCreesh,	Thomas
Carr,	Gourley,	McGinnis,	Tyler,
Chapman,	Haluska,	McQuiddy,	Wade,
Coleman,	Heyburn,	Ruth,	Walker,
Cox,	Holland,	Scarlett,	Watkins,
Crider,	Homsher,	Shapiro,	Wilson, H. I.,
Crowe,	James,	Snowden,	Wilson, T. B.,
Deitrick,	Jaspan,	Stevenson,	Woodring,
Dent,	Jones,	Stiefel,	Woodward,
DiSilvestro,	Kephart,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILL RECOMMITTED

Mr. HEYBURN. Mr. President, I move that Senate Bill No. 556 on third reading, entitled:

An Act concerning the ascertainment of principal and income and the apportionment of receipts and expenses among tenants and remaindermen, and to make uniform the law with reference thereto

be recommitted to the Committee on Banking.

Mr. TAYLOR. Mr. President, I second the motion.

The motion was agreed to.

BILL ON THIRD READING AMENDED

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 566, entitled:

An Act to further amend section one of the act, approved the twenty-second day of June, one thousand nine hundred thirty-one (P. L. 662), entitled "An act relating to retirement from the Pennsylvania National Guard," by providing that Colonels having certain service shall be placed on retired list as Brigadier Generals.

On the question,

Will the Senate agree to the bill on third reading?

Mr. HEYBURN. Mr. President, I ask unanimous consent to offer amendments at this time.

The PRESIDENT. Is there objection? The Chair hears none.

The Clerk read the amendments as follow:

Amend page 2, line 28, by striking out the word "when" after the word "that," and before the word "any"; Amend page 2, line 28, by inserting at the end thereof the word "who".

On the question,

Will the Senate agree to the amendments?

They were agreed to.

On the question,

Will the Senate agree to the bill on third reading, as amended?

It was agreed to.

Ordered, That the bill as amended lie over for printing on final passage.

BILL ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 569, entitled:

An Act to amend section eleven of the act approved the fifth day of June one thousand nine hundred forty-one (P. L. 84) entitled "An act providing for and regulating the appointment promotion and reduction in rank suspension and removal of paid members of the police force in boroughs incorporated towns and townships of the first class maintaining a police force of not less than three members creating a civil service commission in each borough incorporated town and township of the first class defining the duties of such civil service commission imposing certain duties and expense on boroughs incorporated towns and townships of the first class imposing penalties and repealing inconsistent laws" providing for preference under pre-existing law in favor of war veterans

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section eleven of the act approved the fifth day of June one thousand nine hundred forty-one (P. L. 84) entitled "An act providing for and regulating the appointment promotion and reduction in rank suspension and removal of paid members of the police force in boroughs incorporated towns and townships of the first class maintaining a police force of not less than three members creating a civil service commission in each borough incorporated town and township of the first class defining the duties of such civil service commission imposing certain duties and expense on boroughs incorporated towns and townships of the first class imposing penalties and repealing inconsistent laws" is hereby amended to read as follows

Section 11 General Provisions Relating to Examinations Each commission shall make rules and regulations to be approved as provided in section 6 hereof providing for the examination of applicants for positions in the police force and for promotions therein which rules and regulations shall prescribe the minimum qualifications of all applicants to be examined and the passing grades All examinations for positions or promotions in the police force of any municipality shall be practical in character and shall relate to such matters and include such inquiries as will fairly test the merit and fitness of the persons examined to discharge the duties of the employment sought by them All examinations shall be open to all applicants who have the minimum qualifications required by the rules and regulations Each applicant for examination shall be subject to the regulations adopted by the commission and shall be required to submit to a physical exmination before being admitted to the regular examination held by the commission

Public notice of the time and place of every examination together with the information as to the kind of position or place to be filled shall be given by publication once in a newspaper of general circulation in the municipality or in a newspaper circulating generally in the municipality at least two weeks prior to each examination and a copy of the notice shall be prominently posted in the office of the commission or other public place

The commission shall post in its office the eligible list containing the names and grades of those who have passed the examination for position under this act [Soldiers as defined by the act of the twenty-seventh day of June one thousand nine hundred thirty-nine (P. L. 1108) who have successfully passed the examination shall be given the additional credits provided for by said act] Persons male or female who served in the military or naval service of the United States during any war in which the United States has been is now or shall hereafter be engaged and who have honorable discharges from such service who have successfully passed the examination shall be given the additional credits and preference in appointment and promotion provided for by any law of this Commonwealth

Section 2 The provisions of this act shall become effective immediately upon its final enactment

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—46

Barr,	Ealy,	Letzler,	Tallman,
Becker,	Farrell,	Mallery,	Taylor,
Bowers,	Geltz,	McCreesh,	Thomas,
Carr,	Gourley,	McGinnis,	Tyler,
Chapman,	Haluska,	McQuiddy,	Wade,
Coleman,	Heyburn,	Ruth,	Walker,
Cox,	Holland,	Scarlett,	Watkins,
Crider,	Homsher,	Shapiro,	Wilson, H. I.,
Crowe,	James,	Snowden,	Wilson, T. B.,
Deitrick,	Jaspan,	Stevenson,	Woodring,
Dent,	Jones,	Stiefel,	Woodward,
DiSilvestro,	Kephart,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 571, entitled:

An Act empowering cities of the third class boroughs incorporated towns and townships to co-operate with each other through joint agreements in the exercise of their governmental powers duties and functions relating to the public health recreation zoning and municipal planning

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The word "municipality" as used in this act shall include cities of the third class boroughs incorporated towns and townships

Section 2 Two or more municipalities may jointly cooperate in the exercise and in the performance of their

respective governmental powers duties and functions relating to the public health recreation zoning and municipal planning and in carrying into effect provisions of law relating to said subjects which are common to all of such joining municipalities and which each may under existing law separately exercise and perform For the purpose of carrying the provisions of this act into effect the municipalities joining shall enter into such joint agreements as may be deemed appropriate for such purposes

Section 3 Any joint agreement shall be deemed in force as to any particular municipality when the same has been adopted by ordinance or in the case of townships of the second class by resolution After adoption any such agreement shall become binding upon the municipality and the covenants thereof may be enforced by appropriate remedy by any one or more municipalities against any other municipality party thereto

Section 4 Every such agreement shall set forth inter alia the particulars relating to the manner of co-operation the means by and through which such co-operation shall be effectuated including if any the employment of joint personnel and the purchase of personal property and materials for the joint use of the municipalities the allocation of the costs and expenses connected with the administration of the joint agreement upon an equitable basis the term for which the agreement shall be in force and the manner in which the same may be renewed for another term and the manner in which joint property shall be disposed of or shared upon the termination of the agreement Amendments to any agreement shall be adopted in the same manner as the original agreement

Section 5 All joint purchases involving an expenditure of more than five hundred dollars ($500) shall be made by contract in writing only after notice for bids once a week for two weeks in at least one and not more than two newspapers of general circulation generally in the joining municipality All contracts shall be let to the lowest responsible bidder

Section 6 This act shall not be construed to authorize one municipality to delegate any of its powers duties and functions to another municipality nor to authorize one municipality to exercise such powers duties or functions on behalf of another municipality

Section 7 All acts and parts of acts inconsistent with the provisions of this act are hereby repealed

Section 8 This act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—46

Barr,	Ealy,	Letzler,	Tallman,
Becker,	Farrell,	Mallery,	Taylor,
Bowers,	Geltz,	McCreesh,	Thomas,
Carr,	Gourley,	McGinnis,	Tyler,
Chapman,	Haluska,	McQuiddy,	Wade,
Coleman,	Heyburn,	Ruth,	Walker,
Cox,	Holland,	Scarlett,	Watkins,
Crider,	Homsher,	Shapiro,	Wilson, H. I.,
Crowe,	James,	Snowden,	Wilson, T. B.,
Deitrick,	Jaspan,	Stevenson,	Woodring,
Dent,	Jones,	Stiefel,	Woodward,
DiSilvestro,	Kephart,		

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 572, entitled:

An Act providing for fresh pursuit by military forces and authorizing this State to cooperate with other states therein

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Use Without This State No military forces of this State other than the National Guard and the Pennsylvania Reserve Defense Corps shall be required to serve outside the boundaries of this State except

(a) Any organization unit or detachment of such forces upon order of the officer in immediate command thereof may continue in fresh pursuit of insurrectionists saboteurs enemies or enemy forces beyond the borders of this State into another state until they are apprehended or captured by such organization unit or detachment or until the military or police forces of the other state or the forces of the United States have had a reasonable opportunity to take up the pursuit or to apprehend or capture such persons Provided such other state shall have given authority by law for such pursuit by such forces of this State Any such person who shall be apprehended or captured in such other state by an organization unit or detachment of the forces of this State shall without unnecessary delay be surrendered to the military or police forces of the state in which he is taken or to the United States but such surrender shall not constitute a waiver by this State of its right to extradite or prosecute such person for any crime committed in this State

Section 2 Permission to Forces of Other States Any military forces or organization unit or detachment thereof of another state who are in fresh pursuit of insurrectionists saboteurs enemies or enemy forces may continue such pursuit into this State until the military or police forces of this State or the forces of the United States have had a reasonable opportunity to take up the pursuit or to apprehend or capture such persons and are hereby authorized to arrest or capture such persons within this State while in fresh pursuit Any such person who shall be captured or arrested by the military forces of such other state while in this State shall without unnecessary delay be surrendered to the military or police forces of this State to be dealt with according to law This section shall not be construed so as to make unlawful any arrest in this State which would otherwise be lawful

Section 3 Severability If any provision of this act or the application thereof to any person or circumstances is held invalid such invalidity shall not affect other provisions or applications of the act which can be given effect without the invalid provision or application and to this end the provisions of this act are declared to be severable

Section 4 Repeal All acts and parts of acts inconsistent with the provisions of this act are hereby repealed

Section 5 Short Title This act may be cited as the Fresh Pursuit by Military Forces Act

Section 6 This act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—45

Barr,	Ealy,	Kephart,	Tallman,
Becker,	Farrell,	Letzler,	Taylor,
Bowers,	Geltz,	Mallery,	Thomas,
Carr,	Gourley,	McCreesh,	Tyler,
Chapman,	Haluska,	McGinnis,	Wade,
Coleman,	Heyburn,	McQuiddy,	Walker,
Cox,	Holland,	Ruth,	Watkins,
Crider,	Homsher,	Scarlett,	Wilson, H. I.,
Crowe,	James,	Snowden,	Wilson, T. B.,
Deitrick,	Jaspan,	Stevenson,	Woodring,
Dent,	Jones,	Stiefel,	Woodward,
DiSilvestro,			

NAYS—1

Shapiro,

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

BILL OVER IN ORDER

Mr. HEYBURN. Mr. President, I ask unanimous consent that House Bill No. 578, on third reading, entitled:

An Act relating to chattel mortgages on livestock poultry farm machinery farm equipment and crops grown growing or to be grown designating the operation and effect of the lien of such mortgages providing for the filing indexing and docketing of such mortgages and related instruments in prothonotaries' offices and prescribing prothonotaries' fees providing for the filing in Pennsylvania of similar lien instruments originally filed or recorded in other states regulating the assignment release satisfaction and extension of the lien of such mortgages prescribing methods of foreclosure defining defaults and violations and fixing penalties

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 581, as follows:

An Act to further amend section one thousand seven hundred seven of the act approved the eighteenth day of May one thousand nine hundred eleven (P. L. 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" by allowing certain pupils to attend schools in other districts

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section one thousand seven hundred seven of the act approved the eighteenth day of May one thousand nine hundred eleven (P. L. 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" as last amended by section nine of the act approved the first day of June one thousand nine hundred thirty-three (P. L. 1152) is hereby further amended to read as follows

Section 1707 Pupils residing in a school [districts] district in which no public high [schools are] school is maintained may attend during the entire term the [high schools in other districts which are] nearest or most [convenient to their homes] conveniently located high school of such class as they may desire to attend (Pupils who reside in a school district in which no public high school other than a vocational high school is maintained may attend during the entire term the nearest or most conveniently located academic high school Pupils who reside in a school district in which an academic or vocational high school is maintained but whose program of studies does not include a commercial course approved by the State Council of Education may attend during the entire term the nearest or most conveniently located high school which does provide such an approved commercial course at the expense of the school board of the district in which they live In any district which maintains a high school whose program of studies terminates before the end of the twelfth year pupils who have satisfactorily completed the program of studies there available in other than vocational schools or departments or have completed a program of studies equivalent to said program of studies in some other school or schools may attend at the expense of the school board of the district in which they live and for the purpose of pursuing academic or commercial studies of a higher grade the nearest or most conveniently located high school of such type as they may desire to attend giving further high school work Provided That pupils wishing to attend a high school in a district other than the one in which they reside shall obtain the consent of the board of school directors of the district in which such high school is located before attending the same And provided further That where pupils desirous of having their tuition paid in a high school in another district on account of having completed such program of studies in their own district or its equivalent in some other school or schools they must present to the board of their own district and the board of the district in which they wish to attend a certificate from the county superintendent who has jurisdiction over the district in which they live that they have satisfactorily completed the equivalent of said program of studies And provided further That the board of school directors of the district in which the said pupil and/or pupils reside may by agreement in writing provide for the attendance and tuition of the said pupil and/or pupils without the necessity of the said pupil and/or pupils taking the county examination with the approval of the county superintendent in writing County superintendents are hereby authorized and in cases where the boards of the districts have not agreed as hereinbefore provided for required to examine such pupils and if entitled to issue to them the necessary certificate.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—46

Barr,	Ealy,	Letzler,	Tallman,
Becker,	Farrell,	Mallery,	Taylor,
Bowers,	Geltz,	McCreesh,	Thomas,
Carr,	Gourley,	McGinnis,	Tyler,
Chapman,	Haluska,	McQuiddy,	Wagc,
Coleman,	Heyburn,	Ruth,	Walker,
Cox,	Holland,	Scarlett,	Watkins,
Crider,	Homsher,	Shapiro,	Wilson, H. I.,
Crowe,	James,	Snowden,	Wilson, T. B.,
Deitrick,	Jaspan,	Stevenson,	Woodring,
Dent,	Jones,	Stiefel,	Woodward,
DiSilvestro,	Kephart,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILL OVER IN ORDER

Mr. HEYBURN. Mr. President, I ask unanimous consent that Senate Bill No. 590 on third reading, entitled:

An act to amend section six hundred four, section six hundred five, and to add section six hundred eight to the act, approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 177), entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments, boards, commissions, and officers thereof, including the boards of trustees of State Normal Schools, or Teachers Colleges; abolishing, creating, reorganizing or authorizing the reorganization of certain administrative departments, boards, and commissions; defining the powers and duties of the Governor and other executive and administrative officers, and of the several administrative departments, boards, commissions, and officers; fixing the salaries of the Governor, Lieutenant-Governor, and certain other executive and administrative officers; providing for the appointment of certain administrative officers, and of all deputies and other assistants and employes in certain departments, boards, and commissions; and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments, boards and commissions shall be determined," by further defining the duties of the Auditor General, the State Treasurer and the Secretary of Internal Affairs, and requiring fiscal reports to be filed with the Governor by all administrative departments, boards, and commissions

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 590, as follows:

An Act requiring political subdivisions to refund taxes and license fees erroneously and inadvertently paid thereto and giving a right of action against such political subdivision for the recovery of such taxes and fees upon their failure to make such refunds making the provisions of the act retroactive and repealing existing laws

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Whenever any person or corporation of this Commonwealth has erroneously or inadvertently paid or caused to be paid into the treasury of any political subdivision directly or indirectly any tax or taxes on real or personal property or any license fee or fees under an assumption that such taxes or license fees were due and owing when in fact such taxes or license fees or a part thereof were not due and owing to the political subdivision then in such cases the authorities of the political subdivision upon due proof of any such erroneous or inadvertent tax or license fee payments are hereby directed to draw their warrant on the treasurer of such political subdivision in favor of such person or corporation to make refund out of the public funds of such tax or taxes or license fee or fees to which the political subdivision has no valid claim Providing however That no such refund shall be made sooner than the first day of September one thousand nine hundred forty-four

The provisions of this act shall be construed to include taxes paid upon real estate assessments which erroneously contained buildings which had been previously destroyed or torn down but whose destruction was not noted by the assessors and was included in the assessment

Section 2 In the event of refusal or failure on the part the authorities of the political subdivision involved to make any such refund of taxes or fees so erroneously paid into the treasury thereof then the aggrieved person or corporation shall have the right to recover the sum involved by instituting an action in assumpsit in any court of competent jurisdiction within the county wherein such political subdivision is located

Section 3 The provisions of this act shall be retroactive and effective as to any and all taxes and fees heretofore erroneously or inadvertently paid into the treasury of any political subdivision for a period of not exceeding three years prior to the discovery of such erroneously paid taxes and fees

Section 4 The act approved the twenty-first day of May one thousand nine hundred and thirty-seven (P. L. 786 entitled "An act authorizing county commissioners to refund taxes and license fees erroneously and inadvertently paid by persons and corporations into the county treasury and limiting the time within which claims for refunds must be made" and the act approved the second day of June one thousand nine hundred and thirty-seven (P. L. 1211) entitled "An act to further amend the title and section one of the act approved the eighth day of May one thousand nine hundred and twenty-nine (P. L. 1656) entitled 'An act authorizing county commissioners to refund taxes erroneously and inadvertently paid by persons and corporations into the county treasury' extending said act to all political subdivisions" are hereby repealed absolutely

All other acts and parts of acts inconsistent with the provisions of this act are hereby repealed

Section 5 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—45

Barr,	Ealy,	Kephart,	Tallman,
Becker,	Farrell,	Letzler,	Taylor,
Bowers,	Geitz,	Mallery,	Thomas,
Carr,	Gourley,	McCreesh,	Tyler,
Chapman,	Haluska,	McGinnis,	Wade,
Coleman,	Heyburn,	McQuiddy,	Walker,
Cox,	Holland,	Ruth,	Watkins,
Crider,	Homsher,	Scarlett,	Wilson, H. I.,
Crowe,	James,	Snowden,	Wilson, T. B.,
Deitrick,	Jaspan,	Stevenson,	Woodring,
Dent,	Jones,	Stiefel,	Woodward,
DiSilvestro,			

NAYS—1

Shapiro,

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate passed the same with amendments in which the concurrence of the House is requested.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 596, as follows:

An Act to further amend sections four hundred four and four hundred ten of the act approved the twenty-ninth day of November one thousand nine hundred thirty-three (P. L. 15 1933-34) entitled as amended "An act to regulate and restrain the sale manufacture possession transportation importation traffic in and use of alcohol and alcoholic and malt or brewed beverages conferring powers and imposing duties upon the Pennsylvania Liquor control Board and its agents the Department of Public Instruction other officers of the

State government courts and district attorneys authorizing the establishment and operation of State stores for the sale of such beverages not for consumption on the premises and the granting of licenses subject to local option to sell such beverages for consumption on and off the premises forbidding importation or bringing of such beverages into the State except as herein provided prohibiting certain sales or practices in connection with and transactions in such beverages by licensees and others providing for the forfeiture of certain property making disposition of the receipts from State stores and of fees and imposing penalties" conferring jurisdiction on the county court of Allegheny County in cases of appeals from the Pennsylvania Liquor Control Board

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Sections four hundred four and four hundred ten of the act approved the twenty-ninth day of November one thousand nine hundred thirty-three (P. L. 15 1933-34) entitled as amended "An act to regulate and restrain the sale manufacture possession transportation importation traffic in and use of alcohol and alcoholic and malt or brewed beverages conferring powers and imposing duties upon the Pennsylvania Liquor Control Board and its agents the Department of Public Instruction other officers of the State government courts and district attorneys authorizing the establishment and operation of State stores for the sale of such beverages not for consumption on the premises and the granting of licenses subject to local option to sell such beverages for consumption on and off the premises forbidding importation or bringing of such beverages into the State except as herein provided prohibiting certain sales or practices in connection with and transactions in such beverages by licensees and others providing for the forfeiture of certain property making disposition of the receipts from State stores and of fees and imposing penalties" as last reenacted and amended by the act approved the sixteenth day of June one thousand nine hundred thirty-seven (P. L. 1762) are hereby further amended to read as follows

Section 404 License Hearings Appeals from Refusals of Board to Issue Renew or Transfer Licenses The board may of its own motion and shall upon the written request of any applicant for club hotel or restaurant liquor license or for renewal or transfer thereof whose application for such license renewal or transfer has been refused fix a time and place for hearing of such application for liquor license or for renewal or transfer thereof notice of which hearing shall be mailed to the applicant at the address given in his application Such hearing shall be before the board a member thereof or an examiner designated by the board At such hearing the board shall present its reasons for its refusal or withholding of license renewal or transfer thereof The applicant may appear in person or by counsel may cross-examine the witnesses for the board and may present evidence which shall likewise be subject to cross-examination by the board Such hearing shall be stenographically recorded The examiner shall thereafter report to the board upon such hearing The board shall thereupon grant or refuse the license renewal or transfer thereof If the board shall refuse such license renewal or transfer following such hearing notice in writing of such refusal shall be mailed to the applicant at the address given in his application In all such cases the board shall file of record at least a brief statement in the form of an opinion of the reasons for the ruling or order and furnish a copy thereof to the applicant Any applicant who has appeared before the board or any agent thereof at any hearing as above provided who is aggrieved by the refusal of the board to issue a hotel or restaurant or club liquor license or to renew or transfer a hotel restaurant or club liquor license may appeal within twenty days from date of refusal to the court of quarter sessions or the county court of Allegheny County of the county in which the hotel or restaurant or club is located Such appeal shall be upon petition of the applicant who shall serve a copy thereof upon the board whereupon a hearing shall be held upon the petition by the court upon ten days' notice to the board which shall be represented in the proceeding by the Department of Justice The court shall hear the application de novo at such time as it shall fix of which notice shall be given to the board The court shall either sustain the refusal of the board or order the issuance of the license to the applicant There shall be no further appeal Any appeal shall act as a supersedeas unless upon sufficient cause shown the court shall determine other wise

The jurisdiction of the county court of Allegheny County conferred hereby shall be exclusive within the territorial limits of its jurisdiction

Section 410 Revocation and Suspension of License Upon learning of any violation of this act or any laws of this Commonwealth relating to liquor alcohol or malt or brewed beverages or of any regulations of the board adopted pursuant to such laws or any violation of any laws of this Commonwealth or of the United States of America relating to the tax payment of liquor or malt or brewed beverages by any licensee his officers servants agents or employes or upon any other sufficient cause shown the board may within one year from the date of such violation or cause appearing cite such licensee to appear before it or its examiner not less than ten nor more than fifteen days from the date of sending such licensee by registered mail a notice addressed to him at his licensed premises to show cause why such license should not be suspended or revoked Hearings on such citation shall be held in the same manner as provided herein for hearings on applications for license Upon such hearing if satisfied that any such violation has occurred or for other sufficient cause the board shall immediately suspend or revoke the license notifying the licensee thereof by registered letter addressed to his licensed premises When a license is revoked the licensee's bond may be forfeited by the board Any licensee whose license is revoked shall be ineligible to have a license under this act or under any other act of the Commonwealth of Pennsylvania relating to the manufacture transportation or sale of liquor or malt or brewed beverages until the expiration of three years from the date such license was revoked In the event the board shall revoke a license no license shall be granted for the premises or transferred to the premises in which the said license was conducted for a period of at least one year after the date of the revocation of the license conducted in the said premises except in cases where the licensee or a member of his immediate family is not the owner of the premises in which case the board may in its discretion issue or transfer a license within said year In all such cases the board shall file of record at least a brief statement in the form of an opinion of the reasons for the ruling or order In the event the person whose license was suspended or revoked by the board shall feel aggrieved by the action of the board he shall have the right to appeal to the court of quarter sessions or the county court of Allegheny County in the same manner as herein provided for appeals from refusals to grant licenses Such appeal shall act as a supersedeas unless upon sufficient cause shown the court shall determine otherwise In those cases where the board shall suspend a license the board may accept from the licensee an offer in compromise as a penalty in lieu of such suspension and thereupon rescind such suspension In the case of hotel restaurant and club licensees the offer in compromise shall be at the rate of ten dollars for each day of suspension and in the case of importers and sacramental wine licensess the offer in compromise shall be at the rate of thirty dollars per day No offer in compromise may be accepted by the board in those cases where the suspension is for a period in excess of one hundred days

The jurisdiction of the county court of Allegheny

County conferred hereby shall be exclusive within the territorial limits of its jurisdiction

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—40

Barr,	Dent,	Jones,	Stevenson,
Becker,	DiSilvestro,	Kephart,	Tallman,
Bowers,	Farrell,	Letzler,	Taylor,
Carr,	Gourley,	Mallery,	Thomas,
Chapman,	Haluska,	McCreesh,	Wade,
Coleman,	Heyburn,	McGinnis,	Walker,
Cox,	Holland,	McQuiddy,	Watkins,
Crider,	Homsher,	Ruth,	Wilson, H. I.,
Crowe,	James,	Scarlett,	Wilson, T. B.,
Deitrick,	Jaspan,	Snowden,	Woodring,

NAYS—4

Ealy,	Geltz,	Shapiro,	Stiefel,

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which the concurrence of the House is requested.

BILLS RECOMMITTED

Mr. HEYBURN. Mr. President, I move that Senate Bill No. 597 on third reading, entitled:

An Act to add Section 699.7 to the act, approved the twenty-fourth day of June, one thousand nine hundred and thirty-nine (P. L. 872), entitled "An act to consolidate, amend and revise the penal laws of the Commonwealth," prohibiting the buying or selling of Federal ration stamps, coupons or other indicia or tokens necessary for the purchase of food, clothing, footwear, fuel or other commodities or articles; prohibiting the acceptance of such stamps, coupons or other indicia or tokens with knowledge that they have been bought or sold; and providing penalties

be recommitted to the Committee on Judiciary General.

Mr. TALLMAN. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

Mr. SHAPIRO. Mr. President, I desire to interrogate the gentleman from Delaware, Senator Heyburn.

The PRESIDENT. Will the gentleman from Delaware permit himself to be interrogated?

Mr. HEYBURN. I will, Mr. President.

Mr. SHAPIRO. Mr. President, will the gentleman from Delaware state the reason for recommitting this bill?

Mr. HEYBURN. Mr. President, there are two reasons. There are two bills here, Senate Bill No. 597 and Senate Bill No. 598, which are companion bills. The Republican Caucus felt that we should not attempt to regulate strictly federal matters, for one thing, and another thing, as the gentleman from Philadelphia well knows, we have several constitutional lawyers down in our Caucus, and on page 3 of Senate Bill No. 598, Section 5—I assume the Senator from Philadelphia has read the bill?

Mr. SHAPIRO. Yes, I have, Mr. President.

Mr. HEYBURN. And being a lawyer, I assume the gentleman from Philadelphia, Senator Shapiro, agrees that makes the whole thing unconstitutional

Mr. SHAPIRO. I do not agree with that, Mr. President, but I do agree that having lawyers down in the Caucus, is bad enough, and when you have constitutional lawyers it is even worse.

I would like to suggest that these two bills are very important bills. One of them enables the state to aid the Federal Government in enforcing price ceilings, and the other enables the state to enforce the number of points, and it seems to me that the state of Pennsylvania can do a good job in assisting the Federal Government in its war effort. That is right in line with the Governor's policy to help the war effort.

It is almost physicially impossible for the Federal Government to prevent without assistance from the state, the various violations that occur in price ceiling fixing and in point rationing, and it strikes me that if these two bills can possibly be passed they should be.

If there is objection to a section, if lawyers as usual can not agree on the constitutionality of a bill maybe that bill can be fixed up. If it is the intent that this bill shall be amended, it should be done and done quickly. If it is the intent to send the bill back to committee and let it die there, I think this is one of the first evidences of our failure to see an opportunity to render real service to the Federal Government in its war effort.

Mr. HEYBURN. I might add, Mr. President, that the members of the Republican Caucus agree that the spirit and the motives behind these bills are entirely proper but, as I say, I would like to refer the gentleman from Philadelphia, Senator Shapiro, to section 5, page 3 of Senate Bill No. 598. That is the reason for the motion to send them back to Committee.

Mr. COLEMAN. Mr. President, I assume from the remarks of the gentleman from Delaware that he proposes to make a similar motion with respect to Senate Bill No. 598 and accordingly what I have to say will apply to both bills.

In a Session noteworthy because of its lack of any war legislation I am a bit surprised that the Republican Floor Leader would send back to committee the only attempt in the present Session of the Legislature to curb black markets.

My friend from Philadelphia, Senator Shapiro, is in the habit of saying that if you have termites in your home it is a mistake to burn the house down to get rid of them. If there is any provision in this bill that renders it of doubtful constitutionality, that ought to be deleted, but certainly we ought not send the bill back to committee during the dying days of the Session for the obvious purpose of bringing about its death by strangulation in committee.

These bills came from the Office of Price Administration, they are very important measures, and I think that within the last two months the assembly of New York state passed a similar bill to curb black markets, which abounded in that particular state.

In addition to the provisions which are incorporated in Senate Bill No. 598, the bill passed by the state of New

York provided for price fixing, which is not attempted in this particular bill.

I want to register my vigorous protest against sending these two bills back to committee.

President Roosevelt said on one occasion, and I think he summed it up very nicely, if the boys across the pond are to have what they need, we can not have what we want, and this bill attempts to put into law that philosophy so well expounded by the President of the United States.

I ask for a roll call and I ask my colleagues to vote against sending these bills back to committee.

Mr. WOODRING. I am heartily in accord with what has been already said by the gentleman from Lackawanna, Senator Coleman, and the gentleman from Philadelphia, Senator Shapiro.

It seems to me that we ought to remember, in the closing hours of this session, just as we voiced our sentiments in the beginning of this session, that during this session we are not Democrats or Republicans but that we are Americans.

Here are two bills which we are talking about, the first of which, Senate Bill No. 597, definitely was promoted to aid in the federal prosecution of this war. That bill adds a section to the Penal Code; and it provides penalties for the illicit buying or selling of ration stamps or coupons, or accepting such coupons or stamps with knowledge that they were bought or sold.

Mr. President, I do not care what our political complexion is tonight but it seems to me that if we are serious with the boys we have sent out from this Commonwealth and from our very families, we ought to vote "no" on this motion.

I understand the Senator from Delaware, Senator Heyburn, to state that the objection to Senate Bill No. 598 is that there is some constitutional doubt about that bill, and in that connection I say let us take the next bill in order, but in this bill, gentlemen of the Senate, it seems to me, our serious patriotic duty is to vote "no" on this motion and let us pass the bill.

Mr. HALUSKA. Mr. President, I desire to interrogate the gentleman from Lackawanna.

The PRESIDENT. Will the gentleman from Lackawanna permit himself to be interrogated?

Mr. COLEMAN. I will, Mr. President.

Mr. HALUSKA. Is it not a fact, Mr. President, that the Federal Government now has made provisions to prosecute any of those who tamper with rationed goods through the so-called black market and that there is no need for a law to govern that subject now.

Mr. COLEMAN. The best answer I can give to that, Mr. President, is that all of the various legislatures in America have passed legislation to bring about the curbing of black markets and those engaged in hoarding food and selling at and excess profit. That appears to me to answer the question of the gentleman from Cambria, because obviously there is no federal legislation which will enable the Federal Government to properly prosecute those men.

Mr. HALUSKA. Would it not be incompatible, Mr. President, to place upon our statutes in the Commonwealth any law which would interfere with the federal law?

Mr. COLEMAN. The gentleman from Cambria, Mr. President, is getting into the domain of a lawyer—I am a poor but honest layman and I can not get into that particular problem—but I would say that the impelling force behind the introduction of such bills is that the Federal Government has a tremendous amount of work to do in its various jobs in prosecuting the war and the Federal Government is asking the state agencies and the state government to aid them in arresting and prosecuting men engaged in black marketing and persons who illegally use ration stamps.

Mr. HALUSKA. Has there been any direct request from the Federal Government asking for such help?

Mr. COLEMAN. These bills came from the O. P. A. representative in Dauphin County. I had understood from my conversation with him that he got them from the O. P. A. office in Washington, which would suggest to me that this legislation is necessary for the proper prosecution of those engaged in black market operations.

Mr. HALUSKA. I thank the gentleman from Lackawanna.

Mr. President, I see no need for such legislation at all. I am satisfied that we have now sufficient federal men covering the country and if any one is tampering with black markets they will be dealt with accordingly and I see no reason why we should act upon any such legislation now.

I will vote with the majority to send this bill back to committee.

Mr. WATKINS. First, Mr. President, I think the gentleman from Cambria, Senator Haluska, has put his finger upon one of the objections to these bills, but there is a further objection because the Federal Government is handling all the regulations and all the orders which are changed daily and almost hourly, and if we in Pennsylvania put upon our statute books a law which says these things are crimes in Pennsylvania, what is a crime at nine o'clock tomorrow morning may be changed and be entirely innocent at ten o'clock, by some order of the Office of Price Administration.

I think the people who make the orders and control rationing and all the other items that deal with black markets, should also be the punishing power and the penal code of the Federal Government will take care of the situation very well.

Mr. GELTZ. Mr. President, I think that possibly the sponsors of these bills do not realize just what the bills do. In Senate Bill No. 597, page 2, section 699.7 there is a provision which states "anybody who knowingly does a certain thing," and anybody who has had experience in the prosecution of cases knows that it is almost an impossibility to prove absolute knowledge, unless you get the other person who is involved in the crime to make a confession, and that does not often occur.

Senate Bill No. 597, as it is worded, is not worth much from the standpoint of the prosecution of law, and I would suggest to the sponsors that they get a bill that is worded properly, if they are sincerely interested in endeavoring to assist the Federal Government in putting a stop to these so-called black markets and offenses in connection with the rationing of goods.

The other bill, Senate Bill No. 598, I say is a dangerous bill; instead of being a helpful bill in connection with the prosecution of these matters, it is a dangerous bill for the citizens of this state. On page 2, section 2, it provides:

"Any person who in the course of trade or business or for profit sells, or in any other way transfers a commodity" and so forth. This section does not provide at all for a person doing a thing intentionally or wilfully, but if a person does it accidentally, he then is subject to a fine of not more than $300 or more than thirty days imprisonment or both for every offense.

As my colleague from Schuylkill, Senator Watkins, has stated, these rationed articles are being changed almost daily. Today some articles which are rationed will be unrationed tomorrow, and vice versa, so that it is a hard matter for individuals to keep track of what is rationed and what is not rationed, and if a person accidentally should make a mistake in connection with one rationed article, under section 2 of Senate Bill No. 598 he would be subject to a fine of $300 or thirty days imprisonment, or both. For those reasons I say that that bill is a dangerous bill to the citizens of this Commonwealth.

Mr. WOODWARD. Since the Caucus instructed me how to vote on these bills, I have read in the newspapers that the Governor has stated publicly that he would do all in his power to co-operate with the Federal Government to help settle the coal strike because it retarded the progress of the war effort, and as I listened to the debate on these bills it seems to me this is in the same category and I should think the Governor would like to co-operate with the Federal Government in this instance because this also interferes with the war effort, and therefore I think I shall vote against recommittal, and probably not be able to go to the Caucus any more.

Mr. SHAPIRO. Mr. President, these bills do not deal with new crimes, as there are people being punished every day in all the states of the union for doing the acts which are made the subject of these bills. The citizens of the Commonwealth are in just as much danger without these bills. The regulations of the O. P. A. are, in effect, the same without these bills as they are with them; the regulations of the O. P. A. are in effect the same as these bills. Any lawyers who are doing any work along this line know that the O. P. A. not only prosecutes people who sell at higher market prices but they also prosecute those who buy. I can get twenty lawyers together and they will find twenty reasons why these bills are unconstitutional, but if we arrange the thing properly the same twenty lawyers will agree they are constitutional. It is all in the way you approach it.

These bills do nothing more than make a Pennsylvania crime out of something that has already been made a Federal crime. It is not unusual for one person to be prosecuted for a single offense by two authorities. Anybody who had had any experience knows that a state bank can prosecute for an offense committed by one of its employes and if that bank has federal deposit insurance the Federal Government can also prosecute for the same offense.

These two bills are not dangerous to the people of Pennsylvania, but they are important to the people of the United States, they are important to all the soldiers who are fighting because if we admit the basis of the whole proposition it is this, that unless we keep prices down, unless we prevent inflation, unless we prevent hoarding, we are going to interfere with the war effort. How can you say or how can you honestly argue that anything that tightens up that proposition and makes it more difficult to sell below the prices fixed, or makes it impossible to hoard or acquire a commodity without a ration coupon, how can you say that makes it dangerous to the people of Pennsylvania?

Let us get down to facts and stop talking about this, just because we do not like the way in which the bill was drawn. I do not say the bill is perfect. These two bills were passed by the Commonwealth of New York. These two bills have now enabled that state to take off the hands of the Federal Government a tremendous amount of prosecution, a tremendous amount of work. It is physically impossible for any one single administration, with the amount of work that this federal administration has, to enforce this law single-handed.

I have yet to see any bill that is enabling this Governor to carry out his promise to co-operate with the Federal Government. If there is one I do not recall it and it there is and I do not recall it, I am sure it is because it is not as specific in the direction of aiding the Federal Government in the war effort as these two bills are. They have been here since April 20 and I have seen bills amended tonight that have been here a shorter time. If the Republican Caucus objects to any provisions, those objections can be corrected; if the word "knowingly" is important, it can be inserted.

If you read these bills with an eye to the objective, namely, to assist the Federal Government—you are talking about the danger of these bills to the citizens of Pennsylvania, should they be passed, but you are forgetting the danger to the citizens of the United States should you fail to give all the assistance that you can to the Federal Government.

Mr. TALLMAN. I am sorry that in the course of this discussion there again seems to have crept into it this matter of politics which has been going back and forth on the floor of this Senate for a long time. I regret, too, that in the consideration of these bills there seems to be a lot of fervor or patriotism—so called—that has been prevalent on the floor of this Senate.

Concerning the statements that the Federal Government is doing everything possible within its power to enforce O.P.A. regulations, I should like to remind the gentleman from Philadelphia, Senator Shapiro, that it might have been very healthy for him, in the light of what he just said on the floor of this Senate this evening, to have been in Court Room No. 6 in the United States District Court last Friday, with regard to prosecutions that the Federal Government and the O.P.A. were conducting with regard to violation of ceiling prices set by the O.P.A.

I do not believe honestly that this thing that is proposed in these two bills is a matter that should be regulated by this Commonwealth. As has been suggested here tonight, the O.P.A. change rules and regulations, ceiling prices and rationed articles, almost daily, almost hourly. I believe that the Federal Government is in a better position, a far better position than the Commonwealth of Pennsylvania to treat with this subject matter. With regard to all the flag waving that has been done about these bills and about what the Commonwealth of Pennsylvania should do to aid in the prosecution of this war, I have just one comment to make and that is this, that if the people of this nation need to be rationed and if the enforcement of rationing has got to be by laws passed by the forty-eight states in this nation, and if the people

of this nation are not going to realize their obligation to the boys at the front, the obligation that they owe to the people of this nation in the prosecution of the war effort, then God help us and God help the boys at the front.

Mr. WALKER. Mr. President, I do not want to carry this thing beyond the realm of decent argument but I, too, like the gentleman from Lehigh, Senator Tallman, am amazed sometimes to discover General MacArthur standing over there on the battle front waiting for us to pass some bill here, and I do not think this is one of the bills General MacArthur is waiting for.

The gentleman from Lackawanna, Senator Coleman, who is one of the three sponsors of this bill, discussed it from a layman's viewpoint. I would like to direct the attention of the two eminent members of the bar who co-sponsored this bill, to one portion of Senate Bill No. 598 which rather interested me. One of the old customs in the rural community I come from is known as neighborly borrowing, somebody slips across the back lot and borrows a couple of teaspoonsfull of coffee or a pat of butter.

That is one of the foundations of this nation, the privilege of going over and borrowing, but here under section 2, page 2 of Senate Bill No. 598, if I drop over to a neighbor's house and borrow half a cup of sugar or a little butter or some coffee, lo and behold, I have violated a law of the Commonwealth of Pennsylvania, I am a black marketer, I am a scoundrel and a dog, and I have aided and abetted the enemy because I am retarding the war effort, because Senate Bill No. 598, page 2, section 2, says "Any person who in the course of trade or business or for a profit sells or in any way transfers a commodity rationed by any order or regulation—" and so on.

As has been so ably stated by the eminent gentleman from Lehigh, Senator Tallman, the government never knows tonight what is going to be rationed tomorrow and they are doing the best they can to bring order out of chaos. We are all in sympathy with the problems confronting the O.P.A., but if we are going to make a Gestapo out of all our neighbors in order to try to assist in a lame duck war effort, I think the sponsors of the bill ought to get up and say so, because this gives all my neighbors a grand opportunity to go down and tell the O.P.A. that a Republican woman, living in a Republican district, borrowed a cup of sugar last week and has not paid it back and she, therefore, has violated this bill, and that is one of the reasons I am opposed to legislation like this.

I would like to say also that early in this session representatives of, I believe it was the O.P.A—I am familiar with that alphabet only slightly and if I am wrong perhaps some of the gentleman on the left will correct me—presented me with an idea for legislation because the Federal Department of Agriculture was going to take over meat rationing, and they wanted the legislature of Pennsylvania to pass a bill and in substance this bill suggested that any rule or regulation handed down by the Secretary of the Department of Agriculture in Washington would be a component part of the penal statue of the Commonwealth of Pennsylvania, and when I explained to them that since this Senate had gone on record in 1941, refusing to give a Republican Governor a blank check, that certainly now, with both the House and Senate in control of Republicans, we certainly were not going to give the Secretary of the Department of Agriculture in Washington a blank check so that some cold, stormy morning he could decide that he was going to change the penal statutes of the Commonwealth of Pennsylvania.

I suggested to them that they hire fifteen or twenty lawyers in this Commonwealth to work for them and draft this bill so that we could pass it and their answer was, "we do not have the time, you do it," and there hangs the bill.

Mr. President, I respectfully suggest to the sponsors of this bill that if the O.P.A., or any other of those governmental agencies, have any concrete constructive suggestions as to how Pennsylvania can aid them in the troublesome problems that are confronting them, we will be glad to contribute the legislation that is desired, but that does not mean that we are going to get hysterical and give them a blank check to run Pennsylvania during this emergency.

Mr. HALUSKA. Mr. President, I would like to interrogate the gentleman from Philadelphia, Senator Shapiro.

Mr. PRESIDENT. Will the gentleman from Philadelphia permit himself to be interrogated?

Mr. SHAPIRO. I will, Mr. President.

Mr. HALUSKA. Mr. President, in the event that this proposed bill should become a law and a person was prosecuted by this Commonwealth, for taking part in black market dealings, could he be prosecuted also by the O.P.A. for the same act, when he had been once prosecuted by the Commonwealth?

Mr. SHAPIRO. Yes, Mr. President, that is not unusual. People can be prosecuted today in the Commonwealth of Pennsylvania and also in the Federal Courts for the same offense. It has happened before and I suppose it will happen again. I assume, however, that the Federal Government would be so glad to have Pennsylvania take over the prosecution that they would not bother with double prosecutions.

As a matter of fact, my experience in criminal procedure has been that where a conviction is obtained in one court, a second court usually permits the first court to impose sentence, and the second court does not take any further action.

Mr. HALUSKA. However, Mr. President, we have no assurance whatsoever that if a person is prosecuted by the Commonwealth of Pennsylvania, that he will not also be prosecuted again by the Federal Government?

Mr. SHAPIRO. No. Mr. President.

Mr. HALUSKA. Thank you.

Mr. JONES. Mr. President, the state of Pennsylvania has no authority under the Constitution of the United States to pass enforcement legislation of this character. The Congress has the right to declare and prosecute war but not the individual states, and regulations made by the President or any agency or department of the United States are enforceable only under the laws of the United States, and now that Congress has already passed laws which regulate and which provide for prosecution in the event of violation of those regulations, Pennsylvania has no right to pass laws to enforce the regulations of an agency or department of the United States.

A simple example is in case of bankruptcy, where Congress has the right to regulate bankruptcies, to apply

the law of bankruptcy and to enforce bankruptcy procedure, which provides penalties for violations, and the state of Pennsylvania has absolutely no authority to do likewise.

Again, Congress has the right to coin money and to prosecute individuals who endeavor to coin money themselves, but the state of Pennsylvania has not the right to pass laws regulating the coinage of money nor to prosecute individuals who violate regulations made by the United States with relation thereto and, therefore, I say that these bills, if they were adopted, would be an absolute nullity; we absolutely have no authority or jurisdiction to do this.

Mr. SHAPIRO. Mr. President, I desire to interrogate the gentleman from Luzerne, Senator Jones.

The PRESIDENT. Will the gentleman from Luzerne permit himself to be interrogated?

Mr. JONES. Yes, Mr. President.

Mr. SHAPIRO. Mr. President, the gentleman from Luzerne stated that in bankruptcy cases the state of Pennsylvania has nothing to do with prosecution. I would like the gentleman from Luzerne to tell me whether he does not know as a matter of fact that it is a crime to issue a false financial statement in a bankruptcy proceeding.

Mr. JONES. Mr. President, it is a Federal crime and there is a state provision which provides that you shall not issue a false statement, but that is perjury and that has nothing to do with the Federal statute.

Mr. SHAPIRO. Mr. President, I am talking about one question at a time. It is true, is it not, that the issuance of a false statement in a bankruptcy court is a Federal offense.

Mr. JONES. That is quite true, Mr. President, that a man can not issue a false statement which results in bankruptcy—if he has done that he is guilty of perjury—and if he makes a false statement in the state of Pennsylvania in a bankruptcy court, or any other court, he is guilty of perjury but that does not have anything to do with the bankruptcy law, nothing at all.

Mr. SHAPIRO. Mr. President, I will leave the law for back room discussion. I do not agree with the gentleman from Luzerne, Senator Jones, but I would like to ask him another question.

The PRESIDENT. Will the gentleman from Luzerne permit himself to be further interrogated?

Mr. JONES. I will, Mr. President.

Mr. SHAPIRO. Mr. President, did the gentleman from Luzerne, Senator Jones, vote for Senate Bill No. 32, which is the victory tax bill.

Mr. JONES. I do not recall, Mr. President.

Mr. SHAPIRO. Mr. President, I should like to ask the gentleman from Luzerne, Senator Jones, if he does not know that this Senate passed a bill directing that this Commonwealth co-operate with the Federal Government in its imposition of the victory tax and directing the state to deduct the victory tax from the salaries of state employes?

Mr. JONES. Mr. President, that act will have to stand on its own legs. We are talking about this matter, and I do not detract what I said.

Mr. SHAPIRO. I repeat my question, Mr. President. I am not talking about these two acts; I am talking about the victory tax act that this Senate passed; is the gentleman aware of that fact?

Mr. JONES. I am not aware of anything about that at all and am not interested in it.

Mr. SHAPIRO. I should like to state for the benefit of the gentleman who is not interested, that all these arguments about our not passing any duplicate acts and our not being able to take the burden from the shoulders of the Federal Government do not hold much weight, when you realize that Senate Bill No. 32 provides that we shall co-operate with the Federal government in the imposition of a five per cent victory tax which the officials of this state shall deduct, and the next time the gentleman from Luzerne gets his salary check as a state Senator, I suggest that he look at it and he will find that the victory tax has been deducted.

Mr. JONES. Now, Mr. President, I understand what the gentleman from Philadelphia is talking about. He is talking about an internal regulation by the government of Pennsylvania in connection with the deduction from salaries of individuals of certain amounts of money which shall be applied for a definite purpose, that is true, but that exclusively is a state matter and could not be regulated by the national government because it affects an individual citizen of the state with reference to his employment within the state, and that is exclusively a state matter.

Mr. SHAPIRO. Mr. President, I desire to read to the gentleman from Luzerne, Senator Jones, the preamble of the act.

The PRESIDENT. The gentleman from Philadelphia, Senator Shapiro will, of course, recall that there is a motion now before the Senate to recommit Senate Bill No. 597 to the Committee on Judiciary General.

Mr. SHAPIRO. That is correct, Mr. President, and I am answering the argument that we have no authority to pass laws to enforce acts or regulations of the Federal government, and I answer it by calling to the attention of the gentleman from Luzerne, Senator Jones, this provision in Senate Bill No. 32, "Whereas, it is not within the power of the Congress of the United States to direct that the Commonwealth of Pennsylvania, its officers, agents and political sub-divisions withhold and deduct the victory tax from the salaries of its and their employes and transmit the same to the proper United States agency."

So far as section one of the bill is concerned, that begins "Every officer and agency of the Commonwealth or any municipality," and so on, down to line 19, and there it reads, "....and facilitate the making of the said victory tax deduction from such employes by the holding of the moneys derived from such deductions and the transmittal thereof to the proper United States agency...."

Mr. JONES. Mr. President, we have agreed to co-operate with the Federal government in every way possible and we want to do that and if there is something within the state that we have the power to regulate, we have the right to regulate it and, therefore, co-operate, but we certainly do not have the right to do something that the Constitution of the United States delegates specifically to the Congress, that is, we have no right to enforce or punish for a violation of the regulations of a United States agency.

And the question recurring,

Will the Senate agree to the motion?

Mr. COLEMAN. Mr. President, I ask for a roll call.

The yeas and nays were required by Mr. Coleman and were as follows, viz:

YEAS—30

Becker,	Farrell,	Letzler,	Thomas,
Bowers,	Geltz,	Mallery,	Tyler,
Carr,	Haluska,	Scarlett,	Wade,
Chapman,	Heyburn,	Snowden,	Walker,
Crider,	Homsher,	Stevenson,	Watkins,
Crowe,	James,	Tallman,	Wilson, H. I.,
Deitrick,	Jones,	Taylor,	Wilson, T. B.,
Ealy,	Kephart,		

NAYS—15

Barr,	Gourley,	McGinnis,	Stiefel,
Coleman,	Holland,	McQuiddy,	Woodring,
Cox,	Jaspan,	Ruth,	Woodward,
DiSilvestro,	McCreesh,	Shapiro,	

So the question was determined in the affirmative.

The PRESIDENT. The bill is recommitted to the Committee on Judiciary General.

Mr. HEYBURN. Mr. President, I move that Senate Bill No. 598, on third reading, entitled:

An Act to aid the Federal Government in the enforcement of its allocation and rationing program; making it unlawful to sell or buy commodities rationed by Federal authority without receiving or giving the required coupons, stamps, certificates, ration checks or other ration documents or giving such documents that have been unlawfully obtained; empowering the Governor to designate commodities hereafter rationed to be subject to this act; and prescribing penalties

be recommitted to the Committee on Judiciary General.

Mr. JAMES. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

Mr. WOODRING. Mr. President, as the members of the Senate vote on this motion to recommit Senate Bill No. 598, I would like them to try forget what was said in Caucus and think about the more than ten per cent of all the boys and girls in the armed forces of the United States who today are fighting our battles, and then not be bound by Caucus action.

Mr. GELTZ. Mr. President, I would also like to say, as the members of the Senate vote on Senate Bill 598, that they think of the type of person, who for the most part operates a little grocery or meat shop, particularly in connection with section 2, and then try and figure out whether that person could understand the wording of section 2 which is as follows:

"Section 2. Any person who in the course of trade or business or for profit sells or in any other way transfers a commodity rationed by any order or regulation which has been issued by the United States government or any agency thereof and is in effect on the date of the enactment of this act, without taking in exchange for the commodity the coupons, stamps, certificates, ration checks or other rationed documents, if any required by the order or regulation at the time of the sale or transfer, shall be guilty of a misdemeanor and on conviction shall be punished by a fine of not more than three hundred dollars or imprisoned for not more than thirty days or both for each offense."

I ask them also, Mr. President, to remember in connection with that section, that there is no provision in there as to knowingly or intentionally doing so, but if a person makes a slip and is mistaken he is subject to the same penalties as I have read.

And the question recurring,

Will the Senate agree to the motion?

Mr. SHAPIRO. Mr. President, I ask for a roll call.

The yeas and nays were required by Mr. SHAPIRO and were as follows, viz:

YEAS—30

Becker,	Farrell,	Letzler,	Thomas,
Bowers,	Geltz,	Mallery,	Tyler,
Carr,	Haluska,	Scarlett,	Wade,
Chapman,	Heyburn,	Snowden,	Walker,
Crider,	Homsher,	Stevenson,	Watkins,
Crowe,	James,	Tallman,	Wilson, H. I.,
Deitrick,	Jones,	Taylor,	Wilson, T. B.,
Ealy,	Kephart,		

NAYS—15

Barr,	Gourley,	McGinnis,	Stiefel,
Coleman,	Holland,	McQuiddy,	Woodring,
Cox,	Jaspan,	Ruth,	Woodward,
DiSilvestro,	McCreesh,	Shapiro,	

So the question was determined in the affirmative.

Mr. HEYBURN. Mr. President, I move that Senate Bill No. 604, on third reading, entitled:

A Joint Resolution proposing an amendment to section two article twelve of the Constitution of the Commonwealth of Pennsylvania

be recommitted to the Committee on Constitutional Changes, for the purpose of further consideration.

Mr. THOMAS B. WILSON. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

Mr. STIEFEL. Mr. President, I desire to interrogate the gentleman from Allegheny, Senator Geltz.

The PRESIDENT. Will the gentleman from Allegheny permit himself to be interrogated?

Mr. GELTZ. I will, Mr. President.

Mr. STIEFEL. Mr. President, I ask the gentleman from Allegheny, Senator Geltz, whether this proposed bill aims to clarify the status of a state official who joins the military forces of the United States? Am I right in that respect?

Mr. GELTZ. That was the intent of these two bills, Mr. President, that is right.

Mr. STIEFEL. Thank you, Senator Geltz.

Mr. President, I believe that this session of the legislature ought to pass some kind of a law which will clarify the status of a member of the Senate, or any other state official, who wants to join the military forces of the United States, and our failure to do so will further complicate the status of members of this Legislature.

And the question recurring,

Will the Senate agree to the motion?

The motion was agreed to.

Mr. HEYBURN. Mr. President, I move that Senate Bill No. 605, on third reading, entitled;

A Joint Resolution proposing an amendment to section eighteen article five of the Constitution of the Commonwealth of Pennsylvania

be recommitted to the Committee on Constitutional Changes, for the purpose of further study.

Mr. CRIDER. Mr. President, I second the motion.

The motion was agreed to.

BILLS ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 607, as follows:

An Act to further amend sections four hundred twenty-six and four hundred twenty-seven of the act approved the second day of June one thousand nine hundred fifteen (P. L. 736) entitled as amended "An act defining the liability of an employer to pay damages for injuries received by an employe in the course of employment establishing an elective schedule of compensation providing procedure for the determination of liability and compensation thereunder and prescribing penalties" conferring exclusive jurisdiction on the county court of Allegheny County in cases of appeals from the Workmen's Compensation Board

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Sections four hundred twenty-six and four hundred twenty-seven of the act approved the second day of June one thousand nine hundred fifteen (P. L. 736) entitled as amended "An act defining the liability of an employer to pay damages for injuries received by an employe in the course of employment establishing an elective schedule of compensation providing procedure for the determination of liability and compensation thereunder and prescribing penalties" as last reenacted and amended by the act approved the twenty-first day of June one thousand nine hundred thirty-nine (P. L. 520) are hereby further amended to read as follows

Section 426 The board upon petition of any party and upon cause shown at any time before the court of common pleas of any county of this Commonwealth other than Allegheny County and in Allegheny County before the county court of Allegheny County to which an appeal has been taken under the provisions of section four hundred and twenty-seven of this article shall have taken final action thereon may grant a rehearing of any petition upon which the board has made an award or disallowance of compensation or other order or ruling or upon which the board has sustained or reversed any action of a referee but such rehearing shall not be granted more than one year after the board has made such award disallowance or other order or ruling or has sustained or reversed any action of the referee If the board shall grant a rehearing of any petition from the board's action on which an appeal has been taken to and is pending in the court of common pleas [of any county of this Commonwealth] or in the county court of Allegheny County as the case may be under the provisions of section four hundred and twenty-seven of this article the board shall file in such court a certified copy of its order granting such rehearing and it shall thereupon be the duty of such court to cause the record of the case to be remitted to the board Provided however That nothing contained in this section shall limit or restrict the right of the board or a referee designated by the board to review modify set aside reinstate suspend or terminate an original or supplemental agreement or an award in accordance with the provisions of section four hundred thirteen of this article

Section 427 Any party may appeal from any action of the board on matters of the law to the court of common pleas of the county in which the accident occurred or of the county in which the adverse party resides or has a permanent place of business or by agreement of the parties to the court of common pleas of any other county of this Commonwealth Provided That no such appeal shall be taken to the court of common pleas of Allegheny County but in Allegheny County all such appeals shall be taken to the county court of Allegheny County which shall have exclusive jurisdiction of such appeals Such appeal must in all cases be brought within twenty days after notice of the action of the board has been served upon such party unless any court of common pleas or the county court of Allegheny County as the case may be to which an appeal lies shall upon cause shown extend the time herein provided for taking the appeal The party taking the appeal shall at the time of taking the appeal serve upon the adverse party a written notice thereof setting forth the date of the appeal and the court in which the same is filed and shall file either with his notice of appeal or within thirty days thereafter such exceptions to the action of the board as he may desire to take and shall specify the findings of fact if any of the board or of the referee sustained by the board which he alleges to be unsupported by competent evidence

Upon filing of the notice of an appeal the prothonotary of the court of common pleas or the clerk of the county court of Allegheny County as the case may be to which the appeal has been taken shall issue a writ of certiorari directed to the board commanding it within ten days after service thereof to certify to such court its entire record in the matter in which the appeal has been taken The writ so issued shall be mailed by the prothonotary or the clerk of the county court of Allegheny County as the case may be to the department at Harrisburg together with a copy of the exceptions The board shall within ten days after such service certify to such court its entire record in the matter in which the appeal has been taken including the notes of testimony

Any court before whom an appeal is pending from any action of the board may remit the record to the board for more specific findings of fact if the findings of the board or referee are not in its opinion sufficient to enable it to decide the question of law raised by the appeal

If the court of common pleas of any county [of this Commonwealth] or the county court of Allegheny County as the case may be shall affirm an award or order of the board or of a referee sustained by the board fixing the compensation payable under this act the court shall enter judgment for the total amount stated by the award or order to be payable whether then due and accrued or payable in future instalments If such court shall sustain the appellant's exceptions to a finding or findings of fact and reverse the action of the board founded thereon the court shall remit the record to the board for further hearing and determination in which the procedure shall be the same as that hereinbefore provided in this article in the case of a petition presented to the board except that the testimony taken in the original proceedings shall be considered as though taken in such further hearing

The prothonotary of any court of common pleas or the clerk of the county court of Allegheny County as the case may be to which an appeal has been taken from the board shall send to the board a certificate of the judgment of the court as soon as rendered with a copy of any opinion which may be filed in the case and within five days shall give notice of such judgment and the date thereof by registered mail to each attorney-at-law appearing in the case at the address given by the attorney in the pleadings and if no attorney-at-law has appeared by registered mail to the party or parties not represented by counsel At the end of the period hereinafter allowed for an appeal from the judgment of the court the record of the board shall be remitted to it by the prothonotary or the clerk of the county court of Allegheny County as the case may be unless an appeal shall have been taken to the Superior Court as hereinafter provided If such appeal shall be taken the record shall be remitted to the board by the prothonotary or the clerk of the county court of Allegheny County as the case may be on its return from the appellate court

Any party may appeal to the Superior Court from the judgment of the court of common pleas or the

county court of Allegheny County within thirty days after entry of said judgment irrespective of the amount involved Such appeal shall be taken and prosecuted in the same manner and form and with the same effect as is provided in other cases of appeal to the Superior Court and the record so certified shall contain all that was before the court of common pleas or the county court of Allegheny County as the case may be Any appeal from the action of the board to a court of common pleas or the county court of Allegheny County as the case may be and from it to the Superior Court shall take precedence over all other civil actions The judgment of the Superior Court shall be final unless an appeal therefrom is allowed as in the case of other judgments of that tribunal

Upon the rendition of any judgment in the county court of Allegheny County hereunder the party to whom such judgment is awarded shall be entitled to file in the office of the prothonotary of Allegheny County a transcript from the docket of the county court showing the judgment so rendered which judgment shall be entered upon the judgment index of said county in the same manner and with the like effect as in the case of other judgments rendered by the county court of Allegheny County

It is the intention of this act that all appeals from the Workmen's Compensation Board heretofore triable in the court of common pleas of Allegheny County shall henceforth be exclusively triable in the county court of Allegheny County regardless of the amount of money involved in the appeal

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—45

Barr,	Ealy,	Kephart,	Tallman,
Becker,	Farrell,	Letzler,	Taylor,
Bowers,	Geltz,	Mallery,	Thomas,
Carr,	Gourley,	McCreesh,	Tyler,
Chapman,	Haluska,	McGinnis,	Wade,
Coleman,	Heyburn,	McQuiddy,	Walker,
Cox,	Holland,	Ruth,	Watkins,
Crider,	Homsher,	Scarlett,	Wilson, H. I.,
Crowe,	James,	Snowden,	Wilson, T. B.,
Deitrick,	Jaspan,	Stevenson,	Woodring,
Dent,	Jones,	Stiefel,	Woodward,
DiSilvestro,			

NAYS—1

Shapiro,

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

And then to order,

The Senate proceeded to the third reading and consideration of House Bill No. 609, as follows:

An Act to further amend sections seven and thirteen of the act approved the third day of May one thousand nine hundred thirty-three (P. L. 252) entitled as amended "An act to regulate and restrain the traffic in malt and brewed beverages as herein defined providing for the licensing of the manufacture transportation sale and distribution of such beverages imposing license and permit fees and providing for collection and distribution thereof restricting ownership and interest in licensed places permitting municipalities and townships by vote of the electors to prevent the licensing therein of places where such beverages may be sold for consumption on the premises and regulating elections for this purpose imposing duties upon the Pennsylvania Liquor Control Board quarter sessions courts district attorneys the Department of Justice proper authorities of political subdivisions of the State and election officers providing penalties and repealing existing acts" conferring jurisdiction on the county court of Allegheny County in cases of appeals from the Pennsylvania Liquor Control Board

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Sections seven and thirteen of the act approved the third day of May one thousand nine hundred thirty-three (P. L. 252) entitled as amended "An act to regulate and restrain the traffic in malt and brewed beverages as herein defined providing for the licensing of the manufacture transportation sale and distribution of such beverages imposing license and permit fees and providing for collection and distribution thereof restricting ownership and interest in licensed places permitting municipalities and townships by vote of the electors to prevent the licensing therein of places where such beverages may be sold for consumption on the premises and regulating elections for this purpose imposing duties upon the Pennsylvania Liquor Control Board quarter sessions courts district attorneys the Department of Justice proper authorities of political subdivisions of the State and election officers providing penalties and repealing existing acts" as last reenacted and amended by the act approved the sixteenth day of June one thousand nine hundred thirty-seven (P. L. 1827) are hereby further amended to read as follows

Section 7 License Hearings Appeals from Refusal of Licenses The board may of its own motion and shall upon the written request of any applicant for license or for renewal or transfer thereof whose application for such license renewal or transfer has been refused fix a time and place for hearing of such application for license or for renewal or transfer thereof notice of which hearing shall be mailed to the applicant at the address given in his application Such hearing shall be before the board a member thereof or an examiner designated by the board At such hearing the board shall present its reasons for its refusal or withholding of license renewal or transfer thereof The applicant may appear in person or by counsel may cross-examine the witnesses for the board and may present evidence which shall likewise be subject to cross-examinations by the board Such hearing shall be stenographically recorded The examiner shall thereafter report to the board upon such hearing The board shall thereupon grant or refuse the license renewal or transfer thereof If the board shall refuse such license renewal or transfer following such hearing notice in writing of such refusal shall be mailed to the applicant at the address given in his application In all such cases the board shall file of record at least a brief statement in the form of an opinion of the reasons for the ruling or order Any person aggrieved by the refusal of the board to issue renew or transfer a license may appeal to the court of quarter sessions or the county court of Allegheny County in which the premises applied for are located within twenty days of date of refusal Such appeal shall be upon petition of the applicant who shall serve a copy thereof upon the board The court shall hear the application de novo at such time as it shall fix of which notice shall be given to the board The court shall either sustain the refusal of the board or order an issuance of the license to the applicant There shall be no further appeal Any appeal shall act as a supersedeas unless upon sufficient cause shown the court shall determine otherwise

The jurisdiction of the county court of Allegheny County conferred hereby shall be exclusive within the territorial limits of its jurisdiction

Section 13 Revocation and Suspension of Licenses Upon learning of any violation of this act or any laws of this Commonwealth relating to liquor alcohol or malt or brewed beverages or of any regulations of the board

adopted pursuant to such laws or any intentional violation of any laws of this Commonwealth or of the United States of America relating to the tax-payment of liquor or malt or brewed beverages by any licensee his officers servants agents or employes or upon any other sufficient cause shown the board may within one year from the date of such violation or cause appearing cite such licensee to appear before it or its examiner not less than ten nor more than fifteen days from the date of sending such licensee by registered mail a notice addressed to him at his licensed premises to show cause why such license should not be suspended or revoked Hearings on such citations shall be held in the same manner as provided herein for hearings on applications for license Upon such hearing if satisfied that any such violation has occurred or for other sufficient cause the board shall immediately suspend or revoke the license notifying the licensee thereof by registered letter addressed to his licensed premises When a license is revoked the licensee's bond may be forfeited by the board Any licensee whose license is revoked shall be ineligible to have a license under this act or under any other act of the Commonwealth of Pennsylvania relating to the manufacture transportation or sale of liquor or malt or brewed beverages until the expiration of three years from the date such license was revoked In the event the board shall revoke a license no license shall be granted for the premises or transferred to the premises in which the said license was conducted for a period of at least one year after the date of the revocation of the license conducted in the said premises except in cases where the licensee or a member of his immediate family is not the owner of the premises in which case the board may in its discretion issue or transfer a license within the said year In all such cases the board shall file of record at least a brief statement in the form of an opinion of the reasons for the ruling or order In the event the person whose license was suspended or revoked by the board shall feel aggrieved by the action of the board he shall have the right to appeal to the court of quarter sessions or the county court of Allegheny County in the same manner as herein provided for appeals from refusals to grant licenses In those cases where the board shall suspend a license the board may accept from the licensee an offer in compromise as a penalty in lieu of such suspension and thereupon rescind such suspension In the case of a manufacturer the offer in compromise shall be at the rate of one hundred dollars ($100) for each day of suspension in the case of an imposing distributor thirty dollars ($30) and a distributor twenty dollars ($20) for each day of suspension and in the case of a retail dispenser or transporter for hire ten dollars ($10) for each day of suspension No offer in compromise may be accepted by the board in those cases where the suspension is for a period in excess of 100 days

The jurisdiction of the county court of Allegheny County conferred hereby shall be exclusive within the territorial limits of its jurisdiction

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—44

Barr,	DiSilvestro,	Kephart,	Tallman,
Becker,	Farrell,	Letzler,	Taylor,
Bowers,	Geltz,	Mallery,	Thomas,
Carr,	Gourley,	McCreesh,	Tyler,
Chapman,	Haluska,	McGinnis,	Wade,
Coleman,	Heyburn,	McQuiddy,	Walker,
Cox,	Holland,	Ruth,	Watkins,
Crider,	Homsher,	Scarlett,	Wilson, H. I.,
Crowe,	James,	Snowden,	Wilson, T. B.,
Deitrick,	Jaspan,	Stevenson,	Woodring,
Dent,	Jones,	Stiefel,	Woodward,

NAYS—2

Ealy, Shapiro.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

HOUSE BILL No. 536, PRINTER'S No. 128 CALLED UP

Mr. COX. Mr. President, I would like to call up at this time House Bill No. 536, Printer's No. 128, at the top of page 16 of today's Calendar, which was passed over temporarily.

BILL ON THIRD READING

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 536, entitled:

An Act to further amend section four of the act approved the twenty-ninth day of May one thousand nine hundred and thirty-one (P. L. 280) entitled "An act relating to delinquent taxes on seated lands and prescribing interest charges on nonpayment thereof requiring the receivers and collectors of county city borough town township school district and poor district taxes to make a return to the county commissioners of such unpaid taxes and providing for the lien thereof authorizing the county treasurers to collect such taxes and to sell seated lands at public sale for taxes heretofore or hereafter returned as unpaid and authorizing the county commissioners to purchase such lands and resell the same under certain circumstances" providing that all liens in favor of the Commonwealth other than tax liens charged against real estate heretofore or hereafter sold for taxes by the county treasurers are divested by such sales.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

BILL OVER IN ORDER

Mr. HEYBURN. Mr. President, I ask unanimous consent that House Bill No. 536, on final passage go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

HOUSE BILL No. 364, PRINTER'S No. 397 CALLED UP

Mr. BARR. Mr. President, I would like to call up at this time House Bill No. 364, Printer's No. 397, on page 7 of today's Calendar, that had passed over temporarily.

BILL ON THIRD READING

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 364, entitled:

An Act to amend the title and to further amend sections one two and three of the act approved the twenty-first day of May one thousand nine hundred thirty-seven (P. L. 787) entitled "An act authorizing the compromise or

reduction of tax claims on real property purchased by any county city borough town school district or poor district at any sale for the nonpayment of taxes and the reconveyance or private sale of such property" giving each political subdivision having tax or municipal claims against any such real property the right to petition court for a compromise agreement or sale authorized by the act and extending the time for the holding of a hearing thereon

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

BILL OVER IN ORDER

Mr. HEYBURN. Mr. President, I ask unanimous consent that House Bill No. 364, on final passage go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILL RECOMMITTED

Mr. HEYBURN. Mr. President, I move that Senate Bill No. 616, on third reading, entitled:

An Act to further amend section seventeen of the act, approved the twenty-second day of June, one thousand nine hundred thirty-five (P. L. 414) entitled as amended "An act to provide revenue for State purposes; imposing taxes upon certain classes of personal property; providing for the assessment, collection, and lien of the same, and the distribution of the proceeds thereof; imposing duties on executors, administrators, registers of wills, recorders of deeds, prothonotaries, and courts clerks, and on persons, copartnerships, associations, banks, national banks, trust companies, and other corporations receiving deposits of money, and on certain corporations and limited partnerships; conferring powers and imposing duties on certain State officers and departments; imposing penalties; and making an appropriation," by excluding from the provisions thereof personal property held in trust under the terms of a stock bonus, pension annuity, profit-sharing or deferred compensation plan as herein defined, maintained by an employer for the exclusive benefit of his employes or their beneficiaries

be recommitted to the Committee on Judiciary Special.

Mr. COLEMAN. Mr. President, I second the motion.

The motion was agreed to.

BILLS OVER IN ORDER

Mr. HEYBURN. Mr. President, I ask unanimous consent that Senate Bill No. 617, on third reading, entitled:

An Act to repeal section twenty-three of the act, approved the twenty-sixth day of May, one thousand nine hundred and thirty-three (P. L. 1076), entitled "An act to provide for the organization, incorporation, operation, and supervision of cooperative savings and credit associations, to be termed credit unions; designating such credit unions as corporations, and defining their powers and duties; conferring certain powers and duties on the Department of Banking and providing penalties" which section exempts credit unions organized under said act, and the shares thereof, from certain tax and bonus liability

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. HEYBURN. Mr. President, I ask unanimous consent that House Bill No. 624, on third reading, entitled:

An Act to further amend section two thousand six hundred twenty-three of the act, approved the eighteenth day of May, one thousand nine hundred eleven (P. L. 309), entitled "An act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violations thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws, general, special, or local, or any parts thereof, that are or may be inconsistent therewith," by providing for the fixing of the compensation of the controller auditing the accounts of second and third class school districts

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILL RECOMMITTED

Mr. HEYBURN. Mr. President, I move that House Bill No. 629, on third reading, entitled:

An Act to amend the title and sections one and fourteen of the act approved the fourth day of April one thousand nine hundred twenty-nine (P. L. 144) entitled "An act prescribing the powers and duties of the Department of Agriculture with regard to farm products; providing for co-operation with the Department of Internal Affairs to establish standard receptacles for farm products; authorizing the Department of Agriculture to establish and promulgate standards for the grade and other clasification of farm products and to promulgate regulations for the enforcement thereof; defining farm products to include agricultural, horticultural, vegetable, fruit, and floricultural products of the soil, live stock and meats, wool, hides, poultry, eggs, dairy products, nuts, mushrooms, and honey; and providing penalties," by further defining farm products and placing canned farm products within the terms of the act

be recommitted to the Committee on Agriculture.

Mr. HENRY I. WILSON. Mr. President, I second the motion.

The motion was agreed to.

BILLS ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 630, entitled:

An Act to further amend subsection B of section one thousand eleven of the act approved the fifteenth day of May one thousand nine hundred thirty-three (P. L. 565) entitled "An act relating to the powers and duties of the Department of Banking and the Secretary of Banking in exercising supervision over and taking possession of and conducting or liquidating the business and property of corporations associations and persons receiving deposits or otherwise transacting a banking business corporations acting as fiduciaries and building and loan associations providing for the payment of the expenses of the Department of Banking by supervised corporations associations or persons and appropriating the Banking Department Fund authorizing the Department of Banking under certain circumstances to examine corporations associations or persons affiliated or having business transactions with supervised corporations associations or persons authorizing appeals to the Supreme Court and prescribing and limiting the powers and duties of certain other courts and their prothonotaries registers of wills recorders of deeds and certain State departments commissions and officers authorizing certain local public officers and State departments to collect fees for services rendered under this act providing

penalties and repealing certain acts and parts of acts" further regulating distribution of the assets of building and loan associations in liquidation by the Secretary of Banking

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Subsection B of section one thousand eleven of the act approved the fifteenth day of May one thousand nine hundred thirty-three (P. L. 565) entitled "An act relating to the powers and duties of the Department of Banking and the Secretary of Banking in exercising supervision over and taking possession of and conducting or liquidating the business and property of corporations associations and persons receiving deposits or otherwise transacting a banking business corporations acting as fiduciaries and building and loan associations providing for the payment of the expenses of the Department of Banking by supervised corporations associations or persons and appropriating the Banking Department Fund authorizing the Department of Banking under certain circumstances to examine corporations associations or persons affiliated or having business transactions with supervised corporations associations or persons authorizing appeals to the Supreme Court and prescribing and limiting the powers and duties of certain other courts and their prothonotaries registers of wills recorders of deeds and certain State departments commissions and officers authorizing certain local public officers and State departments to collect fees for services rendered under this act providing penalties and repealing certain acts and parts of acts" as last amended by the act approved the twenty-second day of April one thousand nine hundred thirty-seven (P. L. 337) is hereby further amended to read as follows

Section 1011 Order of Preference in Distribution

* * * *

B The following shall be the order and preference followed by the secretary in the distribution pursuant to the provisions of this act of the assets of any building and loan association the affairs of which he as receiver is liquidating

First Any expenditure made by the secretary as receiver which under the provisions of this act is to be paid out of the assets of the institution

Second Any fee or other debt owing to he department for examinations or other services rendered or penalties incurred prior to the taking of possession by the secretary as receiver any other claim of the Commonwealth of Pennsylvania and any other claim which is given a preference by law

Third Any claim of a creditor of the association other than the claim of a shareholder arising from his ownership of shares

Fourth Any claim of a shareholder whether or not reduced to a judgment arising from his ownership of shares whether such shares be installment optional payment full-paid prepaid matured or any other type and whether or not notice of withdrawal of such shares has been given to he association The amount of the claim arising from each share shall be the [amount actually paid in on account] participation value of such share less any amount lawfully deductible therefrom by the association [except in he case of a lawfully and properly matured share in which case the amount of the claim shall be the actual par value of the share less any payment received on account thereof from the association and less any other amount lawfully deductible therefrom by the association]

Section 2 The provisions of this act shall become effective on the thirty-first day of December one thousand nine hundred forty-three

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—46

Barr,	Ealy,	Letzler,	Tallman,
Becker,	Farrell,	Mallery,	Taylor,
Bowers,	Geltz,	McCreesh,	Thomas,
Carr,	Gourley,	McGinnis,	Tyler,
Chapman,	Haluska,	McQuiddy,	Wade,
Coleman,	Heyburn,	Ruth,	Walker,
Cox,	Holland,	Scarlett,	Watkins,
Crider,	Homsher,	Shapiro,	Wilson, H. I.,
Crowe,	James,	Snowden,	Wilson, T. B.,
Deitrick,	Jaspan,	Stevenson,	Woodring,
Dent,	Jones,	Stiefel,	Woodward,
DiSilvestro,	Kephart,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence,

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 631, entitled:

An Act relating to the administration liquidation and distribution of title insurance reserve funds in the possession of the Secretary of Banking as receiver and providing for the rights and powers of corporations in respect to the writing of policies of reinsurance in connection therewith

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Definitions The following terms shall be construed in this Act to have the following meanings except in those instances where the context clearly indicates otherwise

"Court" The court of common pleas of the county in which the certificate of possession of an institution has been filed by the Secretary

"Institution" A bank and trust company or trust company in possession of the Secretary and having a title insurance reserve fund

"Policy of Title Insurance" A policy of title insurance issued by an institution or in respect to which liability has been assumed by the institution which was in full force and effect upon the date of possession of the institution by the Secretary and on which liability has not been discharged under the provisions of this act or otherwise since the date of possession of the institution

"Policyholder" The holder of a policy of title insurance

"Secretary" The Secretary of Banking of this Commonwealth as receiver of an institution or his duly authorized deputy or representative

"Title Insurance Reserve" The Title Insurance Reserve Fund and the assets comprising such fund (a) of an institution of which the Secretary of Banking took possession as receiver prior to July 3 1933 or (b) of an institution of which the Secretary of Banking took possession on or after July 3 1933 but prior to the effective date of this act in the case of which notice was given to the Insurance Commissioner as required by law but of which the Insurance Commissioner has not become liquidator prior to the effective date of this Act

Section 2 Notice Notice of intention to liquidate the title insurance reserve of an institution shall be given by the Secretary solely by advertisement in accordance with the provisions of law governing notice by newspaper advertisement by the Secretary generally

Such notice shall specify a time not less than thirty days from the date thereof for the presentation of written claims against the title insurance reserve involving losses incurred which are insured under policies of title insurance

The notice shall inform policyholders that claims must be presented within the specified time or else be permanently barred from sharing in any distribution of the assets of the title insurance reserve

Section 3 Reinsurance A Any assets which shall remain in a title insurance reserve after the payment of administrative expenses and claims as provided for in this act shall be applied if possible to the purchase of reinsurance for the liabilities represented by policies of title insurance

B The Secretary shall proceed as follows for the purchase of reinsurance

(1) The amount of liability upon outstanding policies of title insurance shall be established by the Secretary by estimate or by adopting the amount of such liability as last reported by the institution to the Department of Banking before its closing less the aggregate of valid claims filed with the Secretary under the provisions of this act

(2) The Secretary shall file written application with at least two companies duly authorized by law to write policies of such reinsurance for the largest amount of reinsurance obtainable in consideration of the assets available in the hands of the Secretary for payment as a premium therefor Within thirty days after the date of the application by the Secretary if such companies shall fail or refuse to offer to write a policy of reinsurance as applied for the Secretary shall advertise in accordance with the provisions of law governing advertisement by the Secretary generally for offers of reinsurance which may be made by any company authorized to write policies of title insurance in Pennsylvania

(3) Any offer to write a policy of reinsurance shall be presented by the Secretary to the court for its approval before said policy is purchased by the Secretary

(4) If an offer to write a policy of reinsurance is not received by the Secretary within thirty days after the date of final advertisement therefor the Secretary shall pay over into the general assets of the institution any asset remaining in his hands and otherwise available for the purchase of reinsurance

C If in the opinion of the Secretary the amount of assets remaining in his hands and available for the purchase of reinsurance is too small to warrant his proceeding for the purchase of reinsurance or if no acceptable offer to write a policy of reinsurance has been received within the time specified by the Secretary he may with the approval of the court pay over such assets into the general assets of the institution

D For the purpose of this Act

(1) Any company authorized to write policies of title insurance in Pennsylvania shall be authorized to offer to write and to write policies of reinsurance which may be applied for or advertized for by the Secretary

(2) Such companies in offering to write or in writing such policies of reinsurance shall not be restricted to the acceptance of cash premiums and may in their discretion accept from the Secretary any assets available for the payment of a premium for reinsurance

(3) The law otherwise relating to the portion of premium for title insurance or reinsurance to be transferred or set aside into a title insurance reserve fund shall not apply to premiums for reinsurance policies written pursuant to the provisions of this act if at least fifty per centum of such premium is transferred to the title insurance reserve fund of such reinsurang company or companies

E Any policy of reinsurance obtained by the Secretary pursuant to the provisions of this act shall be issued to the Commonwealth of Pennsylvania for the use and benefit of the policyholders and shall be filed with the court

F Reinsurance under any policy obtained by the Secretary pursuant to the provisions of this act shall until the whole amount thereof shall have been exhausted be available to all policyholders to the full amount of their policies

Section 4 Partial or Final Account Objections At any time after the expiration of the period fixed by the Secretary pursuant to the provisions of this act for the presentation of claims he shall file a partial or final account of his administration of the title insurance reserve duly verified by him under oath or affirmation in the office of the prothonotary

The account shall include a statement of all assets of such title insurance reserve all expenditures by the Secretary a list of all claims which have been allowed and a separate list of claims which have been objected to or are disputed showing as to all claimants their names and addresses the amounts due or claimed to be due therein and any priorities in the order of distribution granted to or claimed by them

The Secretary shall forthwith give written or printed notice of such filing of an account to all corporations or persons who have filed claims as provided in this act Such notice shall also state that unless an exception to the account or to any item therein is filed with the court within thirty days from the filing thereof it will be confirmed absolutely

He shall also advertise such notice in accordance with the provisions of law governing notice of newspaper advertisement by the Secretary generally stating the date upon which he has filed his partial or final account and the fact that all exceptions to the account must be filed within thirty days from the date of the filing of such accounts

The Secretary shall forthwith file with the court under oath an affirmation or statement that he has in the manner provided by this act sent notice of his filing an account to all corporations or persons entitled thereto whose names appear in the account at the addresses stated therein He shall also file proofs of publication of the advertisement which he has inserted pursuant to the provisions of this act which sets forth his filing of an account

The prothonotary shall not be under any duty to recopy or otherwise record such account He shall make no charge except the regular fee for filing such or similar papers

Section 5 Order of Preference in Distribution The following shall be the order followed by the Secretary in the distribution pursuant to the provisions of this act of of the assets of a title insurance reserve

First Any expenditure made by the Secretary pertaining to the administration liquidation or distribution of a title insurance reserve

Second Any claim which is given a preference by law

Third Any claim for loss which is insured under a policy of title insurance

Fourth Any expenditure made by the Secretary for the purchase of reinsurance

Fifth In the event reinsurance is not obtainable or is not obtained in accordance with the provisions of this act any assets remaining shall be paid into the general assets of the institution

Section 6 Miscellaneous Provisions The provisions of law relating generally to the possession administration liquidation and distribution of the assets of an institution by the Secretary shall be applicable and shall apply to the administration liquidation and distribution of title insurance reserves under the provisions of this act

Section 7 Effective Date This act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—46

Barr,	Ealy,	Letzler,	Tallman,
Becker,	Farrell,	Mallery,	Taylor,

Bowers,	Geltz,	McCreesh,	Thomas,
Carr,	Gourley,	McGinnis,	Tyler,
Chapman,	Haluska,	McQuiddy,	Wade,
Coleman,	Heyburn,	Ruth,	Walker,
Cox,	Holland,	Scarlett,	Watkins,
Crider,	Homsher,	Shapiro,	Wilson, H. I.,
Crowe,	James,	Snowden,	Wilson, T. B.,
Deitrick,	Jaspan,	Stevenson,	Woodring,
Dent	Jones,	Stiefel,	Woodward,
DiSilvestro,	Kephart,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence,

BILLS OVER IN ORDER

Mr. HEYBURN. Mr. President, I ask unanimous consent that House Bill No. 641, on third reading, entitled:

An Act providing for the validation and amendment of defective tax liens heretofore or hereafter entered of record; repealing inconsistent legislation

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. HEYBURN. Mr. President, I ask unanimous consent that House Bill No. 650, on third reading, entitled:

An Act to further amend section three hundred forty-eight of the act, approved the second day of May, one thousand nine hundred twenty-nine (P. L. 1278), entitled "An act relating to counties of the second, third, fourth, fifth, sixth, seventh and eighth classes; and revising, amending, and consolidating the laws relating thereto," authorizing counties of the third fourth and fifth classes during the war period to enter into contracts up to five hundred dollars without advertising for bids

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. HEYBURN. Mr. President, I ask unanimous consent that House Bill No. 668, on third reading, entitled:

An Act to further amend the act, approved the fifth day of May one thousand nine hundred and thirty-three (P. L. 289), entitled "An act relating to nonprofit corporations; defining and providing for the organization, merger, consolidation, and dissolution of such corporations, conferring certain rights, powers, duties, and immunities upon them and their officers and members, prescribing the conditions on which such corporations may exercise their powers; providing for the inclusion of certain existing corporations of the first class within the provisions of this act; prescribing the terms and conditions upon which foreign nonprofit corporations may be admitted or may continue to do business within the Commonwealth; conferring powers and imposing duties on the courts of common pleas, prothonotaries of such courts, recorders of deeds, and certain State departments, commissions, and officers; authorizing certain local public officers and State departments to collect fees for services required to be rendered by this act; imposing penalties; and repealing certain acts and parts of acts relating to corporations," by authorizing nonprofit medical service corporations to provide medical service benefits to subscribers of over-income as herein defined

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. HEYBURN. Mr. President, I ask unanimous consent that House Bill No. 669, on third reading, entitled:

An Act to amend sections three, four, nine, and nineteen of the act, approved the twenty-seventh day of June, one thousand nine hundred and thirty-nine (P. L. 1125), entitled "An act providing for the regulation and supervision of nonprofit medical service corporations organized to provide medical services to subscribers of low income by the Department of Health and the Insurance Department, and defining the functions of such departments with respect thereto; authorizing certain departments, commissions, officers, and other agencies of the State and its political subdivisions to subscribe, under certain circumstances, to the medical service plan of such corporations on behalf of persons of low income; prescribing legal investments for the funds of such corporations, and the rights of doctors of medicine to register with such corporations; conferring authority on the Department of Health and on the Insurance Commissioner, each within its own sphere of lawful activity, to regulate and supervise such corporations; conferring certain rights, powers, duties, and immunities upon such corporations and their officers and members; prescribing the conditions on which such corporations may exercise their powers; exempting such corporations from taxation; prohibiting any person, copartnership, association, common law trust or corporation, except a nonprofit medical service corporation, from providing medical services on a nonprofit plan in return for prepayment, periodical, or lump sum payments; providing penalties for the violation of, and mandatory and injunctive relief for the enforcement of, the provisions of this act," by authorizing nonprofit medical service corporations to provide medical service benefits to subscribers of over-income as herein defined

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. HEYBURN. Mr. President, I ask unanimous consent that House Bill No. 711, on third reading, entitled:

An Act to further amend section one thousand one hundred twenty-six of the act approved the eighteenth day of May, one thousand nine hundred eleven (P. L. 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same and the method of collecting such revenue; and repealing all laws, general, special or local, or any parts thereof, that are or may be inconsistent therewith" by further providing for the appointment of assistant county superintendents

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. HEYBURN. Mr. President, I ask unanimous consent that House Bill No. 725, on third reading, entitled:

An Act to amend paragraph seven A of section one thousand two hundred ten of the act, approved the eighteenth day of May, one thousand nine hundred and eleven (P. L. 309), entitled "An act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws, general, special or local, or any parts thereof, that are or may be inconsistent therewith," by regulating salaries of continuation teachers in first class districts

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. HEYBURN. Mr. President, I ask unanimous consent that House Bill No. 726, on third reading, entitled:

An Act to amend section twelve of the act approved the twelfth day of May, one thousand nine hundred twenty-five, (P. L. 603), entitled "An act concerning conditional sales; and to make uniform the law relating thereto," making further provision for the satisfaction of conditional sales contracts filed in the office of the prothonotary

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. HEYBURN. Mr. President, I ask unanimous consent that House Bill No. 735, on third reading, entitled:

An Act to amend sections eleven and seventeen of the act, approved the twenty-first day of June, one thousand nine hundred thirty-nine (P. L. 626), entitled "An act providing for and regulating the assessment and valuation of all subjects of taxation in counties of the second class; creating and prescribing the powers and duties of a Board of Property Assessment, Appeals and Reviews; imposing duties on certain county and city officers; abolishing the board for the assessment and revision of taxes in such counties; and prescribing penalties," further regulating appeals from assessments, and exonerations and refunds of taxes effected thereby; validating appeals heretofore taken; and imposing additional duties upon the said board

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. HEYBURN. Mr. President, I ask unanimous consent that House Bill No. 736, on third reading, entitled:

An Act to further amend section sixteen of the act, approved the third day of May, one thousand nine hundred thirty-three (P. L. 252), entitled, as amended "An act to regulate and restain the traffic in malt and brewed beverages, as herein defined; providing for the licensing of the manufacture, transportation, sale and distribution of such beverages; imposing license and permit fees, and providing for collection and distribution thereof; restricting ownership and interest in licensed places; permitting municipalities and townships, by vote of the electors, to prevent the licensing therein of places where such beverages may be sold for consumption on the premises, and regulating elections for this purpose imposing duties upon the Pennsylvania Liquor Control Board, quarter sessions courts, district attorneys, the Department of Justice, proper authorities of political subdivisions of the State, and election officers; providing penalties; and repealing existing acts," by providing for the surrendering by persons in military service of licenses granted to them, the renewal thereof by the board during the licensee's continuance in such service and the renewal thereof thereafter

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. HEYBURN. Mr. President, I ask unanimous consent that House Bill No. 742, on third reading, entitled:

An Act to amend section one of the act, approved the fifteenth day of June, one thousand nine hundred and thirty-nine (P. L. 346), entitled "An act to promote uniformity in the assessment and taxation of properties and persons within the territorial limits of cities of the second class by providing that city taxes within such territorial limits shall be assessed, levied and collected upon the basis of the county assessments; imposing duties on county assessing authorities; abolishing the department of assessors in cities of the second class and transferring certain property to county taxing authorities," by defining the effect upon appeals of the certifisation of tax duplicates to cities of the second class and to school district coterminous therewith, and providing for exonerations and refunds of taxes assessed against properties affected by such appeals

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. HEYBURN. Mr. President, I ask unanimous consent that House Bill No. 750, on third reading, entitled:

An Act to further amend subsection (a) of section twenty-five of the act, approved the seventh day of June, one thousand nine hundred seventeen (P. L. 447), entitled as amended, "An act relating to the administration and distribution of the estates of decedents and of minors; and of trust estates; including the appointment, bonds, rights, powers, duties, liabilities, accounts, discharge and removal of executors, administrators, guardians, and trustees, herein designated as fiduciaries; the administration and distribution of the estates of presumed decedents; widow's and children's exemptions debts of decedents; rents of real estate as asset for payment thereof, the lien thereof, sales and mortgages of real estate for the payment thereof, judgments and executions thereof, and the discharge of real estate from the lien thereof; contracts of decedents for the sale or purchase of real estate; legacies, including legacies charged on land; the discharge of residuary estates and of real estate from the lien of legacies and other charges; the appraisement of real estate devised at a valuation; the ascertainment of the curtilage of dwelling houses or other buildings devised; the abatement and survival of actions, and the substitution of executors and administrators therein; the survival of causes of action and suits thereupon by or against fiduciaries; investments by fiduciaries; the organization of corporations to carry on the business of decedents; the audit and review of accounts of fiduciaries; refunding bonds; transcripts to the court of common pleas of balances due by fiduciaries; the rights, powers, and liabilities of non-resident and foreign fiduciaries; the appointment, bonds, rights, powers, duties, and liabilities of trustees durante absentia; the recording and registration of decrees, reports and other proceedings, and the fees therefor; appeals in certain cases; and, also, generally dealing with the jurisdiction, powers, and procedure of the orphans' court in all matters relating to fiduciaries concerned with the estates of decedents," by providing for the filing of petitions for the enforcement of payment of legacies charged upon real estate by executors, administrators cum testamento annexo and administrators de bonis non cum testamento annexo

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. COX. Mr. President, I desire to interrogate the Majority Floor Leader.

The PRESIDENT. Will the gentleman from Delaware permit himself to be interrogated?

Mr. HEYBURN. I will, Mr. President.

Mr. COX. Will the gentleman from Delaware explain his reasons for requesting that these bills go over in order?

Mr. HEYBURN. They are all House bills. Our Calendar today is very lengthy and therefore it was decided to act on all Senate bills and take up House bills later, inasmuch as they have already passed the House.

STATEMENT BY THE CHAIR

The PRESIDENT. Gentlemen of the Senate it is necessary that the Chair attend an important meeting. The gentleman from Somerset, Senator Ealy, has stated that he is very anxious to preside over this august body. The Chair can appreciate the desire of the gentleman from Somerset and, therefore, the Chair is going to reluctantly retire for a short time.

The PRESIDENT PRO TEMPORE (Charles H. Ealy) in the Chair.

BILL ON THIRD READING AMENDED

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 770, entitled:

An Act to further amend section four of the act, approved the first day of May, one thousand nine hundred and thirteen (P. L. 138), entitled "An act defining vocational education; providing for the establishment and regulation of vocational schools; and providing for State aid in the maintenance thereof, and for the payment of tuition by certain school districts, and reimbursement thereof by the State," by adding clause (d), providing for future rehabilitation programs in public schools.

On the question,

Will the Senate agree to the bill on third reading?

Mr. HEYBURN. Mr. President, I ask unanimous consent to offer an amendment at this time.

The PRESIDENT PRO TEMPORE. Is there objection? The Chair hears none.

The Clerk read the amendment as follows:

Amend title by inserting at the end thereof the following, "and maximum rates to be charged."

On the question,

Will the Senate agree to the amendment?

It was agreed to.

On the question,

Will the Senate agree to the bill on third reading as amended?

BILLS OVER IN ORDER

Mr. HEYBURN. Mr. President, I ask unanimous consent that House Bill No. 770, on third reading, go over in its order.

The PRESIDENT PRO TEMPORE. Is there objection? The Chair hears none.

Mr. HEYBURN. Mr. President, I ask unanimous consent that House Bill No. 787, on third reading, entitled:

An Act to further amend section one hundred thirty-six of the act approved the second day of May one thousand nine hundred twenty-nine (P. L. 1278) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto" changing the requirements for creating the office of county controller by court decree in counties of the sixth seventh and eighth classes and authorizing the establishment of such office by referendum

go over in its order.

The PRESIDENT PRO TEMPORE. Is there objection? The Chair hears none.

Mr. HEYBURN. Mr. President, I ask unanimous consent that House Bill No. 805, on third reading, entitled:

An Act authorizing the appointment of a clerk to the jury commissioners in counties of the third class by the court of common pleas; the fixing of his salary by the salary board, and the payment thereof by the county

go over in its order.

The PRESIDENT PRO TEMPORE. Is there objection? The Chair hears none.

Mr. HEYBURN. Mr. President, I ask unanimous consent that House Bill No. 823, on third reading, entitled:

An Act to further amend section fourteen of the act approved the thirteenth day of May, one thousand nine hundred and fifteen (P. L. 286), entitled "An act to provide for the health, safety, and welfare of minors: By forbidding their employment or work in certain establishments and occupations, and under certain specified ages; by restricting their hours of labor, and regulating certain conditions of their employment; by requiring employment certificates for certain minors, and prescribing the kinds thereof, and the rules for the issuance, reissuance, filing, return, and recording of the same; by providing that the Industrial Board shall, under certain conditions, determine and declare whether certain occupations are within the prohibitions of this act; requiring that certain minors shall, during the period of their employment, attend certain schools, to be established as therein provided, and to be approved by the State Superintendent of Public Instruction, and regulating the conditions of such attendance; authorizing the State Board of Education, in certain cases, to appoint attendance officers to aid in enforcing the provisions of this act, and creating the salary and expenses of such officer a charge against the school district wherein they are employed requiring certain abstracts and notices to be posted; providing for the enforcement of this act by the Commissioner of Labor and Industry, the attendance officers of school districts, and police officers; and defining the procedure in prosecutions thereunder, and establishing certain presumptions in relation thereto; providing penalties for the violation of the provisions thereof; and repealing all acts or parts of acts inconsistent therewith," by permitting examinations to be made by any licensed physician

go over in its order.

The PRESIDENT PRO TEMPORE. Is there objection? The Chair hears none.

Mr. HEYBURN. Mr. President, I ask unanimous consent that House Bill No. 825, on third reading, entitled:

An Act to amend the title and section one of the act, approved the twenty-seventh day of April, one thousand nine hundred twenty-seven (P. L. 403), entitled "An act fixing the salary of county commissioners in counties of the third, fourth, fifth, and sixth classes," by increasing the salary of county commissioners in counties of the sixth, seventh and eighth classes

go over in its order.

The PRESIDENT PRO TEMPORE. Is there objection? The Chair hears none.

BILL RECOMMITTED

Mr. HEYBURN. Mr. President, I move that House Bill No. 835, on third reading, entitled:

An Act to further amend section ten of the act, approved the twenty-first day of May, one thousand nine hundred and thirty-one (P. L. 149), entitled "An act imposing a State tax, payable as those herein defined as distributors, on liquid fuels used or sold and delivered within the Commonwealth, which are ordinarily, practically, and commercially usable in internal combustion engines for the generation of power; providing for the

collection and lien of the tax, and the distribution and use of the proceeds thereof; requiring such distributors to secure permits, to file corporate surety bonds and reports, and to retain certain records; imposing duties on retail dealers, common carriers, county commissioners, and such distributors; providing for rewards; imposing certain costs on counties; conferring powers and imposing duties on certain State officers and departments; providing for refunds; imposing penalties; and making an appropriation," appropriating one-half cent per gallon of said tax for the maintenance, construction, reconstruction, resurfacing and improvement of certain roads, streets and bridges in certain political subdivisions.

be recommitted to the Committee on Highways.

Mr. JAMES. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

Mr. COLEMAN. Mr. President, I desire to interrogate the Majority Floor Leader.

The PRESIDENT PRO TEMPORE. Will the gentleman from Delaware permit himself to be interrogated?

Mr. HEYBURN. I will, Mr. President.

Mr. COLEMAN. I desire to ask the Majority Floor Leader the purpose of the motion to recommit House Bill No. 835 to the Committee on Highways, at this late stage of the game.

Mr. HEYBURN. Mr. President, there are now on the Calendar two methods of appropriating money to subdivisions. One bill provides for half a cent a gallon liquid fuel tax and another bill appropriates $8,500,000. It is a question, as I understand, of deciding which bill is to be passed.

As I further understand it, all bills having to do with highways go through the Committee on Highways. These bills, not having been in the Committee on Highways, it was suggested by the Caucus that both be recommitted and then the bill that it is decided be passed be reported out.

Mr. COLEMAN. Mr. President, I do not want to see this bill go back to committee without having had an opportunity to register my protest. This is a bill which is the result of a six year study by the Local Government Commission. It is a bill somewhat similar to a bill which was passed and then vetoed by Governor James in 1941, giving to political sub-divisions, cities, boroughs and townships, which up to now have been denied a portion of the gasoline tax, that portion to which they are rightfully entitled.

If it is the intention of the Majority Leader to bring about the death of these bills, I want to register my vigorous protests, but I understand from the Chairman of the Committee on Highways that some attempt is going to be made to work it out since this bill is a part of the general scheme, together with the bill which would appropriate $8,500,000 to second class townships, and I have been led to believe that the Governor of the Commonwealth has been contacted on this particular bill and is in agreement with what we are trying to bring about by House Bill No. 836.

So, Mr. President, if I could have some assurance from the Majority Floor Leader that these bills will not die in committee, I will cease talking. Otherwise, I want to add two or three more words to by reasons for protesting against this bill being sent back to committee.

Mr. HEYBURN. Mr. President, it is not the desire or intention to kill this bill, but on page 45 of today's Calendar the gentleman from Lackawanna will find House Bill No. 931, which proposes to appropriate $8,500,000. It is a question of deciding which is the better method.

Mr. COLEMAN. While there is a relationship between the bills, because they are a part of the general plan, the bill referred to by the gentleman from Delaware proposes to appropriate money to second class townships, the same bill that has been introduced in every session since I have been a member of the General Assembly. That bill will not take care of places like the city of Pittsburgh, first class townships and boroughs, and the city of Scranton, and I would suggest to the gentleman from Delaware that rather than leave this bill go back to committee, why not wait until the other bill catches up with it and then arrive at some definite conclusion as to just how we want to handle this proposition.

Mr. HEYBURN. Mr. President, I thought I made myself clear in my statement to the gentleman from Lackawanna, that this bill has never yet been in the Committee on Highways and it has been my understanding that such bills must always go through the Committee on Highways in the Senate.

Mr. COLEMAN. Mr. President, House Bill No. 835 was on the Calendar in the House—I think it rested there for some two or three weeks—in order to enable the second class township bill, appropriating $8,500,000, to reach it, and then both bills moved together.

I would like to ask the gentleman from Delaware if he would agree to withdraw his motion and permit the House Bill now on second reading to reach third reading, and then let us sit down with the people who have made a sincere study of this proposition. I have a sneaking suspicion that a bill sent back to committee at this late stage of the game, when we are racing against time, and as I understand it, intend to adjourn within some four or five legislative days, I can not escape the conclusion that there is a sinister motive behind the motion to recommit this bill.

Mr. McGINNIS. Mr. President, there has been a policy in this state for over fifty years to saddle taxes on home owners. In the city of Pittsburgh it costs us nearly a million dollars a year just to handle traffic, and here is a bill that at least is an attempt to take taxes off the home owners in the city of Pittsburgh, who pay this million dollars a year, in order to keep traffic going in the city of Pittsburgh, and have the state of Pennsylvania through this gasoline tax give us some relief instead of continuing to pile the burden on the home owners of the Commonwealth of Pennsylvania.

Mr. MALLERY. Mr. President, the bill on the Calendar is a bill that I should imagine every member of the Senate would be glad and proud to sponsor. The bill is similar to a bill that was sponsored at the last session of the legislature by Senator Stevenson, Senator Coleman and myself. It is a bill that would allocate a share of the motor fund to the city of Philadelphia, the city of Pittsburgh, all of the third class cities in the state, all of the boroughs and towns and all first class townships.

It is a bill that my predecessor, Senator Williamson, fought to have enacted during all the time he was in the Legislature. It is a bill that is now sponsored by the Republican Floor Leader and the Republican Speaker of the House.

As the gentleman from Lackawanna, Senator Coleman,

has stated, we are within one or two days, possibly three or four days, of adjournment.

This means a great deal to the taxpayers of all the municipalities that I have mentioned. The bill that has been referred to as making an appropriation to townships of the second class is not at all incompatible.

I ask my colleagues on both sides of the Senate to keep this bill on the Calendar and in due time pass it and, therefore, I ask them to oppose the motion to return this bill to committee.

Mr. HEYBURN. Mr. President, I moved to recommit this bill because that was the action of the Caucus, and it is not an attempt to kill the bill at all. It is just a matter of referring the bill to the Committee on Highways, through which committee bills of this type always pass. The Chairman of the Committee on Highways is present on the floor of the Senate and it is my understanding that he intends to hold a meeting of that committee tomorrow to consider this matter.

Mr. COX. I think this matter is of sufficient importance to all the members of the Senate, so that rather than have the question of which of the two bills the Senate would like to have passed be decided by the committee, that the members of the Senate would like to have that opportunity.

I would suggest that the gentleman from Delaware withdraw his motion, that we then have a motion that this bill go over in order, and then tomorrow both bills will be on third reading Calendar, we will all have had a day to study them, and certainly we can determine which is the better bill.

Mr. HEYBURN. Mr. President, as I suppose the Senator very well knows, I stand here carrying out the recommendations of the Republican Caucus. The Republican Caucus voted to send these two bills back to the Committee on Highways, not with any purpose of killing them at all, but for the purpose of having the Chairman of that Committee check the proper budget authority and so forth, and determine just which bill should be passed or what amendments should be made, if any.

Mr. COX. Mr. President, may I ask the gentleman from Delaware whether it is possible to take at least five minutes at ease to see whether, perhaps, the Caucus would change its mind.

The PRESIDENT PRO TEMPORE. The question is: shall House Bill No. 835 be recommitted to the Committee on Highways?

On the question,

Will the Senate agree to the motion?

(During the calling of the roll the following occurred.)

Mr. MALLERY. Mr. President, I ask for a verification of the roll.

The PRESIDENT PRO TEMPORE. Request has been made to have the roll verified.

The Clerk will call the names of those recorded as having voted "aye."

The Clerk read the names of those recorded as having voted "aye" as follows:

Becker,	Geltz,	Letzler,	Walker,
Bowers,	Heyburn,	Scarlett,	Watkins,
Carr,	Homsher,	Snowden,	Wilson, H. I.,
Chapman,	James,	Tallman,	Wilson, T. B.,
Crider,	Jones,	Thomas,	Ealy,
Crowe,	Kephart,	Wade,	Pres. Pro. Tem.

The PRESIDENT PRO TEMPORE. Are these any corrections? The Chair hears none. The affirmative roll will stand as verified. The Clerk will call the names of those recorded as having voted "nay."

The Clerk read the names of those recorded as having voted "nay" as follows:

Barr,	Gourley,	Mallery,	Ruth,
Coleman,	Haluska,	McCreesh,	Shapiro,
Cox,	Holland,	McGinnis,	Woodring,
DiSilvestro,	Jaspan,	McQuiddy,	Woodward,
Farrell,			

The PRESIDENT PRO TEMPORE. Are there any corrections?

Mr. STIEFEL. Mr. President, I desire to be recorded as voting "no."

The PRESIDENT PRO TEMPORE. The gentleman Philadelphia will be so recorded.

The PRESIDENT PRO TEMPORE. Are there any other corrections? The negative roll will stand as corrected.

The yeas and nays were required by Mr. COX and were as follows, viz:

YEAS—23

Becker,	Ealy,	Kephart,	Wade,
Bowers,	Geltz,	Letzler,	Walker,
Carr,	Heyburn,	Scarlett,	Watkins,
Chapman,	Homsher,	Snowden,	Wilson, H. I.,
Crider,	James,	Tallman,	Wilson, T. B.,
Crowe,	Jones,	Thomas,	

NAYS—18

Barr,	Gourley,	McCreesh,	Shapiro,
Coleman,	Haluska,	McGinnis,	Stiefel,
Cox,	Holland,	McQuiddy,	Woodring,
DiSilvestro,	Jaspan,	Ruth,	Woodward,
Farrell,	Mallery,		

So the question was determined in the affirmative.

BILLS OVER IN ORDER

Mr. HEYBURN. Mr. President, I ask unanimous consent that House Bill No. 836, on third reading, entitled:

An Act to amend the title and sections four, six, seven and eight of the act approved the nineteenth day of March, one thousand nine hundred forty-one (P. L. 6) entitled "An act relating to national and State defense, providing for the establishment of a State Council of Defense and of local and district councils of defense, prescribing the powers and duties thereof, and making an appropriation therefor," by conferring certain powers and duties upon the State Council of Defense, local and district councils of defense; eliminating certain provisions no longer in effect; and providing penalties

go over in its order.

The PRESIDENT PRO TEMPORE. Is there objection? The Chair hears none.

Mr. HEYBURN. Mr. President, I ask unanimous consent that House Bill No. 845, on third reading, entitled:

An Act to amend sections six hundred seventeen and six hundred twenty-one of the act, approved the second day of May, one thousand nine hundred twenty-nine (P. L. 1278), entitled "An act relating to counties of the second, third, fourth, fifth, sixth, seventh and eighth classes; and revising, amending and consolidating the laws relating thereto," by removing certain restrictions as to the location of contagious disease hospitals, and authorizing counties to join with any other municipality or hospital in establishing a joint contagious disease hospital

go over in its order.

The PRESIDENT PRO TEMPORE. Is there objection? The Chair hears none.

Mr. HEYBURN. Mr. President, I ask unanimous consent that House Bill No. 847, on third reading, entitled:

An Act to amend the title and sections three and four of the act, approved the thirty-first day of July, one thousand nine hundred forty-one (P. L. 644), entitled "An act to authorize housing authorities to undertake the development or administration of projects to provide safe and sanitary dwellings for persons engaged in national defense activities who would not otherwise be able to secure such dwellings within the vicinity thereof; to limit the initiation of the development of such projects until December 31, 1943; to authorize housing authorities to cooperate with or act as agent of the Federal Government in the development and administration of such projects of the Federal Government, to acquire or lease such projects and to sell or lease certain projects to the Federal Government; to authorize public bodies to assist such projects of housing authorities and of the Federal Government to provide safe and sanitary dwellings for persons engaged in national defense activities," by extending the limitation of the initiation of such projects from December thirty-first, one thousand nine hundred forty-three, until December thirty-first, one thousand nine hundred forty-five

go over in its order.

The PRESIDENT PRO TEMPORE. Is there objection? The Chair hears none.

Mr. HEYBURN. Mr. President, I ask unanimous consent that House Bill No. 862, on third reading, entitled:

An Act providing for the creation, maintenance and operation of a county employes retirement system in counties of the sixth and seventh class; imposing certain charges on counties, and prescribing penalties

go over in its order.

The PRESIDENT PRO TEMPORE. Is there objection? The Chair hears none.

Mr. HEYBURN. Mr. President, I ask unanimous consent that House Bill No. 865, on third reading, entitled:

An Act to amend section four hundred nine of the act, approved the twenty-ninth day of November, one thousand nine hundred thirty-three (P. L. 15, 1933-34), entitled, as amended "An act to regulate and restrain the sale, manufacture, possession, transportation, importation, traffic in, and use of alcohol, and alcoholic and malt or brewed beverages; conferring powers and imposing duties upon the Pennsylvania Liquor Control Board and its agents, the Department of Public Instruction, other officers of the State government, courts, and district attorneys; authorizing the establishment and operation of State stores for the sale of such beverages not for consumption on the premises, and the granting of licenses, subject to local option, to sell such beverages for consumption on and off the premises; forbidding importation or bringing of such beverages into the State except as herein provided; prohibiting certain sales or practices in, connection with, and transactions in such beverages by licensees and others; providing for the forfeiture of certain property; making disposition of the receipts from State stores and of fees; and imposing penalties," by providing for the surrendering by persons in military service of licenses granted to them, the renewal thereof by the board during licensee's continuance in such service, and the renewal thereof thereafter

go over in its order.

The PRESIDENT PRO TEMPORE. Is there objection? The Chair hears none.

Mr. HEYBURN. Mr. President, I ask unanimous consent that House Bill No. 871, on third reading, entitled:

An Act to further amend sections two, three hundred five, paragraph (4) of section six hundred two and section six hundred three of the act, approved the twenty-ninth day of November, one thousand nine hundred thirty-three (P. L. 15, 1933-34), entitled as amended "An act to regulate and restrain the sale, manufacture, possession, transportation, importation, traffic in, and use of alcohol, and alcoholic and malt or brewed beverages; conferring powers and imposing duties upon the Pennsylvania Liquor Control Board and its agents, the Department of Public Instruction, other officers of the State government, courts, and district attorneys; authorizing the establishment and operation of State stores for the sale of such beverages not for consumption on the premises, and the granting of licenses, subject to local option, to sell such beverages for consumption on and off the premises; forbidding importation or bringing of such beverages into the State except as herein provided; prohibiting certain sales or practices in, connection with, and transactions in such beverages by licensees and other; providing for the forfeiture of certain property; making disposition of the receipts from State stores and of fees; and imposing penalties," by defining "Official Seal" and authorizing the designation of wholesale or retail stores and suspending for the duration of the present war and for a period of one year thereafter the holding of Local Option Referenda on the question of granting liquor licenses and malt and brewed beverage retail dispenser licenses by the Pennsylvania Liquor Control Board

go over in its order.

The PRESIDENT PRO TEMPORE. Is there objection? The Chair hears none.

Mr. HEYBURN. Mr. President, I ask unanimous consent that House Bill No. 873, on third reading, entitled:

An Act to amend section one and further amend section four of the act approved the thirteenth day of May one thousand nine hundred fifteen (P. L. 286) entitled "An act to provide for the health safety and welfare of minors by forbidding their employment or work in certain establishments and occupations and under certain specified ages by restricting their hours of labor and regulating certain conditions of their employment by requiring employment certificates for certain minors and prescribing the kinds thereof and the rules for the issuance reissuance filing return and recording of the same by providing that the Industrial Board shall under certain conditions determine and declare whether certain occupations are within the prohibitions of this act requiring that certain minors shall during the period of their employment attend certain schools to be established as therein provided and to be approved by the State Superintendent of Public Instruction and regulating the conditions of such attendance authorizing the State Board of Education in certain cases to appoint attendance officers to aid in enforcing the provisions of this act and creating the salary and expenses of such officers a charge against the school district wherein they are employed requiring certain abstracts and notices to be posted providing for the enforcement of this act by the Commissioner of Labor and Industry the attendance officers of school districts and police officers and defining the procedure in prosecutions thereunder and establishing certain presumptions in relation thereto providing penalties for the violation of the provisions thereof and repealing all acts or parts of acts inconsistent therewith" by changing the definition of week and by increasing the working hours of minors between the ages of sixteen and eighteen

go over in its order.

The PRESIDENT PRO TEMPORE. Is there objection? The Chair hears none.

Mr. HEYBURN. Mr. President, I ask unanimous consent that House Bill No. 922, on third reading, entitled:

An Act to add Clause XLVII to section one thousand five hundred two of the act, approved the twenty-fourth day of June, one thousand nine hundred thirty-one (P. L. 1206), entitled "An act concerning townships of the first class; amending, revising, consolidating, and changing the law relating thereto," authorizing townships of the first class to make appropriations to Veterans' Home Associations

go over in its order.

The PRESIDENT PRO TEMPORE. Is there objection? The Chair hears none.

Mr. HEYBURN. Mr. President, I ask unanimous consent that House Bill No. 989, on third reading, entitled:

An Act to amend clause three of section thirteen of article nineteen of the act, approved the twenty-fifth day of June, one thousand nine hundred and nineteen (P. L. 581), entitled "An act for the better government of cities of the first class of this Commonwealth," by providing that persons certified by the Civil Service Commission as eligible for appointment or promotion to various positions who are prevented from accepting such appointment or promotion because of their entrance into the armed forces of the United States Government during time of war, shall be retained on a preferred eligible list for such appointments or promotions until two years after the termination of hostilities in such war

go over in its order.

The PRESIDENT PRO TEMPORE. Is there objection? The Chair hears none.

Mr. HEYBURN. Mr. President, I ask unanimous consent that House Bill No. 1003, on third reading, entitled:

An Act authorizing and directing the Department of Highways to erect and maintain, as a post war construction project, a toll bridge over the Allegheny River between a point in or near the Borough of Tarentum, Allegheny County, and a point in Westmoreland County, and to provide the necessary approaches and connections with State highways; providing for the acceptance of Federal aid empowering counties to pay certain damages; providing for the collection of tolls on such bridge; and making an appropriation

go over in its order.

The PRESIDENT PRO TEMPORE. Is there objection? The Chair hears none.

BILLS ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 5, entitled:

An Act making an appropriation to The Glen Mills Schools situate in Delaware County, Pennsylvania

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 81, entitled:

An Act making an appropriation to the Elwyn Training School at Elwyn in the County of Delaware Commonwealth of Pennsylvania and prescribing certain conditions upon which the appropriation will be available to the school

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 106, entitled:

An Act making an appropriation to the Trustees of the Hahnemann Medical College and Hospital of Philadelphia, Pennsylvania

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 110, entitled:

An Act to authorize counties cities boroughs incorporated towns townships school districts poor districts and county institution districts to file tax and municipal claims not filed within the time specified by law and to file suggestions of nonpayment and averments of default or to sue out writs of scire facias on certain tax or municipal claims and to revive judgments where the lien of such claims or the judgments thereon have been lost and providing for the reinstatement of the liens of such claims and judgments

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 173, entitled:

An Act to amend the act approved the eleventh day of June one thousand nine hundred thirty-five (P. L. 326) entitled "An act relating to counties of the first class defining deceased service persons providing for contributions by the county to the funeral expenses for such persons and their widows providing for the erection and care of markers headstones and flags and for the compilation of war records" further clarifying the term "deceased service person" and changing the provisions for the burial of deceased service persons and their widows and for markers and headstones on their graves and changing the name of the veterans' grave registrar to director of veterans' affairs

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL ON SECOND READING AMENDED

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 179, entitled:

An Act making an appropriation to the Johnson Industrial School of Scranton Pennsylvania

The first section was read.

On the question,

Will the Senate agree to the section?

Mr. CHAPMAN offered the following amendment:

Amend Section 1, page 1, line 2, by striking out the words "thirty thousand dollars ($30,000)" and inserting in lieu thereof the following: "thirty-five thousand dollars ($35,000)."

It was agreed to.

The section was agreed to as amended.

The title was read and agreed to.

And said bill having been read at length the second time and agreed to, as amended,

Ordered, To be transcribed for a third reading.

HOUSE BILL No. 173, PRINTER'S No. 593 CALLED UP

Mr. GELTZ. Mr. President, I call up at this time House Bill No. 173, Printer's No. 593.

RECONSIDERATION OF HOUSE BILL No. 173

Mr. GELTZ. Mr. President, I move that the Senate do now reconsider the vote by which House Bill No. 173, entitled:

An Act to amend the act approved the eleventh day of June one thousand nine hundred thirty-five (P. L. 326) entitled "An act relating to counties of the first class defining deceased service persons providing for contributions by the county to the funeral expenses for such persons and their widows providing for the erection and care of markers headstones and flags and for the compilation of war records" further clarifying the term "deceased service persons" and changing the provisions for the burial of deceased service persons and their widows and for markers and headstone on their graves and changing the name of veterans' grave registrar to director of veterans' affairs

passed second reading.

The PRESIDENT. How did the Senator vote?

Mr. GELTZ, Mr. President, I voted "aye."

Mr. WALKER. Mr. President, I second the motion.

The PRESIDENT. How did the Senator vote?

Mr. WALKER. Mr. President, I voted "aye."

The motion was agreed to.

ON SECOND READING AMENDED

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 173. The first and second sections were separately read and agreed to.

The third section was read.

On the question,

Will the Senate agree to the section?

Mr. GELTZ offered the following amendments:

Amend sec. 3 (sec. 8) page 13, line 10, by striking out the bracket before the word "veterans'"; amend sec. 3, (sec. 8) page 13, lines 10 and 11, by striking out the words "] director of veterans' affairs"

They were agreed to

The section was agreed to as amended.

The fourth section was read and agreed to.

The title was read.

On the question,

Will the Senate agree to the title?

Mr. GELTZ offered the following amendment:

Amend title, page 1, lines 12, 13 and 14 of title, by striking out the words "and changing the name of the veterans' grave registrar to director of veterans' affairs."

It was agreed to.

The title was agreed to as amended.

And said bill having been read at length the second time and agreed to as amended,

Ordered, To be transcribed for a third reading.

BILLS ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 191, entitled:

An Act making an appropriation to the Pennsylvania State College for expenditure by the School of Mineral Industries thereof under the Supervision of the Department of Mines for the purpose of developing new uses and markets for anthracite and bituminous coal

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 277, entitled:

An Act making an appropriation for the purpose of maintaining the public roads and improving and replacing bridges thereon through the Cornplanter Indian Reservation in Elk Township Warren County Pennsylvania

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 278, entitled:

An Act making an appropriation for the maintenance repair and improvement of the Port of Philadelphia

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 307, entitled:

An Act making an appropriation to the Department of Forests and Waters to be used for the acquisition of land within the limits of the "Bucktail State Park" and prescribing the uses to be made of such land

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 327, entitled:

An Act making an appropriation to the several fire companies of the City of Harrisburg Pennsylvania

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL RECOMMITTED

Mr. HEYBURN. Mr. President, I move that Senate Bill No. 373, on second reading, entitled:

An Act providing for the creation and for the administration by a State Building and Loan Insurance Board created in this act, of a state fund for the insurance of shares in building and loan associations and savings and loan associations; and prescribing penalties

be recommitted to the Committee on Banking.

Mr. THOMAS B. WILSON. Mr. President, I second the motion.

The motion was agreed to.

BILLS ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 398, entitled:

An Act enabling city county poor institution district ward school borough and township tax collectors their executors and administrators if they are deceased or either surety or sureties to collect taxes for the payment of which they have become personally liable without having collected the same by the expiration of the authority of their respective warrants or by the expiration of their terms of office extending the time for the collection of the same and validating collections and proceedings for collections made or commenced without previous authority

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 415, entitled:

An Act making an appropriation to the Department of Property and Supplies for the acquisition of lands and the erection of new buildings and service systems and the alteration and extension of existing buildings and service systems for the use of the Soldiers' Orphan School at Scotland Pennsylvania

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 445, entitled:

An Act making an appropriation to the Pennsylvania Historical Commission for the preservation restoration and rebuilding of certain structures at the Ephrata Cloisters

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 468, entitled:

An Act to further amend sections three hundred seven and five hundred one of the act approved the eleventh day of July one thousand nine hundred twenty-three (P. L. 998) entitled "An act for the prevention and treatment of mental diseases mental defect epilepsy and inebriety regulating the admission and commitment of mental patients to hospitals for mental diseases and institutions for mental defectives and epileptics governing the transfer discharge interstate rendition and deportation of mental patients providing for the payment by individuals counties or the Commonwealth of the cost of the admission care and discharge of mental patients and imposing penalties" imposing certain costs on the institution district

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 491, entitled:

An Act making an appropriation to the Department of Highways out of the Motor License Fund for the purpose of rebuilding county bridges carried away or destroyed by fire flood or other casualty and of carrying out the provisions of existing laws relating thereto

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL ON SECOND READING AMENDED

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 493, entitled:

An Act making an appropriation to the Department of Forests and Waters for the use of the Pennsylvania State

Park and Harbor Commission of Erie and for the joint use of the Federal Government and the Department of Forests and Waters of the Commonwealth of Pennsylvania

The first section was read and agreed to.

The second section was read.

On the question,

Will the Senate agree to the section?

Mr. HEYBURN offered the following amendment:

Amend Sec. 2, page 2, lines 22 and 23, by striking out the words "on the main land"

It was agreed to.

The section was agreed to as amended.

The third, fourth and fifth sections and title were separately read and agreed to.

And said bill having been read at length the second time and agreed to, as amended,

Ordered, To be transcribed for a third reading.

BILLS ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 516, entitled:

An Act to provide protection to estates interests funds and property rights of minors mental and incompetents and absentees secured or to be secured by individual surety or sureties in courts of record or proceedings therein by specifying the requirements of such suretyship the qualifications of such sureties and imposing liens upon the collateral realty involved as well as providing for the revival thereof for execution thereon and for the release discharge or satisfaction thereof

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 526, entitled:

An Act making an appropriation to the Pennsylvania Department of Highways

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 531, entitled:

An Act making an appropriation to the Pennsylvania State College to advance the tobacco interest of this Commonwealth

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 532, entitled:

An Act making an appropriation for aid to free public nonsectarian county libraries and for the purchase and transportation of books

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 589, entitled:

An Act to further amend section four hundred two of the act, approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 343), entitled "An act relating to the finances of the State government; providing for the settlement, assessment, collection, and lien of taxes, bonus, and all other accounts due the Commonwealht, the collection and recovery of fees and other money or property due or belonging to the Commonwealth, or any agency thereof, including escheated property and the proceeds of its sale, the custody and disbursement or other disposition of funds and securities belonging to or in the possession of the Commonwealth, and the settlement of claims against the Commonwealth, the resettlement of accounts and appeals to the courts, refunds of moneys erroneously paid to the Commonwealth, auditing the accounts of the Commonwealth and all agencies thereof, of all public officers collecting moneys payable to the Commonwealth, or any agency thereof, and all receipts of appropriations from the Commonwealth and imposing penalties; affecting every department, board, commission, and officer of the State government, every political subdivision of the State, and certain officers of such subdivisions, every person, association, and corporation required to pay, assess, or collect taxes, or to make returns or reports under the laws imposing taxes for State purposes or to pay license fees or other moneys to the Commonwealth, or any agency thereof, every State depository and every debtor or creditor of the Commonwealth" by providing for audit of the Department of the Auditor General and imposing certain duties upon the Governor of the Commonwealth

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 619, entitled:

An Act to further amend section four hundred fifty-two of the act, approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 177), entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative department, boards, commissions, and officers thereof, including the boards of trustees of State Normal Schools, or Teachers Colleges; abolishing, creating, reorganizing or authorizing the reorganization of certain administrative departments, boards, and commissions; defining the powers and duties of the Governor and other executive and administrative officers, and of the several administrative departments, boards, commissions, and officers; fixing the salaries of the Governor, Lieutenant-Governor, and certain other executive and administrative officers; providing for the appointment of certain ad-

ministrative officers, and of all deputies and other assistants and employes in certain departments, boards and commissions; and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments, boards and commissions shall be determined," as amended, by changing the provision regarding the maximum compensation of the State Civil Service Commission

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 627, entitled:

An Act making an appropriation to the Department of Public Instruction for the use of the Pennsylvania Historical Commission for the purpose of completing restoration and preparing for public use as a museum the property at Ambridge Beaver County Pennsylvania formerly owned and occupied by the Harmony Society and known as "Old Economy"

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 633, entitled:

An Act to amend section twenty-one of the act, approved the seventh day of June, one thousand nine hundred seventeen (P. L. 428), entitled "An act relating to the descent and distribution of the real and personal property of persons dying intestate; and to provide for the recording and registering of the decrees of the orphans' court in connection therewith, and the fees therefor," by providing that the bar of said section may be pleaded by any relative or person concerned whose right in the estate will be defeated or diminished by the allowance of such claim and by the Commonwealth in the furtherance of its right of escheat, but it may not be pleaded by the personal representatives of the estate in order to enable them to retain an estate or portion thereof to which they are not legally entitled, and that the provisions of this amendment be retroactive but any relatives or persons concerned whose claims would be sooner barred by this amendment, may lay legal claim to their respective shares within six months after the passage of this amendment; and further that this amendment shall not have the effect of removing the bar of this section as to any legal claim which may have been barred prior to the passage of this amendment

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 634, entitled:

An Act to amend section one of the act, approved the thirty-first day of July, one thousand nine hundred forty-one (Appropriation Act of 1941, P. L. 81), entitled "An act making an appropriation to the Thomas Jefferson Bicentennial Commission of Pennsylvania," by providing that the unexpended balance of the appropriation made by said act shall not lapse until the purposes for which it was made are fully completed, and the affairs of the Thomas Jefferson Bicentennial Commission of Pennsylvania are finally closed

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILLS OVER IN ORDER

Mr. HEYBURN. Mr. President, I ask unanimous consent that House Bill No. 722, on second reading, entitled:

An Act to amend sections one, two and three of the eighth day of July, one thousand nine hundred and nineteen (P. L. 782), entitled "An act providing that clerks assisting the registers of wills in the collection of inheritance taxes, in counties having a population of less than one million five hundred thousand inhabitants, shall be appointed and their compensation fixed by the Auditor General; and prescribing the method of their payment and that of other expenses incident to the collection of said taxes," by providing that the Secretary of Revenue shall appoint and fix the compensation of clerks assisting the register of wills in the collection of inheritance taxes in counties other than the first and second class and requiring the approval of the Secretary of Revenue to pay the compensation from such taxes

go over in its order.

The PRESIDENT PRO TEMPORE. Is there objection? The Chair hears none.

Mr. HEYBURN. Mr. President, I ask unanimous consent that House Bill No. 723, on second reading, entitled:

An Act to amend sections one, two and three of the act, approved the fourth day of May, one thousand nine hundred and twenty-seven (P. L. 727) entitled "A supplement to the act, approved the twentieth day of June, one thousand nine hundred and nineteen (P. L. 521) entitled 'An act providing for the imposition and collection of certain taxes upon the transfer of property passing from a decedent who was a resident of this Commonwealth at the time of his death, and of property within this Commonwealth of a decedent who was a nonresident of the Commonwealth at the time of his death; and making it unlawful for any corporation of this Commonwealth, or national banking association located therein, to transfer the stock of such corporation or banking association, standing in the name of any such decedent, until the tax on the transfer thereof has been paid; and providing penalties; and citing certain acts for repeal,' authorizing the Auditor General to appoint investigators and appraisers and providing for their compensation," by giving the Secretary of Revenue complete supervision of appraisements in estates of resident decedents and the power to adopt rules and regulations; by conferring upon the Secretary of Revenue the power to employ necessary investigators and appraisers for the enforcement of the transfer inheritance tax laws and to fix the compensation of permanent appraisers

go over in its order.

The PRESIDENT PRO TEMPORE. Is there objection? The Chair hears none.

BILL ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 727, entitled:

An Act to further amend section twenty-seven of the act approved the first day of June one thousand eight hundred eighty-nine (P. L. 420) entitled "A further supplement to an act entitled 'An act to provide revenue by taxation' approved the seventh day of June Anno Domini one thousand eight hundred and seventy-nine" further limiting the application of the section

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILLS OVER IN ORDER

Mr. HEYBURN. Mr. President, I ask unanimous consent that House Bill No. 751, on second reading, entitled:

An Act to amend section twelve, and to further amend section fourteen, and to amend sections fifteen, eighteen, twenty-two, twenty-three, twenty-six, twenty-nine, thirty-one, thirty-six, forty and forty-two of the act, approved the twentieth day of June, one thousand nine hundred and nineteen (P. L. 521), entitled "An act providing for the imposition and collection of certain taxes upon the transfer of property passing from a decedent who was a resident of this Commonwealth at the time of his death, and of property within this Commonwealth of a decedent who was a nonresident of the Commonwealth at the time of his death; and making it unlawful for any corporation of this Commonwealth or national banking association located therein, to transfer the stock of such corporation or banking association, standing in the name of any such decedent, until the tax on the transfer thereof has been paid; and providing penalties; and citing certain acts for repeal," by providing for certification to the Secretary of Revenue as to the necessity for the appointment of expert appraisers or those possessed of technical knowledge and for the approval by the Secretary of Revenue of the appointment of such expert appraisers and of the statements rendered by them for compensation; and for the monthly transmittal by the Secretary of Revenue of the returns of such appraisers and the recording by him thereof; vesting in the Secretary of Revenue the powers of the register of wills in certain cases; requiring duplicate tax receipts and the bond and monthly return to be sent to the Secretary of Revenue; prohibiting transfer of stock without certificate from the Secretary of Revenue, and penalty for violation; providing for refunds for erroneous inheritance tax payments on proof of the Secretary of Revenue and for dismissal by the Secretary of Revenue of appraisers for accepting fees or rewards; vesting in the Secretary of Revenue the power to appoint and fix the compensation of, additional appraisers of experts employed for appraisal purposes and for their payment; and providing further for the collection by the Secretary of Revenue of all inheritance taxes due the Commonwealth from nonresident decedents and making monthly reports thereon to the State Treasurer

go over in its order.

The PRESIDENT PRO TEMPORE. Is there objection? The Chair hears none.

Mr. HEYBURN. Mr. President, I ask unanimous consent that House Bill No. 768, on second reading, entitled:

An Act to amend sections four hundred seven and one thousand two hundred and one of the act, approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 343), entitled "An act relating to the finances of the State government; providing for the settlement, assessment, collection, and lien of taxes, bonus, and all other accounts due the Commonwealth, the collection and recovery of fees and other money or property due or belonging to the Commonwealth or any agency thereof, including escheated property and the proceeds of its sale, the custody and disbursement or other disposition of funds and securities belonging to or in the possession of the Commonwealth, and the settlement of claims against the Commonwealth, the resettlement of accounts and appeals to the courts, refunds of moneys erroneously paid to the Commonwealth, auditing the accounts of the Commonwealth and all agencies thereof, of all public officers collecting moneys payable to the Commonwealth, or any agency thereof, and all receipts of appropriations from the Commonwealth and imposing penalties; affecting every department, board, commission, and officer of the State government, every political subdivision of the State, and certain officers of such subdivisions, every person, association and corporation required to pay, assessess, or collect taxes, or to make returns or reports under the laws imposing taxes for State purposes, or to pay license fees or other moneys to the Commonwealth, or any agency thereof, every State depository and every debtor or creditor of the Commonwealth," to further reorganize the Departments of Revenue and of the Auditor General in such manner as to vest in the Department of Revenue the appointment, the fixing of the compensation, and the approval of the expense accounts and supervision of clerks, investigators, appraisers, expert appraisers, permanent appraisers, and other employees necessary to enable the registers of wills of the several counties to collect transfer inheritance taxes; vesting in the Secretary of Revenue the power to credit the commissions and other expenses and costs of certain accounting officers in the collection of the transfer inheritance tax

go over in its order.

The PRESIDENT PRO TEMPORE. Is there objection? The Chair hears none.

BILL ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 808, entitled:

An Act to provide for certain powers related to the war emergency to the Department of Public Assistance and county boards of assistance providing for assistance to individuals in distress because of enemy action or the danger thereof providing for the expenditure of State funds therefor and for the acceptance of reimbursement from the United State Government of funds so expended.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL OVER IN ORDER

Mr. HEYBURN. Mr. President, I move that House Bill No. 816, on second reading, entitled:

An Act providing temporary increases in the salaries of certain members of the teaching and supervisory staffs of school districts authorizing additional appropriations and temporary loans therefor requiring the Commonwealth to reimburse school districts for the full amount of such increases authorizing the Superintendent of Public Instruction to withhold payments due from the Commonwealth in certain cases; authorizing additional temporary increases; and validating such increases heretofore made

go over in its order.

Mr. HOMSHER. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

Mr. COX. Mr. President, I would like to have unani-

mous consent to offer amendments to this bill. We are supposed to finally adjourn this session of the Legislature this week and if my amendments should be accepted tomorrow it might be too late for the bill to pass, as it would mean delay of another day, and under the circumstances I would certainly like an opportunity to offer my amendments this evening.

The PRESIDENT PRO TEMPORE. For the information of the gentleman from Allegheny there is at present before the Senate a motion that House Bill No. 816 go over in order.

Mr. COX. I would like to speak on that motion, Mr. President. A motion was made but it has not been voted on and the bill as yet has not gone over in order, and I demand the right to speak on the motion.

Mr. WATKINS. Mr. President, I would like to suggest to the gentleman from Allegheny, Senator Cox, in order to get out of this deadlock, that possibly some members on this side might agree with him, but we would like very much to have this bill go over in order and if the gentleman from Allegheny insists in his objection, this being a House Bill, I intend to vote with my colleagues on this side.

I think if the gentleman from Allegheny withdraws from his position and House Bill No. 816 goes over in order, for the purpose stated by the Majority Floor Leader, I think the gentleman from Allegheny will do more for the bill than by delaying the procedure by debating this evening.

Mr. COX. I withdraw my objection, Mr. President.

And the question recurring,

Will the Senate agree to the motion?

It was agreed to.

BILLS ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 828, entitled:

An Act to further amend section one and paragraphs (a) and (b) of section three and sections four and seven and amend section five of the act approved the twenty-fifth day of July one thousand nine hundred thirteen (P. L. 1024) entitled "An act to protect the public health and welfare by regulating the employment of females in certain establishments with respect to their hours of labor and the conditions of their employment by establishing certain sanitary regulations in the establishments in which they work by requiring certain abstracts and notices to be posted by providing for the enforcement of this act by the Commissioner of Labor and Industry and others by prescribing penal[illegible] for violations thereof by defining the procedure in prc[illegible]utions and by repealing all acts and parts of acts inconsistent with the provisions thereof" by changing the definitions of "week" and "day" and by increasing the hours of labor and temporarily suspending certain restrictions on employment.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 923, entitled:

An Act making an appropriation to the Cresson Volunteer Fire Company for the protection of State Property.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 924, entitled:

An Act making an appropriation to the Department of Forests and Waters for the purpose of reconstructing and maintaining dikes along Darby Creek in Tinicum and Darby Townships Delaware County and in Philadelphia.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 926, entitled:

An Act creating a commission to make a study of juvenile delinquency directing such commission to make a report and recommendations to the General Assembly conferring certain powers upon such commission including the power to issue subpoenas administer oaths and affirmations retain employes and expend funds and making an appropriation.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL RECOMMITTED

Mr. HEYBURN. Mr. President, I move that House Bill No. 931, on second reading, entitled:

An Act making an appropriation out of the Motor License Fund to the Department of Highways for allocation to and expenditure in the second class townships of the Commonwealth for maintenance construction reconstruction resurfacing or improvement of township roads and bridges during the calendar years one thousand nine hundred forty-four and one thousand nine hundred forty-five permitting the use of the funds for maintenance and repair to township roads and bridges under certain conditions and providing for the method of payment to townships

be recommitted to the Committee on Highways.

Mr. THOMAS. Mr. President, I second the motion.

The motion was agreed to.

BILLS ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 945, entitled:

An Act lapsing all unexpended or unencumbered balances of appropriations from all funds made by the General Assembly at its session of one thousand nine hundred and thirty-five and prior sessions and at its regular sessions of one thousand nine hundred and thirty-seven

and one thousand nine hundred and thirty-nine and the Special Sessions of one thousand nine hundred and thirty-six and one thousand nine hundred and thirty-eight.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 946, entitled:

An Act making an appropriation to the Women's Medical College of Pennsylvania located at East Falls Philadelphia Pennsylvania.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 947, entitled:

An Act making an appropriation to the Pennsylvania Museum and School of Industrial Art Philadelphia.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 948, entitled:

An Act making an appropriation to the Department of military Affairs for the maintenance and education of children of certain soldiers sailors marines female field clerks yeomen (female) and nurses.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 949, entitled:

An Act making an appropriation to the Department of Public Assistance and providing for certain allocations therefrom for the purpose of carrying out the Public Assistance Law for the two fiscal years beginning June first one thousand nine hundred forty-three and for the payment of assistance and expense accrued or incurred prior to and remaining unpaid on May thirty-first one thousand nine hundred forty-three.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 950, entitled:

An Act making an appropriation to the Department of Labor and Industry for the rehabilitation of the deaf and hard of hearing and for the purpose of matching additional federal funds.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 951, entitled:

An Act making an appropriation to the Board of Trustees of the Philadelphia Museum Philadelphia.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 952, entitled:

An Act making an appropriation from the Banking Department Fund to the State Employes' Retirement Board to meet the obligations of the Commonwealth to the State Employes Retirement System with respect to State Employes receiving compensation from the Banking Department Fund.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL ON SECOND READING AMENDED

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 953, entitled:

An Act making an appropriation from the Motor License Fund to the State Employes' Retirement Board to meet the obligations of the Commonwealth to the State Employes' Retirement System with respect to State employes receiving compensation from the Motor License Fund.

The first section was read and agreed to.

The second section was read.

On the question,

Will the Senate agree to the section?

Mr. HEYBURN offered the following amendment:

Amend section 2, page 2, line 11 by striking out, with boldface brackets, the following: "[Motor]"; and inserting in lieu there the following word: "State".

It was agreed to.

The section was agreed to as amended.

The title was read and agreed to.

And said bill having been read at length the second time and agreed to as amended,

Ordered, To be transcribed for a third reading.

BILLS ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 954, entitled:

An Act making an appropriation to the Downingtown Industrial and Agricultural School Downingtown Pennsylvania.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 955, entitled:

An Act making an appropriation from the Motor License Fund to the Department of Property and Supplies for the payment of the costs incurred by that Department in acting as purchasing agent for the Department of Highways.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 957, entitled:

An Act making an appropriation to the Trustees of Temple University at Philadelphia Pennsylvania.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 959, entitled:

An Act making an appropriation from the State Workmen's Insurance Fund to the State Employes' Retirement Board to meet the obligations of the Commonwealth to the State Employes' Retirement System with respect to State employes receiving compensation from the State Workmen's Insurance Fund.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 960, entitled:

An Act making an appropriation to the Trustees of the University of Pennsylvania.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 961, entitled:

An Act making an appropriation to the National Farm School at Doylestown Pennsylvania.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 962, entitled:

An Act making an appropriation of moneys in the Motor License Fund to the Board of Finance and Revenue to meet interest and sinking fund requirements on the State debt.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 963, entitled:

An Act making an appropriation to the Department of Property and Supplies for the payment of rates rentals and other charges that may become due on leases and other contracts executed by The Pennsylvania State College with The General State Authority for the use and occupancy by such college of the various projects structures buildings and facilities of the Authority or for the services rendered by the Authority or its projects.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 964, entitled:

An Act making an appropriation to Sleighton Farm School for Girls situate in Delaware County Pennsylvania.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 965, entitled:

An Act making an appropriation from the State Stores Fund to the State Employes' Retirement Board to meet the obligations of the Commonwealth to the State Em-

ployes' Retirement System with respect to State employes receiving compensation from the State Stores Fund.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 966, entitled:

An Act making an appropriation from the Fish Fund to the State Employes' Retirement Board to meet the obligations of the Commonwealth to the State Employes' Retirement System with respect to State employes receiving compensation from the Fish Fund.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 968, entitled:

An Act making an appropriation to aid certain school districts.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 969, entitled:

An Act making an appropriation of moneys in the Motor License Fund to the Board of Finance and Revenue for the payment of the Loan and Transfer Agent of the Commonwealth.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 970, entitled:

An Act making an appropriation to the Treasury Department out of various funds to pay replacement checks issued in lieu of outstanding checks when presented.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 971, entitled:

An Act making an appropriation to The General State Authority to defray the costs and expenses of the said Authority in connection with the organization administration and operation thereof.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL ON SECOND READING AMENDED

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 973, entitled:

An Act making an appropriation to the Trustees of the University of Pittsburgh for the general maintenance of and the purchase of apparatus and equipment for the University of Pittsburgh and for the maintenance of teaching facilities in hospitals for students in the School of Medicine.

The first section was read.

On the question,

Will the Senate agree to the section?

Mr. CHAPMAN offered the following amendment:

Amend Section 1, page 1, lines 1 and 2 by striking out "one million three hundred sixty-one thousand dollars ($1,361,000)" and inserting in lieu thereof the following: "one million three hundred seventy-six thousand dollars ($1,376,000)".

It was agreed to.

The section was agreed to as amended.

The title was read and agreed to.

And said bill having been read at length the second time and agreed to as amended,

Ordered, To be transcribed for a third reading.

BILLS ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 974, entitled:

An Act making an appropriation to the Trustees of the College of Lincoln University Chester County.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 975, entitled:

An Act making an appropriation to the Department of Forests and Waters for the use of the Valley Forge Park Commission in payment of lands acquired by condemnation.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 976, entitled:

An Act making an appropriation to the Moore Institute of Art Science and Industry formerly Philadelphia School of Design for Women at Philadelphia Pennsylvania.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 977, entitled:

An Act making an appropriation to the Department of Labor and Industry to meet the obligation of the Commonwealth to pay a part of the compensation payable for certain occupational diseases.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 978, entitled:

An Act making an appropriation to the Department of Forests and Waters for the repair or reconstruction of a dam across the Lehigh River at Easton Northampton County and dredging in the Lehigh River and the entrance of the Delaware Division Canal.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 979, entitled:

An Act making an appropriation from the Manufacturing Fund to the State Employes' Retirement Board to meet the obligations of the Commonwealth to the State Employes' Retirement System with respect to State employes receiving compensation from the Manufacturing Fund.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 980, entitled:

An Act making an appropriation from the Game Fund to the State Employes' Retirement Board to meet the obligations of the Commonwealth to the State Employes' Retirement System with respect to State employes receiving compensation from the Game Fund.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 1029, entitled:

An Act making an appropriation to the Trustees of the Pennsylvania State College for the use of the School of Agriculture for the purpose of conducting research and investigation of problems affecting livestock and agricultural products.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 1030, entitled:

An Act making an appropriation to the Jefferson Medical College of Philadelphia Pennsylvania for medical education.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 1098, entitled:

An Act making an appropriation to the Pennsylvania Historical Commission to cover the expenses of restoring and refurnishing the Daniel Boone Homestead.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 1105, entitled:

An Act making an appropriation to the Department of Property and Supplies for the restoration improvement and equipment of the Pottsgrove Mansion in the borough of Pottstown on the advice and subject to the approval of the Pennsylvania Historical Commission.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 1109, entitled:

An Act making an appropriation to the Department of Revenue for the payment of claims for legal services.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

REPORT FROM COMMITTEE

Mr. CROWE. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. CROWE, from the Committee on Education reported as amended, House Bill No. 194, entitled:

An Act authorizing administrative boards within the Department of Public Instruction for the duration of the present War to admit to examination and grant licenses or registration to certain applicants who are less than twenty-one but not less than twenty years of age.

HOUSE BILL No. 316, PRINTER'S No. 205 CALLED UP FROM POSTPONED CALENDAR

Mr. WALKER. Mr. President, I call up from the Second Reading Postponed Calendar, on page 49, House Bill No. 316, Printer's No. 205.

BILL ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 316, entitled:

An Act to add section six hundred ninety-nine and seven-tenths to the act approved the twenty-fourth day of June one thousand nine hundred thirty-nine (P. L. 872) entitled "An act to consolidate amend and revise the penal laws of the Commonwealth" making it unlawful to capture take or have in ones possession lobsters under a certain size.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

HOUSE MESSAGES

HOUSE CONCURS IN RESOLUTION RECALLING FROM THE GOVERNOR SENATE BILL No. 246

The Clerk of the House of Representatives being introduced presented communication from the House of Representatives informing the Senate that the House has concurred in resolution from the Senate as follows:

In the Senate, May 3, 1943.

Resolved (if the House of Representatives concur) That Senate Bill No. 246, entitled:

An Act to enable tax collectors and receivers of taxes in counties of the sixth class to make return to the county commissioners of unpaid taxes assessed on seated lands for certain years, and validating the liens of such taxes

be recalled from the Governor for the purpose of amendment.

RESOLUTION RECALLING FROM THE GOVERNOR HOUSE BILL No. 155

He also presented extract from the Journal of the House of Representatives, which was twice read as follows, considered and agreed to:

In the House of Representatives, May 3, 1943.

Resolved (if the Senate concur), That House Bill No. 155, Printer's No. 453, entitled:

An Act to further amend section two hundred twenty of the act, approved the second day of May, one thousand nine hundred twenty-five (P. L. 448), entitled "Fish Law of 1925," exempting persons in the armed forces from the payment of a fee to the Commonwealth for resident fishing licenses.

be recalled from the Governor for the purpose of amendment.

HOUSE CONCURS IN SENATE BILL No. 177

He also returned to the Senate, Senate Bill No. 177, entitled:

An Act to amend section three hundred one of the act approved the fifth day of December one thousand nine hundred and thirty-six (1937, P. L. 2897) entitled "An act establishing a system of unemployment compensation to be administered by the Department of Labor and Industry and its existing and newly created agencies with personnel (with certain exceptions) selected on a civil service basis requiring employers to keep records and make reports and certain employers to pay contributions based on payrolls to provide moneys for the payment of compensation to certain unemployed persons providing procedure and administrative details for the determination payment and collection of such contributions and the payment of such compensation providing for cooperation with the Federal Government and its agencies creating certain special funds in the custody of the State Treasurer and prescribing penalties" providing for the payment of contributions by employers in accordance with an experience rating system and providing for and regulating such experience rating system and the terms and procedure to effectuate the same.

with the information that the House has passed the same without amendments.

BILLS SIGNED

The PRESIDENT PRO TEMPORE (Charles H. Ealy) announced that the Chief Clerk having reported that the following bills had passed both houses of the General Assembly and the same being correct, the titles were publicly read as follows:

Senate Bill No. 105, entitled:

An Act to amend section two thousand three of the act, approved the ninth day of April, one thousand nine hundred and twenty-one (P. L. 177), entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments, boards, commissions, and officers thereof, including the boards of trustees of State Normal Schools or Teachers Colleges; abolishing, creating, reorganizing or authorizing the reorganization of certain administrative departments, boards and commissions; defining the powers and duties of the Governor and other executive and administrative officers, and of the several administrative departments, boards, commissions, and officers; fixing the salaries of the Governor, Lieutenant-Governor, and certain other executive and administrative officers; providing for the appointment of certain administrative officers, and of all deputies and other assistants and employes in certain departments, boards and commissions; and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments, boards, and commissions shall be determined," authorizing the Department of Highways to condemn rights-of-way as agent for the Federal Government.

Senate Bill No. 108, entitled:

An Act to authorize cities, boroughs, incorporated towns, townships and school districts to file suggestions of non-payment and averments of default or to sue out writs of scire facias on certain tax or municipal claims and to revive judgments where the lien of such claims or the judgments thereon have been lost, and providing for the reinstatement of the liens of such claims and judgments.

Senate Bill No. 207, entitled:

An Act providing for commissioning as police officers, certain employes of institutions maintained in whole or in part by the Commonwealth; conferring upon them the powers of constables in certain cases; and imposing duties on wardens and keepers of jails, police stations and lock-ups.

Senate Bill No. 209, entitled:

An Act to further amend section eleven (b) of the act, approved the nineteenth day of March, one thousand nine hundred nine (P. L. 46), entitled "An act to regulate the practice of osteopathy in the State of Pennsylvania; to provide for the establishment of a State Board of Osteopathic Examiners; to define the powers and duties of said Board of Osteopathic Examiners; to provide for the examining and licensing of osteopaths in this State; and to provide penalties for the violation of this act," by further regulating the requirements for license as an osteopathic surgeon.

Senate Bill No. 218, entitled:

An Act to further amend Section 601, 602 and 605 of and to add Sections 601.1, 601.2 and 601.3 to the act approved the fourth day of May, one thousand nine hundred twenty-seven (P. L. 519), entitled "An act concerning boroughs and revising amending and consolidating the law relating to boroughs" changing and further providing procedure to create change or establish boundaries of wards in boroughs imposing additional duties on borough councils providing in certain cases for local option and terminating unfinished proceedings heretofore commenced for such purposes.

Senate Bill No. 244, entitled:

An Act reducing for a limited period of time the training period of interneship in osteopathic hospitals in order to qualify for examination for license by the Osteopathic Surgeons' Examining Board to practice major surgery and suspending inconsistent laws.

Senate Bill No. 248, entitled:

An Act regulating and providing fees for the clerks of quarter sessions of counties of the fourth class.

Senate Bill No. 268, entitled:

An Act to amend section seventeen of the act approved the seventh day of June one thousand nine hundred and seventeen (P. L. 363) entitled "An act relating to the organization jusidiction and procedure of the orphans' courts the powers and duties of the judges thereof and appeals therefrom" by prescribing procedure in cases affecting the interest of any lunatic, weak-minded person, presumed decedent or any person who may be unknown or unborn or under disability or out of the jurisdiction under such circumstances that actual notice cannot reasonably be given to such person.

Senate Bill No. 359, entitled:

An Act to amend section sixteen of the act, approved the twelfth day of July, one thousand nine hundred thirteen (P. L. 711), entitled "An act establishing a court for the county of Philadelphia; prescribing its jurisdiction and powers; providing for the service of its writs, process, or warrants by the proper officers of the county or city of Philadelphia; regulating the procedure therein, and appeals therefrom, and providing for the expenses thereof," by extending its powers to include the issuance of writs of habeas corpus.

Whereupon,

The PRESIDENT PRO TEMPORE (Charles H. Ealy) in the presence of the Senate signed the same.

HOUSE MESSAGE

HOUSE BILL FOR CONCURRENCE

The Clerk of the House of Representatives being introduced presented for concurrence bills of the House, as follows:

House Bill No. 1055, entitled:

An Act to further amend the act, approved the fifth day of December, one thousand nine hundred and thirty-six (2897), entitled "Unemployment Compensation Law," changing the provisions thereof and the rights obligations and procedure thereunder.

Which was committed to the Committee on Labor and Industry.

BILLS ON FIRST READING

Mr. HEYBURN. Mr. President, I move that the Senate do now proceed to the first reading of all bills reported from committees for the first time at today's session.

Mr. LETZLER. Mr. President, I second the motion.

The motion was agreed to.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 112, entitled:

An Act authorizing the Armory Board of the State of Pennsylvania to construct and erect in the County of Dauphin a memorial or monument in memory of the residents of Dauphin County who served in the forces of the United States during World War I and making an appropriation.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 194, entitled:

An Act authorizing administrative boards within the Department of Public Instruction for the duration of the present War to admit to examination and grant licenses or registration to certain applicants who are less than twenty-one but not less than twenty years of age.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 245, entitled:

An Act making an appropriation to the Department of Welfare for use by the State Council for the Blind in supplying home instruction for adult blind persons.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 273, entitled:

An Act to further amend the act approved the fourth day of May one thousand nine hundred twenty-seven (P. L. 519) entitled "An act concerning boroughs and revising amending and consolidating the law relating to boroughs" by further regulating the affairs of boroughs and revising amending and changing the law relating thereto.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 422, entitled:

An Act to amend section four of the act approved the ninth day of April one thousand eight hundred and seventy (P. L. 1121) entitled "A supplement to an act entitled 'An act for the regulation and government of the Lehigh county prison' approved the sixth day of April one thousand eight hundred and sixty-nine" by increasing the salaries of prison inspectors in Lehigh county.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 501, entitled:

An Act regulating the lien of judgments prescribing the procedure for the revival of judgments and for the continuance of the lien thereof and repealing certain acts and parts of act.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 510, entitled:

An Act to amend sections seven hundred thirty-one and seven hundred thirty-three of the act approved the twenty-fourth day of June one thousand nine hundred thirty-nine (P. L. 872) entitled "An act to consolidate amend and revise the penal laws of the Commonwealth" authorizing the courts to issue writs of execution and attachment against the property money and wages of defendants in separation and non-support cases and the attachment of wages in desertion and non-support cases.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 584, entitled:

An Act authorizing counties of the second class to regulate the production of smoke from chimneys smokestacks or other source including provisions for the payment of inspection and certificates of compliance fees incident thereto authorizing the expenditure of money for the employment of persons and the acquisition of property for effecuating such regulations and providing penalties for the violation thereof.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 585, entitled:

An Act to amend section six of the act approved the twelfth day of June one thousand eight hundred seventy-eight (P. L. 196) entitled "An act supplementary to an act entitled 'An act to consolidate revise and amend the penal laws of this Commonwealth' approved the thirty-first day of March Anno Domini one thousand eight hundred and sixty" by fixing the time for the commencement and prosecution of indictments for felonies committed by certain persons.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 593, entitled:

An Act relating to vocational rehabilitation; accepting the provisions and benefits of the act of Congress, approved the second day of June, one thousand nine hundred and twenty, entitled "An act to provide for the promotion of vocational rehabilitation of persons disabled in industry or otherwise and their return to civil employment"; providing for the rehabilitation of persons disabled in industry and their return to civil employment; imposing duties upon the Bureau of Rehabilitation, the Department of Labor and Industry and the State Treasurer.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 635, entitled:

An Act to amend the act, approved the twenty-second day of June, one thousand nine hundred and thirty-one (P. L. 594), entitled "An act establishing certain township roads as State highways; authorizing their construction, maintenance, and improvement under certain conditions and restrictions; limiting the obligation of the Commonwealth in the construction of certain structures located on such highways; conferring certain powers upon the Department of Highways and local authorities, persons, associations and corporations for sharing the cost of the maintenance and construction of such highways; and making an appropriation to carry out the provisions of said act," by changing certain routes.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 640, entitled:

An Act requiring the names of all signers and witnesses to be printed or typewritten below their signatures on certain documents and other written instruments entitled to be recorded or filed and prohibiting the recording or filing thereof for failure to comply with such requirement.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 665, entitled:

An Act to amend section three hundred sixteen of the act approved the seventeenth day of May one thousand nine hundred and twenty-one (P. L. 682) entitled "An act relating to insurance amending revising and consolidating the law providing for the incorporation of insurance companies and the regulation supervision and protection of home and foreign insurance companies Lloyds associations reciprocal and inter-insurance exchanges and fire insurance rating bureaus and the regulation and supervision of insurance carried by such companies associations and exchanges including insurance carried by the State Workmen's Insurance Fund providing penalties and repealing existing laws" by extending the provisions to include officers and employes.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 671, entitled:

A Further Supplement to the act approved the first day of April, one thousand eight hundred and sixty-three (P. L. 213), entitled "An act to accept the grant of Public Lands, by the United States, to the several states, for the endowment of Agricultural Colleges," making an appropriation for carrying the same into effect.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 827, entitled:

An Act to amend section two thousand four hundred and four of the act, approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 177), entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments, boards, commissions, and officers thereof, including the boards of trustees of State Normal Schools, or Teachers Colleges; abolishing, creating, reorganizing or authorizing the reorganization of certain administrative departments, boards, and commissions; defining the powers and duties of the Governor and other executive and administrative officers, and of the several administrative departments, boards, commissions, and officers fixing the salaries of the Governor, Lieutenant-Governor, and certain other executive and administrative officers; providing for the appointment of certain administrative officers, and of all deputies and other assistants and employes in certain departments, boards, and commissions; and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments, boards and commissions shall be determined," as amended, in order to provide automobile liability insurance on vehicles owned by the United States of America and its instrumentalities, which are loaned to and operated by State employes and certain other persons.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 1039, entitled:

An Act to further amend section five hundred forty-seven of the act approved the first day of May one thousand nine hundred thirty-three (P. L. 103) entitled "An act concerning townships of the second class and amending revising consolidating and changing the law relating thereto" by further regulating publication of the auditors' report.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 1064, entitled:

An Act to amend the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 343) entitled "An act relating to the finances of the State government providing for the settlement assessment collection and lien of taxes bonus and all other accounts due the Commonwealth the collection and recovery of fees and other money or property due or belonging to the Commonwealth or any agency thereof including escheated property and the proceeds of its sale the custody and disbursement or other disposition of funds and securities belonging to or in the possession of the Commonwealth and the settlement of claims against the Commonwealth the resettlement of accounts and appeals to the courts refunds of moneys erroneously paid to the Commonwealth auditing the accounts of the Commonwealth and all agencies thereof of all public officers collecting moneys payable to the Commonwealth or any agency thereof and all receipts of appropriations from the Commonwealth and imposing penalties affecting every department board commission and officer of the State government every political subdivision of the State and certain officers of such subdivisions every person association and corporation required to pay assess or collect taxes or to make returns or reports under the laws imposing taxes for State purposes or to pay license fees or other moneys to the Commonwealth or any agency thereof every State depository and every debtor or creditor of the Commonwealth" by providing for the manner of payment of escheators' fees informants' commissions and other lawful charges due from moneys escheated to the Commonwealth and escheatable moneys paid to the Commonwealth without escheat designating the funds to which such moneys shall be credited and making an appropriation.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 1071, entitled:

An Act to further amend the act approved the twenty-fourth day of June one thousand nine hundred thirty-seven (P. L. 2051) entitled "An act relating to public assistance providing for and regulating assistance to certain classes of persons designated and defined as dependent children aged persons blind persons and other persons requiring relief providing for the administration of this act by the Department of Public Assistance and county boards of assistance hereby created for this purpose authorizing the Department of Public Assistance to cooperate with and to accept and disburse moneys received from the United States Government for assistance to such persons providing for the liquidation of the State Emergency Relief Board Boards of Trustees of the Mothers' Assistance Fund and Boards of Trustees of Pension Fund for the Blind and repealing laws relating to mothers' assistance pensions for the blind old age assistance and the State Emergency Relief Board" declaring the legislative intent restricting the powers of the Department of Public Assistance and the State Board of Public Assistance extending the powers of county boards of assistance and making provision reciprocal with other states for assistance to certain aged persons.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 1101, entitled:

An Act to provide for the ordinary expenses of the Executive Legislative and Judicial Departments of the Commonwealth interest on the public debt and the support of the public schools for two years beginning June first one thousand nine hundred and forty-three and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending May thirty-first one thousand nine hundred and forty-three.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 1106, entitled:

An Act making an appropriation to the Department of Welfare for the maintenance of certain homes.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 1107, entitled:

An Act making an appropriation to the Department of Welfare for the maintenance of certain hospitals.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

BILL RECOMMITTED

Mr. STEVENSON. Mr. President, I move that House Bill No. 1101, be recommitted to the Committee on Appropriations.

Mr. HEYBURN. Mr. President, I second the motion.

The motion was agreed to.

ADJOURNMENT

Mr. HEYBURN. Mr. President, I move that the Senate do now adjourn until Tuesday, May 4, 1943, at 3:00 o'clock p. m. Eastern War Time.

Mr. GELTZ. Mr. President, I second the motion.

The motion was agreed to.

The Senate adjourned at 11:59 o'clock p. m. Eastern War Time until Tuesday, May 4, 1943, at 3:00 o'clock p. m. Eastern War Time.

HOUSE OF REPRESENTATIVES

MONDAY, May 3, 1943

The House met at 3 p. m.

The SPEAKER (Ira T. Fiss) in the Chair.

PRAYER

The Chaplain, Rev. Lester C. Updegrove, offered the following prayer:

O Christ, Strong Son of God, who are always speaking to man and showing Thyself among us, we pray this day for a blessing for our country. Make her strong in her devotion to truth. Make her great in her desire for honor. Make her trustful in more than armed might. Make her ready to sacrifice all else, but never righteousness or virtue. Strengthen our leaders that they may walk with Thee as they carry burdens of responsibility. Strengthen our people that in honorable service and humble spirit we may bring peace by doing Thy will. Judge of the nations, spare us yet by Thy mercy, Thy love, and Thy peace. Amen.

JOURNAL APPROVED

The SPEAKER. The Clerk will read the Journal of Thursday, April 29, 1943.

The Clerk proceeded to read the Journal of Thursday, April 29, 1943, when, on motion of Mr. LANE, unanimously agreed to, the further reading was dispensed with and the Journal approved.

SENATE MESSAGE

The Clerk of the Senate, Mr. McGroerty, being introduced, presented extracts from the Journal of the Senate:

House bill returned with amendments No. 917.

Senate bills for concurrence Nos. 425, 523, 521, 540, 206, 608, 623, 236, 415, 419, 420, 430, 492, 545, 534, 579 and 626, which were laid on the table.

BILLS SIGNED BY SPEAKER

Bills numbered and entitled as follows having been prepared for presentation to the Governor and the same being correct, the titles were publicly read as follows:

HOUSE BILL No. 547.

An Act to further amend the act approved the first day of June one thousand eight hundred eighty-nine (P. L. 420) entitled "A further supplement to an act entitled 'An act to provide revenue by taxation' approved the seventh day of June Anno Domini one thousand eight hundred and seventy-nine" by increasing for a further limited period of time the rate of tax imposed by the act upon the gross receipts of certain companies limited partnerships associations joint-stock associations copartnerships and persons and by further defining the gross receipts tax liability of companies limited partnerships associations joint stock associations copartnerships and persons engaged in the sale of electric energy

HOUSE BILL No. 660.

An Act to amend clause (g) of section nineteen of the act approved the twenty-fifth day of May one thousand nine hundred thirty-seven (P. L. 814) entitled "An act to provide for the permanent personal registration of electors in cities of the second class as a condition of their right to vote at elections and primaries and their enrollment as members of political parties as a further condition of their right to vote at primaries prescribing certain procedure for the conduct of elections and primaries and the challenge and proof of qualifications of electors and prescribing the powers and duties of citizens parties political bodies registration commissions commissioners registrars inspectors of registration and other appointees of registration commissions county election boards election officers municipal officers departments and bureaus police officers courts judges prothonotaries sheriffs county commissioners peace officers county treasurers county controllers registrars of vital statistics certain public utility corporations real estate brokers rental agents and boards of school directors and imposing penalties" by changing the procedure relating to the registration of State employes

HOUSE BILL No. 655.

An Act to amend clause (g) of section nineteen of the act approved the twenty-fifth day of May one thousand nine hundred thirty-seven (P. L. 849) entitled "An act to provide for the permanent personal registration of electors in cities of the third class as a condition of their right to vote at elections and primaries and their enrollment as members of political parties as a further condition of their right to vote at primaries prescribing certain procedure for the conduct of elections and primaries and the challenge and proof of qualifications of electors and prescribing the powers and duties of citizens parties political bodies registration commissions commissioners registrars inspectors of registration and other appointees of registration commissions county election boards election officers municipal officers departments and bureaus police officers courts judges prothonotaries sheriffs county commissioners peace officers county treasurers county controllers registrars of vital statistics certain public utility corporations real estate brokers rental agents and boards of school directors imposing penalties and repealing existing legislation" by changing the procedure relating to the registration of State employes

HOUSE BILL No. 651.

An Act providing for the printing and distribution of Senate and House Bills and Senate and House Calendars

Whereupon,

The SPEAKER, in the presence of the House, signed the same.

MOTION TO TAKE RESOLUTION FROM TABLE

Mr. CHARLES H. BRUNNER, Jr. Mr. Speaker, last Wednesday there was presented on the floor of this House a motion to reconsider the vote by which House Bill No. 57 failed to pass finally. At that time there was a following motion made to table the motion to reconsider. It is my personal feeling, and the feeling of those identified with the purposes of House Bill No. 57, that this bill should be reconsidered.

I, therefore, move that the motion to reconsider which was laid on the table be taken from the table, and I ask that only those who respond to their names be recorded as voting.

On the question,

Will the House agree to the motion?

PARLIAMENTARY INQUIRY

Mr. CORDIER. Mr. Speaker, I rise to a question of parliamentary inquiry.

The SPEAKER. The gentleman from Lackawanna will state his question of parliamentary inquiry.

Mr. CORDIER. Mr. Speaker, will the Chair state whether or not it requires a majority of those voting to take this motion from the table or a constitutional majority?

The SPEAKER. It requires a majority of those voting, not a constitutional majority.

On the question recurring,

Will the House agree to the motion?

The yeas and nays were required by Mr. Charles H. Brunner, Jr., and Mr. Imbrie and were as follows:

YEAS—84

Alspach,	Elliott,	Leisey,	Reese, R. E.,
Auker,	Ely,	Leonard,	Royer,
Baker,	Gillan,	Levy,	Sarraf,
Barrett,	Gorman,	Leydic,	Scanlon,
Bentzel,	Goodwin,	Lovett,	Schuster,
Boorse,	Grant,	Lyons,	Simons,
Boory,	Green,	Mahany,	Snider,
Brown,	Gyger,	McAtee,	Sorg,
Brunner, C. H.,	Hall,	McMillen,	Swope,
Brunner, P. A.,	Harris,	Menna,	Tate,
Cadwalader,	Herman,	Mintess,	Thompson,
Campbell,	Hersch,	Modell,	Tiemann,
Chervenak,	Hoopes,	Mooney,	Trout,
Chudoff,	Hunter, W. M.,	Murray,	Walton,
Cohen,	Huntley,	O'Brien,	Weiss,
Coleman,	Imbrie,	O'Dare,	Welsh,
Corrigan,	James,	Owens,	Winner,
Costa,	Kirley,	Petrosky,	Wood, L. H.,
Denman,	Kolankiewicz,	Pettit,	Wood, N.,
Dillon,	Laughner,	Polaski,	Wright,
Duffy,	Lee,	Reagan,	Yester,

NAYS—52

Bonawitz,	Freed,	McClester,	Smith,
Bradley,	Garber,	McSurdy,	Stank,
Cordier,	Haberlen,	Miller,	Stockham,
Croop,	Hewitt,	Mock,	Stonier,
Dennison,	Holmes,	Moser,	Taylor,
Depuy,	Jones,	Munley,	Thrasher,
Dix,	Kline,	Nowak,	Turbett,
Elder,	Kowalski,	O'Connor	Van Allsburg,
Erb,	Krepps,	Reese, D. P.,	Wachhaus,
Ewing,	Krise,	Regan,	Wagner, P. L.,
Figlock,	Lane,	Reilly,	Wallin,
Flack,	Livingstone,	Robertson,	Watkins,
Fox,	Madigan,	Rose, W. E.,	Yeakel,

So the question was determined in the affirmative and the motion was agreed to.

The SPEAKER. The Chair lays before the House the motion of the gentleman from Berks, Mr. Grant, and the gentleman from Westmoreland, Mr. Maxwell.

The motion was read by the Clerk as follows:

In the House of Representatives, April 28, 1943.

Moved, By the gentleman from Berks, Mr. Grant, and seconded by the gentleman from Westmoreland Mr. Maxwell, that the vote by which House Bill No. 57, Printer's No. 584, entitled "An act to amend section three hundred ten of the act, approved the twenty-second day of June, one thousand nine hundred thirty-seven (P. L. 1987), entitled 'An act to preserve and improve the purity of the waters of the Commonwealth for the protection of public health, animal and aquatic life, and for industrial consumption and recreation; empowering and directing the creation of indebtedness for the issuing of non-debt revenue bonds, by political subdivisions, to provide works to abate pollution; providing protection of water supply; providing for the jurisdiction of courts, magistrates, aldermen and justices of the peace, in the enforcement thereof, and providing additional remedies for abating pollution of waters; imposing certain penalties; and repealing certain acts,' by including the drainage of silt in the provisions of article three thereof; and suspending the enforcement of the act in certain cases," was defeated on final passage on Monday, April 26th, be reconsidered.

On the question recurring,

Will the House agree to the motion?

The SPEAKER declared the ayes appeared to have it,

Whereupon, a division was called for, seventy-nine Members having voted in the affirmative and forty-two in the negative, the question was determined in the affirmative and the motion was agreed to

On the question,

Shall the bill pass finally?

Mr. MODELL. Mr. Speaker, the Schuylkill River which supplies water today to six municipalities, including Philadelphia, is threatened with utter ruination because of the continued practice of coal operators discharging

into the river some two mililon tons of coal silt a year. This is in accordance with the latest reports of the United States District Engineers.

Back in the summer of 1941, the President, in passing this river, noticed the horrible stench and suggested an inquiry to ascertain the effect upon the defense program from the standpoint of health, water supply and navigation.

Mr. Speaker, the primary authority in Pennsylvania charged with the correction of pollution of the streams is the Sanitary Water Board, and at that time they assured the auhorities that they would act in the matter, and as a result the Federal authorities refrained from action.

The Sanitary Water Board, though possessing the power to outlaw this practice by simple decree, has so far refused to act, on the specious plea that there are no practical means known to abate this nuisance. Their plea is contrary to all reports made on the subject, including that of the United States District Engineers and even to the coal operators' committee which admits that they can reduce the coal waste discharge to the extent of five-sixths or eighty per cent. The matter today has become one of grave concern to the Federal government's war efforts because the war industries need an abundance of water, which may be denied them during the period of the summer droughts. The city has difficulty even now to keep its three water intakes clear, and has a vast burden of settling off the fine coal before filtration. Citizens have been repeatedly asked to use water sparingly. Now the government's burden of directing the channel of the navigable waters of the Schuylkill and the Delaware is vastly increased at a time when the channel is most needed and additional dredging equipment is impossible to obtain.

Mr. Speaker, the docks of essential war industries are so choked that barges and ships in some places cannot berth except at high tide. These docks must be dredged by private enterprise and private dredging is almost impossible to obtain. Even worse is the fact that the city fire boats, should an explosion or a fire occur, would not be able to get close enough to effectively fight a conflagration that might easily get beyond control.

The Federal laws are being violated and if the state authority won't act the government must. If the present state administration will do nothing and the United States engineers request it, action will be taken in the United States District Court.

If the present state administration will do nothing, I say to the Members of this House, and especially those who are always telling us that they desire the Federal government not to interfere in the state's business, they will find that the United States government will take steps to stop the throwing of silt into the Schuylkill river. It is up to the Members of this House to see that they protect this state if they claim they don't want interference from the Federal government by immediately passing this bill.

BILL POSTPONED

Mr. CHARLES H. BRUNNER, Jr. Mr. Speaker, I move further action on this bill be postponed until later today.

The motion was agreed to.

PETITIONS AND COMMUNICATIONS

The SPEAKER laid before the House the following petition and communication which was read by the Clerk.

LIQUORS

A telegram from Mrs. R. Temple Smith, urging passage of House Bill No. 776.

Referred to the Committee on Law and Order.

The SPEAKER. The Chair requests the gentleman from Butler, Mr. Imbrie, to preside.

MR. IMBRIE IN THE CHAIR

BILLS ON FIRST READING

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 474, entitled:

An Act to further amend section five hundred sixty-one of the act approved the eighteenth day of May, one thousand nine hundred eleven (P. L. 309), entitled "An act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws, general, special or local, or any parts thereof, that are or may be inconsistent therewith," changing the penalty to be added to delinquent school taxes in third and fourth class districts.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 496, entitled:

An Act authorizing the Department of Property and Supplies to acquire by purchase, gift, lease or condemnation, on behalf of he Commonwealth of Pennsylvania, land adjacent to the Daniel Boone Homestead, or so much thereof as may be necessary to properly honor the pioneer, Daniel Boone, on the farm where he was born; providing for the control, management, improvement, preservation, restoration, and maintenance thereof; authorizing the Pennsylvania Historical Commission to make and enforce rules and regulations for the preservation and visitation thereof; and making an appropriation.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 502, entitled:

An Act to amend sections two, three, four and five of the act, approved the second day of June, one thousand nine hundred thirty-seven (P. L. 1206), entitled "An act relating to memorial halls in counties of the second class, erected in memory of the soldiers, sailors and marines who served in the Civil War; and providing for the use, upkeep, and management and control of such halls," by including Disabled American Veterans among the organizations named in the act.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1086, entitled:

An Act making an appropriation to Philadelphia Camp No. 200, Sons of Union Veterans, for repairs and maintenance of Post 2 Grand Army of Republic Memorial Hall, Philadelphia, and contents thereof.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 837, entitled:

An Act to further amend section two hundred twenty-six of the act, approved the eighteenth day of May, one thousand nine hundred eleven (P. L. 309), entitled "An act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws, general, special or local, or any parts thereof, that are or may be inconsistent therewith," by permitting a school director to resign and be elected solicitor of the board in certain cases.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 512, entitled:

An Act to further amend section five hundred and sixty-two of the act, approved the eighteenth day of May, one thousand nine hundred eleven (P. L. 309), entitled "An act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws, general, special or local, or any parts thereof, that are or may be inconsistent therewith," providing for fixing compensation of collectors of delinquent taxes in districts of the second, third and fourth class.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1069, entitled:

An Act to further amend clauses six and ten of section one of the act, approved the twenty-seventh day of June, one thousand nine hundred twenty-three (P. L. 858), entitled "An act establishing a State employes' retirement system, and creating a retirement board for the administration thereof; establishing certain funds from contributions by the Commonwealth and contributing State employes, defining the uses and purposes thereof and the manner of payments therefrom, and providing for the guaranty by the Commonwealth of certain of said funds; imposing powers and duties upon the heads of departments in which State employes serve; excepting annuities, allowances, returns, benefits, and rights from taxation and judicial process; and providing penalties," by further defining "State employe," and, in certain cases, giving employes credit for service while listed as per diem employes.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 250, entitled:

An Act to amend section one of the act, approved the eighteenth day of June, one thousand nine hundred and forty-one (P. L. 136), entitled "An act authorizing certain officers on active duty with the armed forces of the United States to act as notaries public, and requiring certification of their authority," changing the provisions of said act in order to clarify the meaning.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 906, entitled:

An Act to further amend section eighteen of the act, approved the twenty-second day of June, one thousand nine hundred thirty-five (P. L. 414), entitled, as amended "An act to provide revenue for State purposes; imposing taxes upon certain classes of personal property; providing for the assessment, collection, and lien of the same, and the distribution of the proceeds thereof; imposing duties on executors, administrators, registers of wills, recorders of deeds, prothonotaries, and court clerks, and on persons, copartnerships, associations, banks, national banks, trust companies, and other corporations receiving deposits of money, and on certain corporations and limited partnerships; conferring powers and imposing duties on certain State officers and departments; imposing penalties; and making an appropriation," by requiring holders of evidences of indebtedness to furnish certain information to those issuing such evidences of indebtedness and imposing certain penalties.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 915, entitled:

An Act authorizing the creation of, and providing for, and regulating the maintenance and operation of a municipal employes' retirement system in boroughs, incorporated towns, and townships of the first and second class, imposing certain charges on boroughs, incorporated towns and townships of the first and second class, and fixing penalties.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 942, entitled:

An Act making an appropriation to the Insurance Department for the payment of certain moral claims against the Commonwealth and that department.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 164, entitled:

An Act creating a Safety Commission as an Independent Administrative Commission of the Commonwealth and defining its powers and duties.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 538, entitled:

An Act to further amend the act approved the second day of May, one thousand nine hundred twenty-nine (P. L. 1278), entitled "An act relating to counties of the second, third, fourth, fifth, sixth, seventh and eighth classes, and revising, amending, and consolidating the laws relating thereto," by empowering counties to acquire real estate by lease, purchase or gift for use as fairground; authorizing county commissioners to do all things necessary for the establishment and maintenance of county agricultural fairs and fairgrounds, including the appropriation of funds, joint action with other political subdivisions, the levy and collection of taxes, the creation of county fair boards, and the acceptance of State contributions.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 492, entitled:

An Act appropriating moneys received from the Federal Government for housing and maintaining naval, military or other personnel at the Soldiers' and Sailors' Home at Erie to the Department of Military Affairs for the maintenance and operation of said home.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 589, entitled:

An Act creating a Joint Legislative Committee for the purpose of gaining knowledge and information concerning the planning and operation of housing and housing projects by the examination and study of existing housing and housing projects in the Commonwealth; authorizing the employment of necessary assistants, the subpoenaing of witnesses and records, and making an appropriation.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1100, entitled:

A Joint Resolution proposing an amendment to section four, article three of the Constitution of the Commonwealth of Pennsylvania.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 139, entitled:

An Act providing for the issuance of certified copies of death birth and marriage certificates and divorces decrees by county officers free of charge to disabled war veterans and their dependents in death and compensation cases and prescribing penalties.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 346, entitled:

An Act suspending for the duration of the present national emergency and for six months thereafter the statutory provisions as to advertising and competitive bidding on contracts of counties institution districts cities first class townships and boroughs for the purchase of goods materials and merchandise which are rationed or on which a maximum price ceiling has been fixed under regulations of the Federal Government and providing for the award of contracts in such cases to the lowest and best bidder after due inquiry.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1073, entitled:

An Act creating a commission to investigate racketeering in the operation of labor organizations in the Commonwealth; conferring powers upon said commission; and making an appropriation.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

THE SPEAKER (Ira T. Fiss) IN THE CHAIR

The SPEAKER. The Chair thanks the gentleman from Butler, Mr. Imbrie, for presiding.

THANKS EXTENDED

The SPEAKER. The Chair wishes to thank the gentleman from Lehigh, Mr. Freed, for the fine gifts found on the desks of the Members, as well as the desk of the Speaker and the Parliamentarian.

Mr. FREED. Since we are coming to the closing days of this session, and I hope this will be the last week, since there seems to be so much fire flying around, I thought the Members ought to have a place for their ashes.

Mr. BARTON. Mr. Speaker, Mr. Freed has a large stock of tires in his warehouse at Allentown and if any of the Members of this House think their tires are getting a little thin Mr. Freed will be glad to supply them with new tires. In fact, I understand he is going to give each and every Member of this House a complimentary tire next week.

Mr. CHARLES H. BRUNNER, Jr. Mr. Speaker, we of Montgomery County wish to thank Mr. Freed because the gifts he gave to the Members are representative of Montgomery County industry.

COMMUNICATION FROM THE GOVERNOR

The Secretary to the Governor being introduced, presented a communication in writing from his Excellency the Governor, which was read as follows:

APPROVAL OF HOUSE BILLS Nos. 22, 332, 363, 440, 549 and 686

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, April 30, 1943.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 222, Printer's No. 27, entitled "An act to amend section one of the act approved the twenty-second day of May one thousand nine hundred thirty-three (P. L. 851) entitled 'An act fixing the pay and mileage of jurors and witnesses' changing the pay of jurors."

I have the honor to inform you that I have this day approved and signed House Bill No. 332, Printer's No. 452, entitled "An act to amend section one thousand two hundred twelve of the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1225) entitled 'An act concerning game and other wild birds and wild animals and amending revising consolidating and changing the law relating thereto' by authorizing the refund of certain moneys erroneously paid into the State Treasury for hunting license fees by former county treasurers."

I have the honor to inform you that I have this day approved and signed House Bill No. 363, Printer's No. 443, entitled "An Act authorizing the conveyance to the Borough of Norristown of a certain tract of land in the Borough of Norristown County of Montgomery Pennsylvania."

I have the honor to inform you that I have this day approved and signed House Bill No. 440, Printer's No. 465, entitled "An Act to further amend section seven hundred two of the act approved the fifth day of May one thousand nine hundred thirty-three (P. L. 289) entitled 'An act relating to nonprofit corporations defining and providing for the organization merger consolidation and dissolution of such corporations conferring certain rights powers duties and immunities upon them and their officers and members prescribing the conditions on which such corporations may exercise their powers providing for the inclusion of certain existing corporations of the first class within the provisions of this act prescribing the terms and conditions upon which foreign nonprofit corporations may be admitted or may continue to do business within the Commonwealth conferring powers and imposing duties on the courts of common pleas prothonotaries of such courts recorders of deeds and certain State departments commissions and officers authorizing certain local public officers and State departments to collect fees for services required to be rendered by this act imposing penalties and repealing certain acts and parts of acts relating to corporations' by further regulating the method of approval of amendments of articles of incorporation of nonprofit corporations by the members threof."

I have the honor to inform you that I have this day approved and signed House Bill No. 549, Printer's No. 653, entitled "An Act to further amend sections three hundred one and three hundred three of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 343) entitled 'An act relating to the finances of the State government providing for the settlement assessment collection and lien of taxes bonus and all other accounts due the Commonwealth the collection and recovery of fees and other money or property due or belonging to the Commonwealth or any agency thereof including escheated property and the proceeds of its sale the custody and disbursement or other disposition of funds and securities belonging to or in the possession of the Commonwealth and the settlement of claims against the Commonwealth the resettlement of accounts and appeals to the courts refunds of moneys erroneously paid to the Commonwealth auditing the accounts of the Commonwealth and all agencies thereof of all public officers collecting moneys payable to the Commonwealth or any agency thereof and all receipts of appropriations from the Commonwealth and imposing penalties affecting every department board commission and officer of the State government every political subdivision of the State and certain officers of such subdivisions every person association and corporation required to pay assess or collect taxes or to make returns or reports under the laws imposing taxes for State purposes or to pay license fees or other moneys to the Commonwealth or any agency thereof every State depository and every debtor or creditor of the Commonwealth' by authorizing the Board of Finance and Revenue with the approval of the Governor to invest State deposits in short-term obligations of the United States government and to dispose of the same and conferring certain powers and duties upon the Teasury Department with respect to such obligations."

I have the honor to inform you that I have this day approved and signed House Bill No. 686, Printer's No. 413, entitled "An act to permit the sale and purchase of imitation butter or oleomargarine for consumption by inmates and employes of charitable and penal institutions within the Commonwealth for a period of two years and suspending certain provisions of the law prohibiting such sales and purchases for the same period of time under certain circumstances requiring the keeping of records and the making of reports and providing penalties."

EDWARD MARTIN.

BILL INTRODUCED AND REFERRED

By Mr. WINNER. HOUSE BILL No. 1112.

An Act to further amend section two of the act approved the twentieth day of June, one thousand nine hundred nineteen (P. L. 521), entitled, as amended "An act providing for the imposition and collection of certain taxes upon the transfer of property passing from a decedent who was a resident of this Commonwealth at the time of his death, and of property within this Commonwealth of a decedent who was a non-resident of the Commonwealth at the time of his death; defining and taxing transfers made in contemplation of death; defining as a transfer and taxing the right of survivorship in property as to which such right exists; and making it unlawful for any corporation of this Commonwealth, or national banking association located therein; to transfer the stock of such corporation or banking association, standing in the name of any such decedent, until the tax on the transfer thereof has been paid; and providing penalties; and citing certain acts for repeal," by providing that when the transfer is by the intestate laws, and at the expiration of seven years from the death of the intestate, the estate has not been distributed, the taxes imposed shall be at the rate of eighty per centum upon the clear value of the property passing to a first cousin or other relative more remote in degree than a first cousin and that such taxes shall be imposed upon every transfer of an estate or portion thereof which has not been distributed prior to the passage of this act.

Referred to the Committee on Ways and Means.

SPECIAL ORDER ON THIRD READING AND FINAL PASSAGE

The SPEAKER. The hour of 4 o'clock having arrived the Chair lays before the House the special order of business fixed for this hour, Senate Bill No. 177, Printer's No. 237, on page 1 of today's calendar.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 177, as follows:

An Act to amend section three hundred one of the act approved the fifth day of December one thousand nine hundred and thirty-six (1937 P. L. 2897) entitled "An act establishing a system of unemployment compensation to be administered by the Department of Labor and Industry and its existing and newly created agencies with personnel (with certain exceptions) selected on a civil service basis requiring employers to keep records and make reports and certain employers to pay contributions based on payrolls to provide moneys for the payment of compensation to certain unemployed persons providing procedure and administrative details for the determination payment and collection of such contributions and the payment of such compensation providing for cooperation with the Federal Government and its agencies creating certain special funds in the custody of the State

Treasurer and prescribing penalties" providing for the payment of contributions by employers in accordance with an experience rating system and providing for and regulating such experience rating system and the terms and procedure to effectuate the same

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section three hundred one of the act approved the fifth day of December one thousand nine hundred and thirty-six (1937 P. L. 2897) entitled "An act establishing a system of unemployment compensation to be administered by the Department of Labor and Industry and its existing and newly created agencies with personnel (with certain exceptions) selected on a civil service basis requiring employers to keep records and make reports and certain employers to pay contributions based on payrolls to provide moneys for the payment of compensation to certain unemployed persons providing procedure and administrative details for the determination payment and collection of such contributions and the payment of such compensation providing for cooperation with the Federal Government and its agencies creating certain special funds in the custody of the State Treasurer and prescribing penalties" as amended by the act approved the twenty-third day of April one thousand nine hundred and forty-two (P. L. 60) is hereby further amended to read as follows

Section 301 Contributions by Employers Experience Rating

[(1)] (a) Each employer shall pay contributions equal to the following percentage of wages paid or payable by him or it with respect to employment

[(a)] (1) Nine-tenths per centum with respect to employment occurring during the calendar year 1936

[(b)] (2) One and eight-tenths per centum with respect to employment occurring during the calendar year 1937

[(c)] (3) Two and seven-tenths per centum with respect to employment occurring during the calendar years 1938 1939 1940 [and] 1941 1942 and 1943

[(2) Each employer shall pay contributions equal to two and seven-tenths per centum of wages paid by him during the calendar year 1942 and during each calendar year thereafter with respect to employment occurring after December 31 1941]

(4) A basic rate of two and seven-tenths per centum with respect to employment occurring during the calendar year 1944 and for each calendar year thereafter But the rate of contribution of each employer who has paid contributions unde this act for at least four full calendar years whether prior or subsequent to the adoption of this amendment shall be subject to adjustment for each such calendar year beginning with employment occurring during the calendar year 1944 between a minimum rate of one per centum and a maximum rate of two and seven-tenths per centum in accordance with clause (c) hereof and for each calendar quarter in accordance with clause (f) hereof

(b) For the purposes of this section

(1) "Compensated Employe" means an employe to whom compensation was paid in a benefit year

(2) "Wages of a compensated employe" means wages which were paid to a compensated employe in the base year immediately preceding the employe's benefit year which wages shall be treated as though they had been paid in the calendar year in which the first compensation of the employe's benefit year was paid

(3) "Credit for reemployment" means for each employer the total of the amounts allowed as herein set forth for any former employes reemployed by him or employes resuming work commencing with the benefit years which begin in the calendar year nineteen hundred forty-one An employer who desires such a "credit for reemployment" shall notify the department in writing within thirty days after the end of the employe's benefit year that he reemployed within such benefit year a compensated employe For benefit years which began in one thousand nine hundred and forty-one or one thousand nine hundred and forty-two such notice may be given within thirty days after the end of the employe's benefit year or within sixty days after the effective date of this act whichever date is later If the department finds that any such employe did not receive benefits within such benefit year in excess of seventy-five per centum of the maximum benefits payable to him in the benefit year then for the determination of the "employer's experience" the total wages paid to such compensated employes shall be reduced by an amount equal to the percentage indicated in the following table

Maximum benefits received by an employe during a benefit year	Credit against wages paid to a compensated employe
Not more than 25%	75%
More than 25% and not more than 50%	50%
More than 50% and not more than 75%	25%

Such credits for benefit years which began in the calendar year nineteen hundred forty-one shall be applicable to nineteen hundred forty-two and credits for benefit years which began in nineteen hundred forty-two or thereafter shall be made for the calendar year in which the finding is made by the Department and no attempt shall be made to relate such credits to the period in which the reemployment occurred

(4) "Employer's Experience" means a percentage obtained by dividing the total wages paid by an employer to his compensated employes less any credit for reemployment during the last three completed calendar years by the total wages paid by said employer to all his employes during such three calendar years

(5) "State Experience" means a percentage obtained by dividing the total amount of compensation paid from the Unemployment Compensation Fund during the last three completed calendar years by the total wages of all compensated employes for such three years such percentage to be adjusted to the nearest multiple of one per centum

(c) The rate of contribution payable by an employer entitled to an adjustment between the minimum rate of one per centum and the maximum rate of two and seven-tenths per centum for each calendar year commencing with the year one thousand nine hundred and forty-four shall be determined prior to the due date of his first contribution for the year in accordance with the following table

Table

State Experience	Employer's Experience			
	Col. 1	Col. 2	Col. 3	Col. 4
6% or less	17	25	34	42
7	14	21	29	36
8	13	19	25	31
9	11	16	22	28
10	10	15	20	25
11	9	14	18	23
12	8	13	17	21
13	8	12	15	19
14	7	11	14	18
15	7	10	13	17
16	6	9	12	16
17	6	9	12	15
18	6	8	11	14
19	5	8	11	13
20	5	8	10	13
21	5	7	10	12
22	5	7	9	11
23	4	7	9	11
24	4	6	8	10
Rate of Contribution	1%	1.5%	2%	2.5%

(d) An employer's rate of contribution for each calendar year commencing with 1944 shall subject to adjustment as provided in clause (f) hereof be that specified at the end of the column in which on the line opposite the State Experience there first appears a percentage equal to or in excess of the Employer's Experience If no percentage equal to or in excess of the Employer's Experience appears on such line his rate of contribution shall be two and seven-tenths per centum

(e) No employer's rate of contribution for any calendar

year commencing with 1944 shall be less than two and seven-tenths per centum unless all his contributions due on wages paid to the end of the third calendar quarter of the preceding calendar year have been paid by December 31st of such preceding calendar year

(f) Safety factor To assure an adequate balance in the fund to meet the benefit payments which may be expected the employer's rate of contribution determined in accordance with paragraph (d) of this section shall be adjusted in accordance with the following table if at the end of any calendar quarter commencing with the quarter ending March 31 1944 the balance in the Unemployment Trust Fund to the credit of the State of Pennsylvania is less than eight and one-tenth per centum of the total wages of all employes for the calendar year immediately preceding the determination

Employer's rate of contribution determined in accordance with paragraph (d)	1%	1.5%	2.0%	2.5%	2.7%
Balance in fund	Employer's final rate of contribution for employment in the previously completed calendar quarter				
8.1% or more	1%	1.5%	2.0%	2.5%	2.7%
8.0	1.1	1.6	2.1	2.6	2.7
7.9	1.2	1.7	2.2	2.7	2.7
7.8	1.3	1.8	2.3	2.7	2.7
7.7	1.4	1.9	2.4	2.7	2.7
7.6	1.5	2.0	2.5	2.7	2.7
7.5	1.6	2.1	2.6	2.7	2.7
7.4	1.7	2.2	2.7	2.7	2 7
7.3	1.8	2.3	2.7	2.7	2.7
7.2	1.9	2.4	2.7	2.7	2.7
7.1	2.	2.5	2.7	2.7	2.7
7.0	2.1	2.6	2.7	2.7	2.7
6.9	2.2	2.7	2.7	2.7	2.7
6.8	2.3	2.7	2.7	2.7	2.7
6.7	2.4	2.7	2.7	2.7	2.7
6.6	2.5	2.7	2.7	2.7	2.7
6.5	2.6	2.7	2.7	2.7	2.7
6.4 or less	2.7	2.7	2.7	2.7	2.7

(g) Pursuant to rules adopted by the department an employer who acquires an organization trade or business in whole or in part from another employer shall immediately notify the department and for the purpose of ascertaining the rate of contrbution of the succeeding employer his "Employer's Experience" shall include that of the prior employer as related to the whole or part of the organizaton trade or business acquired Such a succeeding employer shall receive full credit for the years during which the former employer made contributions as to the organization trade or business acquired

(h) The department shall promptly notify each employer of his rate of contributions for the calendar year determined as provided in this section and for each calendar quarter when modifications in rates are made in accordance with paragrabh (f) The department shall promptly upon written request from him furnish each employer with a statement showing the base year wages from such employer of each of his compensated employes the amount of benefits paid each of such employes and the period of unemployment for which they where paid The determination of the department shall become conclusive and binding upon the employer unless within thirty days after the mailing of notice thereof to the employer's last known post office address the employer files an application for review and redetermination setting forth his reasons therefor The department may if it deems the reasons set forth by the employer insufficient to change the rate of contribution deny the application otherwise it shall grant the employer a fair hearing The employer shall be promptly notified of the denial of his application or of the departments redetermination both of which shall become final and conclusive within thirty days after the mailing of notice thereof to the employer's last known post office address unless the employer shall appeal by petition from the action of the department to the Court of Common Pleas of Dauphin County within such time

(i) The petition filed in the Court of Common Pleas of Dauphin County shall set forth the reasons why the employer deems the rate of contribution determined by the department is incorrect No questions shall be raised in any such petition except such as were set forth in the application for review and redetermination by the department A copy of the petition shall be served on the Secretary or his deputy The court shall fix a time for hearing the petition and after hearing shall enter such order affirming or changing the rate of contribution determined by the department as to it appears just and proper From the decision of the court an appeal may be taken by the department or the employer to the Supreme or Superior Court as in other cases

(j) Pending the determination of the correct rate of contribution payable by an employer where an appeal to court has been taken the employer shall be liable to the payment of contributions at the rate as determined by the department But if the rate of contribution is changed by order of court then the department shall without application by the employer make an adjustment thereof in connection with subsequent contribution payments as provided in section 311 of this act or the employer may apply for a refund in accordance with said section

(k) The provisions of this Act shall become effective immediately upon final enactment and shall remain in effect for the duration of the present war and thereafter until the end of the calendar year in which occurs the beginning of the first regular session of the legislature which meets after the President of the United States declares that the present state of war no longer exists

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. COHEN. Mr. Speaker, Senate Bill No. 177 is possibly one of the most important pieces of legislation that has come before this House in this session. It is important because more than any other legislation which we have to consider, this bill is a part of Pennsylvania's post war program or policy. It is such, because we must be careful to see that post war conditions in America and Pennsylvania are approached with a great deal of caution and a great deal of care.

Recently the National Resources Planning Board submitted a report to the President of the United States, a report which is commonly known as the cradle-to-the-grave report. It covers in scope very much what the Beveridge report in England covers. It is regrettable that in Pennsylvania this House refused to accept the amendments offered to our War Planning Commission for the study of Unemployment Compensation or Social Security.

To date, Mr. Speaker, I don't know whether the so-called cradle-to-the-grave plan is sound, I don't know whether it is unsound, but I would be willing to study the plan and after giving it careful and thorough consideration come to a conclusion, but I would approach the problem very carefully and very cautiously, and since unemployment compensation does so vitally affect post war Pennsylvania, I would admonish all the Members of the House to consider their action carefully for several real reasons.

Unemployment compensation as a social proposition

is now firmly embedded in our system in Pennsylvania. It has its effect upon our economic situation because it takes money from industry and it pays money to the unemployed workers. That money in turn immediately goes into our economic life blood, and anything that does follow that route must be carefully weighed, especially at this time. We are attempting to say today what the conditions may be in Pennsylvania after the war, and if there is any doubt at all in your minds as to what part this bill will play in post war Pennsylvania that doubt must be resolved against Senate Bill 177.

Briefly Senate Bill 177 is what is commonly known as the Texas Plan, because if my memory serves me correctly it was first initiated by the State of Texas. On January first of this year Pennsylvania concluded a four year Texas plan, and I don't believe that many people were too happy with that addition to the Texas plan. Let me say, Mr. Speaker, that if the purpose of merit rating is to give relief, or to preserve a fund which has its rightful place in our economy, don't look at Texas because the fund in Texas is broke. Don't look at Michigan because the fund in Michigan under merit rating is in bad shape. Don't look at some twenty-four other states in the Nation which have the merit rating plan because every day it seems those industries which would be compelled to continue paying the maximum have to increase their percentage of payments, up to twelve per cent in some instances, while some other industries who have stable employment are receiving the benefit of the reduced amount.

Let us attempt to define what unemployment compensation insurance is by chasing out of our minds the word "insurance." It is not insurance. It is not insurance in the sense that we are asked to believe that a person should pay a premium commensurate with the amount of loss he sustains or the amount of loss which is involved. Unemployment compensation is a contribution by all employers to a fund for the benefit of all workers to the end that the economic reverses occasioned by unemployment shall be cushioned and softened so that the entire blow on industry and on our economic system shall be softened and shall be cushioned against severe shock. That is not insurance. It is a banding together of all of the employers for the benefit of all the employers and for the workers.

I have heard it said, that the merit rating plan would tend to stabilize employment. Let us forget about that for the moment because it fails, the argument is weak, there is not an employer in Pennsylvania, there is not an employer in the United States who for one moment feels that he must stabilize his employes because he will get a reduction in his unemployment tax contribution. He stabilizes employment because it makes it easier to run his plant. He hires more workers because he can make more money. There is no employer in Pennsylvania who will hire more workers to get a reduction in his contribution. He will hire more workers to make more profit. There is no employer in Pennsylvania who would not want to spread his employment over the entire year if he could, because it gives him a sounder basis and a sounder foundation upon which to work to plan for the future. There is no employer who if he looked far enough ahead but would find that he was running into a eventual chaos if he supports any plan to reduce or cripple this fund.

It has been said, Mr. Speaker, that there is safety valve in this bill. What sort of safety valve is provided? It is said when this fund reaches a million dollars below the three million dollars the merit rating automatically ceases and everyone goes back to the maximum contribution. If that is safety, do the figures prove it? Is it safe when we know that of the millions of men in service today Pennsylvania must take back its own sons when the war is over. That figure has been estimated on this floor a year ago at two million. Let us say that one million of them will come back. The soldiers of the Army are coming home and so are the soldiers of industry coming home when war production must cease.

Let me quote something that was said on the floor of this House one year ago. I am quoting the gentleman from Cambria, Mr. Rose, who, when he spoke concerning a bill which was being considered for the payment of partial unemployment benefits said:

> We have to deal only with estimates; we were unable to tell how many men are going to come from the war or know how many of them will be entitled under this bill to payment of unemployment compensation benefits. The estimates run as high as two million persons. Two million times two hundred dollars is four hundred million dollars in one year, and that would wipe out the fund.

So, Mr. Speaker, is three hundred million dollars safe? I wouldn't say that four hundred million dollars is safe. I wouldn't know what figure was safe, and I defy anyone to say what figure would be safe. Because this is what is going to happen in a broad way: Men are going to come back, the workers are going to be unemployed until industry can transfer back to peace time efforts. We may or may not be ready when the war is over. Certainly we never will be ready if the war would end tomorrow but we don't know when the war will end. We don't know when the men are coming back; we only know it will end and everyone then hopes to be ready for it. If, let us say, in two years the war were to be concluded, and these men were to come home, the workers were to be thrown out of employment this Legislature would then have a problem of how to provide for them.

If the fund were to have five hundred million dollars at that time, or six hundred million at that time then we would feel reasonably assured that there will be enough money over a year's time or possibly slightly more than a year's time, to pump four to five hundred million dollars into Pennsylvania's business. If the money is not there to pump into Pennsylvania's business then we in the Assembly would have to meet the problem of taxes for relief. We did not have such a fund in 1935 or 1937 to fall back on. We were under the most terriffic pressure to determine the policy of a tax program to keep people from starvation. I want to prepare against such a possible happening. I want to be sure that we do not have to scurry around and tax people and industry then under pressure when we do not have any long time or long range view of taxation and have to do it to keep the people from starving, to keep people from suffering.

Mr. Speaker, that is what I am concerned about now. I want to be sure that if and when another emergency tax program is necessary that we will not be rushed into it to complete a tax program which has been villified,

which has been discussed politically for the past several years. That to me would not be sound cooperation with the people in Pennsylvania. The people at that time will not have earned a severe jolt to their morale in their desire to go on and keep Pennsylvania out in front. The people will have looked to us to prepare in advance a war program that will keep them from being kicked around by political parties and by politicians generally. If we are not to look ahead, if we are to sow that way now, we shall certainly reap a whirlwind then.

May I further comment briefly on the socalled promises and pledges of liberalization of unemployment compensation? It is history now in Pennsylvania that the last administration pledged liberalization, and it is history that that liberalization never occurred. It is history that at a special session of 1942 one of the calls of that session was for liberalization, and as we know now the liberalization proposed by this side of the House to pay benefits for partial unemployment that would have taxed the fund to the extent of five million dollars a year was turned down. Liberalization of unemployment compensation has been turned down when it meant liberalization for the unemployed workers. But certainly when there was a question of so-called liberalization for industry, there was a terriffic rush, and a terriffic urge to liberalize when the passage of this bill might mean the withholding from this fund of anywhere from fifty to seventy-five million dollars per year. Big business,—I find myself in a very peculiar position, I find myself advocating what big business wants. Big business can see ahead; they want to pay this money into the fund when they are making money. They want to take the huge profits of today and set aside a portion of it to take up the slack after the war. Big business wants such taxes to spend when the war is over and when the profits are not high. Big business wants to pay that tax on that huge profit now, and with them on that score I agree most heartily. I, therefore, find myself upholding the hand of big business. If whatever big business has done in the past has been the book for the Members on the other side of the House, then let us be the verse today. They are the geniuses of business of America. They have seen ahead and they can see ahead. They want to spend the money now and to lay it aside for the rainy day when the war is over, to take up the terriffic impact on the economic situation and to take up the terriffic impact on the employment of the workers. With that I heartily agree, as much as I disagree with the so-called long range program for tax benefits for big business, but with this item I agree most heartily.

Let me point out that the greatest amount of war time salaries today have to do with munition manufacturers. That should be enough to prove to us conclusively that upon the termination of the war the unemployment rolls must be high. Money must be saved now. I would not be afraid if this fund were to reach one billion dollars to have ready for post war purposes. There is no political issue in unemployment compensation, and there should be no political issue in unemployment compensation. A very fair appraisal of the situation would be to put it in this shape: that once the war is over, Philadelphia, Delaware county, Montgomery county, the coal regions, Allegheny county and all the steel producing counties would immediately have on their hands a terriffic number of unemployed persons. The local relief agencies, with the assistance of the state, would have a staggering problem. The local relief agencies would have to call upon the Commonwealth for help for those living within those areas especially, and also most of the other areas to a lesser degree in order to provide money to buy clothing, and food and shelter for those who cannot work and cannot possibly have it because industry will not be ready for them. That is the problem that ought to be considered carefully.

I have received and many other Members have received many communications. I can see in those communications only one thing. As I said on this floor some time ago in my comment on the fact that the Gallup poll had indicated that 91 per cent of the American people were in favor of the Ruml Plan, I said that 91 per cent of the people would naturally take something for nothing. If anyone approached me with a proposition concerning which I knew nothing, and if thereby I was to get something for nothing I would most certainly be for it. I think that to a great extent many business men in Pennsylvania have been given the facts without figures, and have been given the story without the background. They have been promised a reduction immediately, and since that is so they are for it without looking ahead.

I received a communication from a group of people in Pennsylvania who in behalf of some two thousand members said they favored the principle of the merit rating bill. It happens to be a small trade association, and of the two thousand members in that association I would safely say that eighteen hundred have no employes whatsoever, so that they would have no contribution at all to make to the fund. That is the sort of misleading pressure that is being exerted on the Members of the House. I would urge every Member of the House to not only consider but to weigh carefully these views of the over-all problem involved. Can we honestly today say that we shall not pay contributions when profits are high and people have trouble spending money, and say that when the depression hits Pennsylvania and the Nation we shall then be compelled to promote more taxes from industry and they shall be then making less money. If that is what is wanted and if this is a good medium and a good bill, then you should vote for it, but if that is a thing that we are attempting to avoid if possible, then we should move with caution and we should vote against Senate Bill No. 177.

Mr. JAMES. Mr. Speaker, I have listened to the gentleman from Philadelphia, Mr. Cohen, with interest that grew as his remarks progressed. I feel that Mr. Cohen has said so many true things in his remarks that it is very difficult indeed to segregate those parts of his remarks which might indicate an opposition to this bill. I find in the first place that he as an opponent of the bill is in complete agreement with the proponents of the bill as to the philosophy that underlies unemployment compensation; that he recognizes the purposes of unemployment compensation, just as we all believe they were intended to be set up when the Federal government inaugurated its unemployment compensation program along with other social measures. We can all recognize that in approaching the discussion on Senate Bill 177 the bill deals solely and alone with unemployment compensation funds and the contributions that are made thereto by the employers of Pennsylvania who are liable to un-

employment compensation tax of three percent under the Federal law and two and seven-tenths percent credit against that tax under the state law. We can easily recognize that nothing in this bill changes or alters anything that presently has to do with the matter of benefits or the payment of benefits toward the unemployment compensation fund. We can also recognize from the language of this bill very easily that in no sense does it preclude now or in the future such alterations that may be made to the state law from time to time to liberalize unemployment compensation benefits, to protract the waiting time or to in any other manner liberalize the Pennsylvania law. Those things we are in complete agreement upon.

I am not going to endeavor to answer Mr. Cohen in his remarks with respect to most of the motives and purposes of what he terms big business in Pennsylvania. I am not quite clear from the manner in which he discussed the motives and the purposes of big business with respect to this bill whether he wished to indicate that big business is for or against the bill, but I do want to say this, that the immediate purpose of Senate Bill 177 is to give to all employers of workers in Pennsylvania relief from what has been proven by experience to be a rather excessive high rate of contribution to the fund.

Insofar as that relief may be applied to big business, I think that we can all say that big business, when we talk about big business, is today engaged about one hundred percent in the war effort, but we are not saying what we mean by big business, and therefore let us think of big business only as those great corporations which probably can be counted upon the fingers of both hands. Let us get down to who in Pennsylvania it would really benefit and who would have relief from an excessively high rate of contribution, if Senate Bill 177 becomes law. We have often said of individuals, and we have heard it more often said that the strength and the backbone of our state and our national economy is the medium and the small businesses. That is not an idle statement, but that is borne out by government statistics that are available from the time that statistics have been kept. The big businesses in this state or in any other state can be counted upon the fingers of both hands. They, of course, make a very great and improtant contribution to the economy of the whole, but their contribution is overwhelmed, vastly overwhelmed by the contribution that is made by medium and small businesses, businesses that are employing anywhere from two or three men to seven hundred men. Those are the businesses that really make our state and nation great. Of all these medium and small businesses how many of them would you say are making hugh profits today? Therefore, they would like to find the means of distributing some of the future cost business over these years of high and great prosperity. Mr. Cohen knows and every Member of this House knows that for every ten businesses that are able to contribute something directly to the war effort there are at least fifty businesses who are hanging on by their eyelashes, who have no control, either now or in the immediate future, over what will become of their business. There are more businesses counted by number today that are on the edge of despair than ever before in the history of this state, and we are very well aware of that fact. These businesses that constitute the strength and the backbone of our country, under Senate Bill 177 will be the great beneficiaries of a lower rate of contribution to the unemployment fund. That will be true for another reason, the labor turnover, as is very well known in any industry or business, will be less in the very nature of things in small or medium sized businesses than in a great corporation employing thousands upon thousands of people.

I want to take this opportunity to compliment Mr. Cohen on the very scholarly and thoughtful manner in which he presented his opposition to this bill.

There seems to be but one open question of very great importance, and that is the question of adequacy of the fund.

Mr. Cohen has said, and with a great deal of truth, that no living man can make final predictions in these times, but I want to go back to the time when the unemployment compensation law was enacted. At that time no living man could say that a three per cent tax was the right tax to set. At the time when the three per cent tax was set there were no statistics such as are necessary for the administration of an unemployment compensation law, and at the very best the tax of three per cent was set as the result of thoughtful guessing. Now, it is curious, but that three per cent has turned out to be a rather good guess, because in all the experiences of all the states up to this day and hour three per cent has been more than adequate. Three per cent has resulted in all but two states in this Union having compensation out of their fund a total of more than fifty per cent of the total contributions. In other words up until the middle of 1942, it was the broad, all-over experience of unemployment compensation that on the basis of a three per cent tax and a two and seven-tenth per cent credit against that tax that no state save two had paid out of their fund a total of more than fifty per cent of all the moneys contributed. Therefore, the prediction that three per cent was right has in a sense been a safe prediction. I hope that Mr. Cohen would not believe that men would work for years in trying to arrive at a prediction of what individual merit rating systems might do without going into all available statistics, just as Congress went into everything they had at the time they set the three per cent tax.

I will say, Mr. Speaker, that this bill which Mr. Cohen has referred to as a kind of Texas plan,—and I will pass over his inferences concerning Texas and its practice for the moment,—has been developed out of not only thoughtful study in the light of every available factor that could be brought to bear, but it has also been measured now in actual operation in a number of states in the Union. There can be no question, because it can be mathematically proved that under even the most adverse conditions that we have known in the United States that were not war conditions, the fund as it has been set up will always continue to grow. It can be proven mathematically that under the most adverse conditions we will find under Senate Bill No. 177 that it will always be adequate.

Of course to demonstrate that would mean a very considerable recital of facts and figures, but if this House is desirous of having them and it is so indicated, I am willing to explain a hypothetical case such as I believe we will never have the misfortune to encounter in this country, and demonstrate that if Senate Bill No. 177 becomes law the fund will never be in any danger.

We can extend it further; we can take a reasonable view of what will happen when the war is over and when the men in the armed forces return and claim their proper interest and share in this fund. It is rather ridiculous of course to say that all the men who go out of Pennsylvania into the armed forces will come back and claim unemployment compensation. Such a thing I think Mr. Cohen knows is very unlikely. We were told some time ago that we were to have an army of eleven million men approximately and it was further indicated that Pennsylvania would contribute about ten per cent of the total, so if that is the case I think probably it is likely we will have a total of perhaps one million two hundred thousand men in the armed forces, counting the total time of the war.

Now, of course everyone who has ever had any experience with military statistics knows, and we regret very sincerely to have to recognize that there will be casualties, and if we bring down through those casualties our total return of men out of one million two hundred thousand to perhaps seven hundred thousand, and we say that we are going to be industrially just about like a dry sponge, those men coming back will in the main have no difficulty replacing themselves in gainful occupations. And further if we deduce that about two hundred fifty thousand men might for the period of their eligibility call upon this fund as a cushion between the time they return and the time they find gainful employment within the limit provided by law of two weeks, if such a thing like that were to happen,—and I don't believe it will, and it should happen on top of two years in succession of the worst tumble in industrial indexes and employment indexes that this country has ever experienced even then this fund could be in no danger whatever, and I seriously doubt if the safety factor would be reached whereby all employers would pay the two and seven-tenths per cent.

I think the gentleman from Philadelphia, Mr. Cohen, has not used his pencil quite as much as he has used his head in reasoning out the argument that he has presented against this bill. I feel sure that if he will start with the known facts he will discover that before the payments for the first quarter of 1943 began to come in there were in this unemployment fund over three hundred fifty-two million dollars. Now, there is no question whatever that the fund will be contributed to, even heavier than it was in 1942 when we had contributions totalling one hundred twenty million dollars, and on a fund of that size the interest rate alone allowed by the Federal government amounts to well over eight million dollars a year, so that if every employer in the state of Pennsylvania under these presently existing conditions were to get a preference rate of one per cent of contribution, that would still yield forty-three millions of dollars to this fund annually under these conditions and there would also be approximately eight million dollars interest, or approximately fifty million dollars of income. What will the outgo be? Most certainly not greater than it was last year, and most certainly less than it was last year, or fifteen million dollars.

I recognize that to debate this bill statistically would be a long and tedious proposition. Nevertheless in justice to the bill, and if there is an indication that it should be done, I am prepared to do it, but for the moment I hope that a bit of reason may suffice to prevail here in this House. We are going to have by the first day of January next year a fund in this state, and that is the effective date on which this bill would be operative, of above four hundred fifty million dollars, and that is very conservative.

The safety factor that applies in Senate Bill 177 so acts that at any time a fund of that magnitude should fall below three hundred twenty million dollars roughly, every employer in the state would again return to a contribution of two and seven-tenths per cent. In the meantime, and with very good reason, Pennsylvania employers should have the benefit of a lesser payment into this fund. The money that is paid into this fund is not depriving the Federal government of a single penny, it is not depriving the beneficiary of unemployment compensation of a single penny, it is depriving no one of anything, and it is saving for the employers of Pennsylvania and particularly those who need it more sorely at this time a very considerable sum of money.

If we want to talk again for a minute about big business, it seems to me that it would be the proper thing for this General Assembly to place our corporations in a sound competitive situation with respect to the employers of other states. I think that the great corporations who exend their operations far beyond the geographic limits of this Commonwealth are entitled to be able to meet their competitors from other states on at least equal terms with respect to this tax.

If a Pennsylvania coronation seeks to get business, and in seeking to get business being successful provides more men with gainful occupation, then certainly a reduction in the contribution to this fund could scarcely be regretted.

The question of incentive to stabilize employment has been touched upon. It is a very debatable question, of course, but I cannot fail to see that when a corporation goes out to get business and because of conditions and taxes that that corporation must include in its cost of doing business it is in a fair competitive situation with the corporation from another state, then Pennsylvania is doing something that will be helpful and redound to the desirable position of stabilizing employment in the state.

Mr. Speaker, I believe that we have before us a measure in which Pennsylvania has been very tardy. The Federal government not only invites the states to adopt merit rating systems, but it sets up very definitely and in unmistakable terms the extent to which a state may offer its employers an inducement to stabilize employment. In Pennsylvania it will be very unfair until we have the experience of merit rating to say that employers have no interest in stabilizing employment.

I am afraid Mr. Cohen has not had to wrestle with the problems of an industrial organization. I know, and I know that the men in this House who are in industrial businesses are not only anxious but they are always willing to sit down with a pencil and find on which side of this problem they can save the most money, and if they can save the most money and they can make their prospects for getting business better by keeping men employed, even to the extent of absorbing at times some of the cost of that employment, it will most certainly work, I think, toward the stabilization of that employment.

Mr. Speaker, I feel and I hope that every Member of

this House feels that we have a measure here which is due to the industrialists and employers of the state of Pennsylvania, and that it will receive the support of this House.

Mr. COHEN. Mr. Speaker, I should briefly like to reply to several phases of the debate of the gentleman from Delaware. First let me point out that in 1942, during the special session the votes on certain amendments to the Unemployment Compensation Law with respect to liberalization of its terms so as to deprive the fund of money was voted on strictly on party lines, so that I will ask the members on the other side of the House to adhere to the policy of the majority in this House on that very question, because this statement which I am about to read was made, and it formed the background of the contention on the other side, and I presume has formed the heavy argument which presumably caused the Members on the other to vote as they did then, and I quote a statement made by the gentleman from Cambria, Mr. Rose, who said as follows:

> This Unemployment Compensation Fund is large, two hundred thirty million dollars, but the members of the Legislature are trustees of this fund for the benefit of the workers of this State. We all would like to be liberal and take care of everybody that comes under it, but we dare not take a chance of making provisions that are such that the workers in the future, who may in two or three years find himself out of a job and apply to the fund for compensation, find that the cupboard is bare. We cannot let that happen, and any question of doubt must be resolved in favor of those who in the future will have need of it.

That, Mr. Speaker, substantiates the statement that I made earlier.

The gentleman discussed the question of the safety factor and the question of the corporations who do business in many states and the question of corporations who do business in this State, and in computing their costs what effect this tax will have on their ability to go out and get business. I suggest that we take the long range view. I suggest that in times when industry is making money, keep the taxes up. I suggest that if the time comes when business will not be making money because of recession in business generally, it will be then that our business will be sorely put to compete with corporations in other states. I suggest then that our corporations should not find themselves in the position of having to pay increased taxes should it be necessary for the safety feature of this tax to be turned out and taxes of so many of these industries rise. It is then that we should seek relief in competition and not lead them down the primrose path of wasting the money now and not saving it.

I find myself in another peculiar situation. Politically speaking all the Members on the other side are the ones who have called for and yelled for free enterprise in America. Basically, Mr. Speaker, this bill cuts a very sharp line between two very great parts of business and industry, the monopolies against those which are not monopolies, and orderly adherents and disciples of free enterprise.

Let me quote briefly from a statement and discussion that was had some time ago at a public hearing on the bill:

> The first simple division which suggests itself in business is that between pursuits which are monopolistic in contrast to those which are competitive.
>
> The monopolistic are stabilized. Their employment fluctuations are well within twenty-five percent. Likely they have done a good job on their own intiative in steadying their labor supply. If so, then the fact that they run up to twenty-five percent explains why their less favorably situated brothers in the competitive field would only break their teeth over the much tougher nut. They cannot be held responsible for negligence, when they have to adventure after trade to survive in the struggle for existence.
>
> To the extent the monopoly group seek their own private gain, and ignore the public purpose of unemployment compensation, they may yield to the blandishments of the merit raters. But such pursuit is short-sighted.
>
> In the meantime, what is the situation with the industries competing for business?
>
> For the most part, they have no mentionable control over output. Nearly all manufacturers produce and merchants buy, not on whim, but on orders. They have to adapt themselves to the tastes of the public. Their individual faults hurt. Their contributions help. If bad, they directly lose; if good, their processes are standardized and their advantages are normally and quickly integrated into the collective whole of the State's economy.
>
> Monopoly is not a virtue to be rewarded; free enterprise is not a vice to be punished.
>
> Fair play, it would seem, would suggest imposing the lighter burden on employers who risk most to build business and put labor to work, instead of those who sit pretty and stay put.
>
> Utilities, for instance, enjoy a monopoly. Return on investment is guaranteed. Rates are fixed by the public commissions. Employment is practically uniform in season and out. Why should they be given special consideration, on top of all that, when the government levies taxes for public unemployment compensation?
>
> By contrast, how is it with the employers in the competitive arena? They hazard their capital in an uncertain contest. They may have to risk new ventures. Admittedly labor turnover in these cases is beyond regulation. Because they cannot insure permanent jobs are their courage, effort and enterprise to be penalized by soaking them for their eagerness to promote industry and increase employment?
>
> There is no warrant for the supposition of the merit raters that employers as a class hire and fire workers at will in order somehow to get the better of the unemployment compensation system.
>
> Employers are compelled to keep close watch on their payrolls. Rapid labor turnover is an expense. Yet, it is often cheaper than the luxury of keeping workers on for idle weeks or even days. In the long run, they do the best they can.
>
> Merit rating might, however unintentionally, spur incentive among employers to flood the labor supply market, lower the terms of employment, curtail purchasing power and shove the country down into another industrial depression.

Now, let me say one thing further. I know the merit rating has been adopted in many states of the Union. Some time ago it received its incentive by recognition in Washington and by a then policy of the Social Security Board to at least not discourage merit rating in America. The argument up to this time has been made that if the Social Security Board is not against it, why should anyone else be against it? They are the experts, and we should follow. Let me quote a statement of Arthur Altmeyer, Chairman of the Federal Social Security Board, and which was quoted by George Creel in Collier's Magazine of April 10, 1943 as follows:

> The present time offers a golden opportunity to build up substantial reserves. War payrolls are

pouring money into the pockets of workers, the amount of unemployment is small.

When eight or nine million soldiers return to civil life and some 20,000,000 war workers change back to peacetime production, postwar adjustments are bound to entail many hardships. Isn't it better to set up a comprehensive social insurance system, able now to meet every need, than to wait until the emergency is on us?

Here is another strong point. When the national income shrinks at the war's end, the steady and increasing flow of these benefits will go far to sustain the general purchasing power and maintain employment at high levels.

May I call to the attention of the Members, Mr. Speaker, the experience of a sister state, New York? The matter of merit rating has been a matter of continuous study in that state, and has been studied by a joint legislative committee under the chairmanship of Senator Ives, Chairman of the Finance Committee of the Assembly in New York, and by the state Unemployment Advisory Council. They studied the subject comprehensively, and I shouldn't want to burden the House with a long list of figures, following the lead of the gentleman from Delaware in this respect, but after spending about a quarter million dollars in making studies they decided to stop merit rating as not being a feasible plan for New York and not being a feasible plan generally. These are the things, Mr. Speaker, that we should be careful about.

I want to thank the gentleman from Delaware, Mr. James, for accepting the basis on which the argument has been made strictly on what the facts portray and on what the situation in the future might be. We have kept it away from politics, we have kept it away from party lines, and I trust that the history of unemployment compensation shall not get a black eye by having political considerations determine its future course in Pennsylvania.

I am personally, and I know the Members on this side of the House are indebted to the gentleman from Delaware for maintaining a high standard of debate on this subject, but I want to urge, Mr. Speaker, that the position the gentleman takes is not substantial. I respect his sincerity in the position that he takes. I know that he as well as I have been very much interested in the subject. It is unfortunate that when we first agree on unemployment compensation, we must then take different routes and consider the methods of approach to a comprehensive plan of unemployment compensation differently. But with that, I respect him and I know that he respects my opinion, but conceding his sincerity and integrity in approaching this problem I ask the Members on both sides of this House to determine the question the same way, that if we are to have a real social system of unemployment compensation we cannot look at the situation today, but we must look at the situation as it may be and as some quarters say it must be in the years to come.

I think, Mr. Speaker, that there is nothing more important today than seriously to think of what the future may hold and attempt to meet the problem today so that we may be able conscientiously to say today that we are looking to the future, and when that future is upon us we may be able to look back and congratulate ourselves that we had the foresight now to anticipate a problem which can best be solved in the future by the maintaining of the unemployment compensation system as it now exists without merit rating. I would say this to the gentleman, that in the future once we have gotten over the post war period and conditions generally are stabilized and experience shows us that merit rating is a plausible and proper thing, I will be the first to join with him in advocating the system for Pennsylvania, but today I cannot in good conscience do so.

Mr. ALSPACH. Mr. Speaker, there are a few things that I would like to correct for the record that were said this afternoon. The state of Texas was referred to and that in the state of Texas their fund was broke. I wish to inquire from whoever made that statement the source of his information. As a matter of fact, the fund in Texas is far from being broke at the present time. Likewise, the Michigan fund at the end of 1942 had a balance of between four and five hundred million dollars, which I think if you will look at the balance in our fund you will say would be adequate to meet all of the demands which would reasonably or normally be made, or even abnormally made upon the fund.

Reference was made several times to remarks which were read from the record, made by the present Majority Whip in the prior special session. I would just like to call the attention of the Members of the House that when these remarks were made, I would like to remind them of the conditions surrounding those remarks, namely, that they were made in opposition to partial unemployment payments and that those remarks were made in opposition to further depletion of the funds by further payments therefrom. It is obvious that if we were to pay out all the assets in the fund that the gentleman on the other side would be far from quoting the words used on the floor of the House today.

I would like to remind the Members of the House that if they will look at the last section of the bill,—the bill says it shall be effective up to and including a certain time, and the specified time is mentioned in the bill, in the amendment inserted in the Senate, and the bill as it is presently drawn says that merit rating shall be effective until and including the year in which the Assembly of Pennsylvania sits immediately succeeding the declaration by the President that war is over or that hostilities have ceased, whichever way the bill happens to be drawn. Now, that has this effect, Members of the House, that if the war has ceased in a year or two or three years from now, the President would make his declaration that peace now existed, then it would be incumbent on the then Members of the General Assembly to go into this bill and to decide at that time whether merit rating is proper in Pennsylvania. It seems to me that under the terms of the present bill it is enacting a bill which becomes effective January 1, 1944 and will last by its own terms until the end of the present emergency. I say, members of the House, in supporting this bill I am certain that the bill in its operation will prove so salutary upon our business in this state, and will prove so popular to the employers and to the workmen of the state that they will be only too happy to tell their Members of the Assembly in 1945 or 1947 or whenever it may be, that they are one hundred per cent endorsing this bill and instruct them by their votes to continue its operation. So, Members of the House, all the arguments made as to what would happen in a post war

economy would seem to me to pale when we realize that this bill as presently drawn would only be operative until the emergency is over.

Personally I would like to see merit rating extend into the future without restrictions as far as time is concerned, but it was seen fit to insert these amendments in the bill, and I say it has not hurt in any respect the principle of merit rating.

I think this debate has been kept on a very high level and I would like to remind the Members of the House, and I would like to echo the sentiments that have been made by the prior two speakers,—and I am quoting the gentleman from Philadelphia now,—that this is not a political issue, and that unemployment compensation should never be mingled with politics so in soliciting your votes for this particular bill I would like to remind you that this is not a political bill, there are no political angles or tricks to it whatever. This bill simply stands before you on its four good legs, and for no other reason than the merits of the bill do I ask the House to support it.

Mr. LOVETT. Mr. Speaker, I hesitate somewhat to talk upon a bill that includes the amount of money and the amount of figures that this particular bill includes. But I feel that I should make some statement on this particular bill. I attended the public hearing on this particular bill, and I asked one question at that public hearing on this bill. The advocates of this particular bill, when I asked this particular question gave me a somewhat confusing answer. I maintained that unemployment insurance is a social question, which I do not think anyone in this House denies.

Now, from the experience of the last depression that we had, which we are now only out of due to the fact that we are at war, we found in large industries in this state where they had what is called a sick benefit, which is contributed to by the workmen of that particular industry. We found that at the end of the depression the men who had contributed to the sick relief funds in the state of Pennsylvania could not be paid according to the original setup of those funds. That is one reason why today I get up to oppose this particular bill, because I feel that industry or companies who have to lay men off regardless of the reason is a sick industry, just the same as the individual in the plant who becomes sick and has to resort to sick benefits to live. We know from experience that that happened in our large industries in the state of Pennsylvania and we know why it happened. We know that due to the fact that those men were laid off in industries, that the revenues that came into the sick benefit funds ceased to come in, and the men who were sick and on relief could not be paid their sick benefits.

I say to you that this measure before us now will be the most unpatriotic measure that we can pass in the state Legislature for those men who come back from the other side and can not receive employment, and find that unemployment compensation must be reduced because there are not sufficient funds to pay that compensation.

That is the particular stand that I take on this bill, and I think it is only fair that we men stop and consider what will happen when the war is over. My friend over here says that this bill, this act of the Legislature, would only be in effect during the war or so long after as the President declares the war over. That is the very point that worries me. Now is the time to collect the money to protect the funds for those boys who are on the other side and who come back and may not find employment when they come back. Now is the time to collect, not when men are laid off in industry. This is a payroll tax, and if men are not working in industry the revenue will not come into the fund, because it is based on the payroll of the men who are working in industry.

I know that every labor organization in this state is opposed to this bill, and I think rightfully so, because they hesitate to think what will happen if these men who are now in industry find that industry has to close its doors against them, and they find then that our funds for unemployment compensation insurance are not sufficient to meet the demands of the day. I think all of us should give that consideration and vote against this bill. If there is a time when we can have merit rating, when we are not facing this problem, after the war, I myself would agree to go along with a merit rating system.

Mr. JAMES. Mr. Speaker, I want to answer for a brief moment something that has been said by the gentleman from Philadelphia, Mr. Cohen. He referred to remarks from the record in the last Legislative session, when the debate was on the question of partials in our Unemployment Compensation law, and he referred particularly to the statement made by Mr. Rose at that time that we, the General Assembly of the State of Pennsylvania, are the trustees of this Unemployment Compensation Fund.

I am glad that he brought that matter up. I am glad that he refreshed our memories concerning that statement, because I want here and now to subscribe to that thought and reiterate that the General Assembly of Pennsylvania is indeed the trustee of the Unemployment Compensation Fund. If I for one felt that the enactment of Senate Bill 177 would be a breach of or in violation of that trusteeship I would be the last man in this House to consent to its passage. In furtherance of the principles involved in any trusteeship I have taken it upon myself, as I know other men here have done, to prove as far as it is possible mathematically that no breach of that trusteeship can be brought about and no dangerous depletion of this fund can be made by the enactment of this piece of legislation.

I can well appreciate my friend Mr. Lovett's concern with respect to the fund being ample at a time when it may be drawn upon heavily, but he is in error in one thought—not a statement, and that is that no matter what the drain on the fund is, as long as there is the slightest bit of activity in the state of Pennsylvania contributions will not cease. Under the most adverse conditions by the falling of the employment indexes and the manufacturing indexes to the lowest point that we have ever known, and adding on top thereof an exaggerated demand upon the fund after this war is over, and granting that under those conditions the safety device incorporated in the language of this bill would become operative, there could not possibly be a time when the trusteeship which we must all acknoweldge would be either breached or violated.

Mr. LEVY. Mr. Speaker, I was very much taken aback by the gentleman from Lancaster when he very speedily decided to tell the House that this is not a political issue. I don't know whether unemployment compensation is or is not, but I do know that unemployment compensation is the creation of the Federal Democratic

administration, and I also know that an attempt is being made today in behalf of representatives of the Commonwealth to split it asunder. I don't know whether the gentleman from Lancaster knows that the merit rating bill is the creation of the Pennsylvania Manufacturers Association or not, but I know it is, and I know that lobbyists for the Pennsylvania Manufacturers Association this afternoon have crept into the rear of the House and are awaiting—

The SPEAKER. So far we have engaged in a high type of debate and the Chair requests that the Members so continue. The gentleman will proceed in order.

Mr. LEVY. This is a high type of debate, Mr. Speaker. Lobbyists of the Pennsylvania Manufacturers Association do not suddenly come into the well of the House when they are not interested in certain pieces of legislation.

POINT OF ORDER

Mr. HARE. Mr. Speaker, I rise to a point of order.

The SPEAKER. The gentleman will state his point of order.

Mr. HARE. The gentleman is not discussing the merits of the bill.

The SPEAKER. The point is well taken. The gentleman from Philadelphia will confine himself to the question before this House.

Mr. LEVY. Mr. Speaker, I am speaking on Senate Bill 177.

The SPEAKER. The Chair insists that the gentleman confine his remarks to the question. There is nothing in the bill that the Speaker knows of, or anyone else knows of, concerning lobbyists or manufacturers.

Mr. LEVY. What is the purpose, Mr. Speaker, then of the Republican majority in the Commonwealth of foisting upon the people of Pennsylvania a merit rating system? I think I know, and I think every Member of the House knows. The merit rating bill is another payment by the Republican party to the Pennsylvania Manufacturers, and that's what it is, gentleman, nothing more and nothing less.

The SPEAKER. The Chair insists that the gentleman debate the bill. For the last time the Chair admonishes the gentleman.

Mr. LEVY. Mr. Speaker, I insist that you permit me to go through with my debate.

Mr. ALSPACH. Mr. Speaker, I move that the remarks of the gentleman be expunged from the record.

The SPEAKER. The Chair cannot accept the motion at this time. The point of order was raised and the Chair sustained the point of order.

Mr. LEVY. They can't take it; they can't take it.

The SPEAKER. The gentleman will proceed in order.

Mr. LEVY. Mr. Speaker, we have heard for several hours the Republican interpretation of the merit rating bill. I heard the gentleman from Delaware cry aloud for the small business man of Pennsylvania, and in his definition, not satisfied that the Minority Leader might not have explained what is meant by small business men, he proceeds to tell us that a small business man in his estimation is one with from two to seven hundred employes. I say to the gentleman from Delaware, an employer with five hundred employes or three hundred employes is a big business man in Pennsylvania, and I say to the gentleman from Delaware, that is the man who wants to get the benefit of merit rating.

The gentleman from Lancaster might make small of the gentleman from Cambria, Mr. Rose's, remarks in the special session of 1942, but I want to remind the gentleman from Lancaster that the good people of Lancaster County didn't re-elect him in the session of 1941 and 1942, and that he was not present in the Hall of the House of Representatives when the partial payments under the Unemployment Compensation Bill were discussed I do not believe that the gentleman from Lancaster recalls what the argument was all about, but we know what the argument was all about. The gentleman from Cambria, then representing the minority party, on the request of the majority to insert in the bill a measure dealing with partial payments said:

> We cannot afford to give more payments than the bill now provides, and we cannot afford to add classes to this benefit payment because if the payments were multiplied as the Minority Leader said by so many hundred it would then be obvious that the fund would deteriorate to such an extent that it would be classed bankrupt.

Now, I ask the gentleman from Cambria and I ask the Republican leadership in the House if partial payments under the guise of the bill in 1941 or in the special session of 1942 was too much for the fund to stand, how in the world does the Republican party compromise its attitude now when they attempt to take from the fund millions upon millions of dollars by alleviating the burden of the employers of Pennsylvania? Gentlemen, you can't compromise your position. The gentleman from Philadelphia very clearly said it is difficult to go into a maze of statistics, because no one can foresee what will apparently develop in the years to come. I say to the gentlemen of the majority if it is not their intention to bend themselves over in their attempt to serve Joe Grundy of Pennsylvania then they better definitely—they didn't like that either.

POINT OF ORDER

Mr. HARE. Mr. Speaker, I rise to a point of order.

The SPEAKER. The gentleman will state his point of order.

Mr. HARE. Mr. Speaker, if the gentleman persists I am going to insist that Rule 66 be enforced.

Mr. LEVY. Mr. Speaker, in answer to the gentleman from Somerset—

The SPEAKER. Will the gentleman yield? A point of order has been raised. The point of order is well taken. The gentleman well knows that he is engaging in personalities.

Mr. LEVY. Mr. Speaker, permit me to advise you, that I have refrained—

The SPEAKER. The gentleman will yield. The Chair will not permit any advice. The gentleman will confine himself to the question before this House.

Mr. LEVY. Mr. Speaker, permit me to inform the Chair—

The SPEAKER. The gentleman will proceed under the question before this House.

PARLIAMENTARY INQUIRY

Mr. LEVY. Mr. Speaker, I rise to a question of parliamentary inquiry.

The SPEAKER. The gentleman will state his question of parliamentary inquiry.

Mr. LEVY. May I not, upon objection by the Chair explain my reason for mentioning the name of so prominent a Pennsylvania citizen?

The SPEAKER. The rule prohibits personalities on the floor of this House.

PARLIAMENTARY INQUIRY

Mr. LEVY. Mr. Speaker, I rise to a further question of parliamentary inquiry.

The SPEAKER. The gentleman will state his question of parliamentary inquiry.

Mr. LEVY. Is it not true, Mr. Speaker, that the name of Joseph R. Grundy has been mentioned on this floor on numerous occasions?

The SPEAKER. That may be true. It is not in the bill and it is not a question before this House, and the Chair so rules.

Mr. JAMES. Mr. Speaker—

The SPEAKER. For what purpose does the gentleman rise?

QUESTION OF PERSONAL PRIVILEGE

Mr. JAMES. Mr. Speaker, I rise to a question of personal privilege.

Mr. Speaker, the gentleman said that we on this side were servants of personalities. He was decidedly out of order whether he mentioned the names of the personalities or not, he said we were servants.

Mr. LEVY. Mr. Speaker, I said it was evident—

Mr. O'BRIEN. Mr. Speaker, how did you recognize the gentleman on the point of personal privilege when one man has the floor?

The SPEAKER. The Chair did not recognize the gentleman. The Chair inquired for what purpose the gentleman rose which is the same position that the gentleman from Philadelphia is in now. For what purpose does the gentleman from Philadelphia rise?

QUESTION OF INFORMATION

Mr. O'BRIEN. On a question of information, Mr. Speaker.

The SPEAKER. The gentleman will state his question of information.

Mr. O'BRIEN. Mr. Speaker, can the Chair declare a point of order without a Member asking for a point of order?

The SPEAKER. The Chair can enforce the rules of this House.

Mr. O'BRIEN. On a point of information, Mr. Speaker, can the chair raise a point of order without a Member asking for the point of order?

The SPEAKER. The Chair has not raised the point of order.

Mr. O'BRIEN. Mr. Speaker, the Chair ruled on the point of order prior to the gentleman from Somerset raising the point of order.

The SPEAKER. The gentleman from Somerset raised the point of order, and the Chair ruled that the point of order was well taken.

Mr. O'BRIEN. I say, Mr. Speaker, under the point of information that the Chair raised the point of order prior to the gentleman from Somerset, Mr. Hare, raising the point of order.

The SPEAKER. The Chair cannot agree.

Mr. O'BRIEN. Mr. Speaker, can we ask for the stenographic notes on that?

The SPEAKER. On the question before the House, the Chair recognizes the gentleman from Philadelphia, Mr. Levy, who still has the floor.

Mr. O'BRIEN. A point of information, Mr. Speaker.

The SPEAKER. Will the gentleman from Philadelphia, Mr. Levy, yield?

Mr. LEVY. I will, Mr. Speaker.

QUESTION OF INFORMATION

Mr. O'BRIEN. Mr. Speaker, I rise to a question of information.

The SPEAKER. The gentleman will state his question of information.

Mr. O'BRIEN. Mr. Speaker, prior to the gentleman from Somerset, Mr. Hare, raising a point of order, the Chair interrupted the gentleman from Philadelphia during the course of debate by raising the point of order himself.

The SPEAKER. The Chair did not raise any point of order. The Chair was simply enforcing the rules of this House.

Mr. O'BRIEN. There was no point of order raised, Mr. Speaker.

The SPEAKER. The Chair has decided the question. The Chair recognizes the gentleman from Philadelphia Mr. Levy, who has the floor.

Mr. LEVY. Mr. Speaker, let us state our positions very clearly. The gentleman from Lancaster says he is happy that this is not a political issue. I say to the gentleman from Lancaster that if this is not a political issue then why did not the Governor of the Commonwealth call upon the minority to sit in on the deliberations on merit rating like he promised in the beginning of this session on important war measures?

If this bill Senate No. 177 is the one bill of this session that the Republicans term non-political, then where was the Democratic representation in its deliberations on this measure? The gentleman from Lancaster knows full well that this measure was drafted many, many months before the session of the Legislature ever came into being. I recall quite vividly that merit rating was discussed at a meeting of the Pennsylvania Chamber of Commerce and at a meeting of the Pennsylvania Manufacturers Association long before the session convened in its opening in January at the beginning of this year. I say then, Mr. Speaker, if merit rating was to have been non-political, then it must have been the duty of the Republican majority to confer with the minority in the best interests of a fund which the gentleman from Delaware agrees is a trust held by the Legislature of the Commonwealth of Pennsylvania, and I say to the gentleman this evening, if the Legislature is trustee of the fund for unemployment compensation, then I say we better tread lightly, because we only have to take the word of the gentleman from Delaware himself when he said that we have no way of foretelling what is liable to happen when we make a drain upon this fund which may be big enough to cause it to explode or to drain to nothing. I say to the Members of

the House that Senate Bill No. 177 is important enough that we might set aside a few more moments to decide whether we are doing the proper thing. I say to the membership if we are to be sincere in our guidance and trusteeship of this fund, let us defeat Senate Bill No. 177 this evening.

Mr. LOVETT. Mr. Speaker, I would like to interrogate the gentleman from Delaware, Mr. James.

The SPEAKER. Will the gentleman from Delaware permit himself to be interrogated?

Mf. JAMES. I will, Mr. Speaker.

Mr. LOVETT. Mr. Speaker, did I understand the gentleman to say that he could insure me that this particular act would not allow the unemployment fund to sink to such a level that there would be no chance whatever of the fund being able to pay to unemployed workers under the present setup?

Mr. JAMES. Mr. Speaker, I have assured myself by something more than 17,000 mathematical calculations, and I can therefore unhesitatingly assure my colleagues likewise.

Mr. LOVETT. Mr. Speaker, do I take from that statement that regardless of what may happen in the state of Pennsylvania after this war is over, regardless of how big the layoff may be in industry, that the unemployment fund will still be able to pay at the present rate to unemployed workers?

Mr. JAMES. Mr. Speaker, I have not taken into my calculations acts of God, that is the only thing that I have omitted. Should we have an earthquake that would devastate this state in a great degree I presume that the fund would not take care of the situation. Should any other unforeseeable and almost unimaginable act of God prevail, then I make no guarantee.

Mr. LOVETT. That is all, I thank the gentleman. Mr. Speaker, if I understand correctly the enactment of this particular bill would give to those who have continual employment for their workers a reduction in the rates paid under this bill. Now I say again to you that past experience proved to me that in large industries in this state men have paid into sick benefit funds for fifty years and received no reduction for not being sick; we found that during the depression those same men could not receive the money that was set up under those sick benefits during the depression period. I say to you that this bill applies likewise. You here are saying to the industries in this state, who through no fault of theirs have to lay off their employes, you are penalizing those industries and giving to the well industries a reduction. Now, I say to you if that happened in industry in this state, which it did, and I defy any man to say it didn't, because I know it did, I will say to you then that we should tread very lightly when we reduce this fund, because as Mr. James says, and he doesn't know, there is no man living who knows, I say to you that it would be the most unpatriotic thing in the world to find these men coming back and saying to them "We cannot pay under the unemployment insurance fund the present schedule now set up." I say that we should tread very lightly when we consider those things; we should keep this fund in such a condition that those boys who are fighting for this country, rather than lowering their benefits, we may be able to say to them when they come back, in the next session of the Legislature, "We shall increase the benefits that you men may receive after saving the country".

Mr. PETROSKY. Mr. Speaker we have before us the much discussed question of merit rating proposed in Senate Bill No. 177. May I at the outset say to the membership of the House a merit rating as proposed in this measure we have before us for consideration sets up a procedure which to my opinion and the opinion of many industrialists and many organization leaders in the state of Pennsylvania is not workable in a time of crisis and will not be workable and will not be on a solid foundation in a post war period

I certainly do not want to take the time of the House to discuss the procedure that has been studied for the past two years, but, Mr. Speaker we now have before us Senate Bill No. 177 proposed to the General Assembly under the sponsorship of Senator Homsher. The same provides for an experience rating procedure for unemployment compensation purposes. This plan is commonly called the "Cliffe" plan or the one that has placed Texas in the red column as concerns the feasibility of unemployment compensation. May I say, gentleman of the House, that Claude Williams, Director of Unemployment Compensation in the State of Texas, has charged that the provisions of their plan are a fraud on the intelligence of the people and therefore, Mr. Speaker, I say that this plan is certainly not proper and should not be adopted by the Commonwealth of Pennsylvania. Now I am not going to endeavor to propose the proper procedure to the membership, as the material on this is in the files of the Advisory Council, and any person interested in the problem before us can obtain the same for the asking.

The following report of the committee appointed by the Chairman of the State Advisory Council on unemployment compensation to study the problem of experience rating was unanimously adopted by the Council members in attendance at their regular meeting

This is their summary of the proposal before us, Mr. Speaker. I quote:

> The Committee on experience rating believes it inadvisable to recommend legislation in the interest of experience rating at this time.
>
> That war has caused abnormal employment. Those who have patriotically responded should not be penalized.
>
> War operations should carry the expense for liquidating liabilities incurred.
>
> Any present possible savings would be largely absorbed by Federal Income Taxes.
>
> The plans for experience rating which have been considered for Pennsylvania would, in our judgment, neither provide an adequate incentive for employers to stabilize employment nor allocate the cost in proportion to responsibility for unemployment.

Supporting these conclusions are:

A. Summary of arguments obtained from various sources.

B. Brief of discussion of experience rating prepared by the Social Security Committee of the Westinghouse Electric and Manufacturing Company is submitted as being typical.

Summary of Arguments Obtained from Various Sources.

1. Experience rating is inequitable because it penalizes employers for fluctuations in employmer beyond their power to control. It is a device for cut

ting taxes for a few special industries rather than a solution to the problem of unemployment.

2. It cannot bring about stabilization of employment because an inducement of slight tax reduction would be ineffectual.

3. It is based on a false analogy with Workmen's Compensation because accidents are within the control of the employer, while unemployment is not.

4. It discriminates against and will inevitably lead to higher tax rates upon most industries, particularly the small employers who can least afford it.

5. It disregards the necessity for an adequate reserve and jeopardizes the solvency of the fund.

6. It would increase the volume of chronic unemployment by encouraging employers to adopt practices which would confine the available work to a smaller number of employees to avoid impairment of their record.

7. It penalizes the durable and semi-durable goods industry and the construction industry, the very industries to which we must look for recovery from depression.

8. There is a tremendous amount of administration work required under the experience rating plan.

9. The greatest awards are to industries which need make no effort to stabilize because they are stable by nature, for example, public utilities.

10. Experience rating plans actually impose a penalty on seasonable industries and pay a premium to public utilities, banks, and a small percentage of retail groups. Building and construction, mining and other industries which depend upon the weather, factories which produce for these industries, and garment trades which depend upon seasons and styles naturally irregular.

11. It penalizes industries which are going through a period of decline as a result of new inventions, shift of consumer demand, etc. Some industries which seem stable may be completely wiped out by technological changes. Most war industries will stop at the end of the war. New inventions are always changing industry and employment. The experience rating formula is especially hard on the employer as well as on the unemployed worker if there are several years of unemployment in succession. By hastening the death of such industries above, unemployment and the resulting social problems are increased.

Experience rating is undoubtedly the most controversial aspect of unemployment compensation, and although there are many strong and almost convincing arguments in its favor, I cannot disregard the case which has been made for the opposition. I believe the controversy regarding the principles of experience rating will be settled only the hard way,—by experience,—and that the most urgent question confronting us at this time is if Pennsylvania shall join in the experiment under the present abnormal conditions.

Even if I were convinced of the soundness of the experience rating principle, I do not believe that the present is an opportune time to introduce it in Pennsylvania. On account of the war program the number of covered employees has been greatly increased during the last two years. The increases are still continuing, and it appears they will be limited only by the number of workers which can be made available under the pressure of Government necessity. We cannot predict the level at which our economy will be stabilized in the post-war period, but it seems probable that the peak of war activity will be followed by a period of industrial as well as military demobilization which must result, at least during the period of reconversion of industry to a peacetime footing in wide-spread unemployment. No one can predict the volume and duration of such unemployment, but since most of the workers demobilized either permanently or temporarily will have acquired maximum benefit rights, the drain on the State Unemployment Compensation Fund will be at an unprecedented level. This suggests an inquiry into the adequacy of the State Fund. Some observers believe it is already excessive, and that a further build-up, inevitable during the war period, will offer a temptation to "raid" it through unreasonable increases in benefit standards. Frankly, I do not know what amount in the Fund would be excessive. I do not consider it excessive at present, and believe that I can rely upon the General Assembly to refrain from dissipating it by unwise legislation.

I believe that since the potential liability for unemployment compensation stems from the war-time operations, these operations should provide the funds for liquidating it. This is only to say that the cost of unemployment should be provided for during the period of employment which builds it up as a contingency. The alternate course only makes for low contribution rates during periods of industrial activity which must be compensated for by high rates during periods of depression. In my opinion, no reduction in the present contribution rate should be made until we can predict with some assurance that the State Fund will be adequate to meet the maximum demands upon it in the period of post-war demobilization.

In weighing the advantages to be gained from experience rating, employers should consider that such savings will be largely absorbed by Federal Income and Excess Profits taxes. For example: Assume a corporate employer receives reductions in his State Unemployment Compensation taxes in 1942 amounting to $100,000, and is subject to Federal Income and Profits taxes at an over-all rate of 80 per cent. He has a net gain of $20,000, but against this immediate advantage the State Fund has lost the entire $100,000. No thoughtful employer can be indifferent to this loss, as a depleted Fund can be restored only by increased contribution rates in the future. It is our opinion that some of the states will find their funds seriously impaired in the post-war readjustment unless their experience rating plans are suspended or substantially limited for the "duration": and at least one important industrial state is making intensive studies along this line.

Employers in experience rating states who have greatly increased their employment for operations under Government contracts on a cost-plus or fixed fee basis, or whose contracts are subject to re-negotiation are especially exposed to loss. These contracts can be charged only with the taxes actually paid at the low merit rating, leaving the contractor to absorb in the cost of his regular product the entire cost of unemployment resulting from the discontinuance of work on Government contracts.

The two principal claims made for experience rating are that it (1) gives employers a cash incentive to stabilize their employment; and (2) allocates the cost of unemployment to employers in proportion to their responsibility for it. The plan as proposed in Pennsylvania not only would not accomplish either of these purposes, but would effect exactly opposite results in both. All penalties fall upon the stable employers alone, since the more unstable are protected by the maximum rate. I do not know how the plan was evolved which reverses the claimed objectives of the experience rating principle by placing the only possible penalties of the most stable employers but we do not favor it.

I again say and submit to you, Mr. Speaker, that the Advisory Council of the Bureau of Unemployment Compensation respectfully suggests that no legislation be enacted that would interfere with the growth of the Unemployment Reserve Fund during the war production period, in order that this fund may be sufficient for the needs of those who will inevitably be unemployed during the post-war period of readjustment.

In March, 1943, the Reserve Fund amounted to more than $352,000,000. Under the present provisions of the law this amount may be expected to increase as long as the war continues. The increase in employment together with some rise in wage rates and weekly hours of work materially increased by overtime have increased the current rate of collections to more than one and one-half times that of several years ago. During the same period the amount of benefits paid to unemployed workers has dropped to a rate less than one fifth of that of 1938.

The question arises as to how large a reserve fund is necessary to meet such claims for benefits as may be anticipated in the post-war period.

As a basis for preparing an estimate, certain assumptions must be made. One of the assumptions relates to the length of the war. It is, of course, impossible for anyone to predict with any degree of certainty when the war will end. However, the consensus of responsible opinion that has been publicly expressed would indicate that, in all likelihood, hostilities will not cease before the end of 1944.

An assumption that the war will end at the close of 1944 and will be followed by a period of general unemployment is conservative for the reason that by that time most emergency war-workers will have established credits entitling them to maximum weeks of benefits. It would, therefore, appear to be the part of wisdom and reasonable conservation to make estimates on the basis that the war will be consummated about the end of 1944.

The Social Security Board, using data made available by other federal agencies, estimates unemployment compensation taxable wages in 1943 as 15 percent higher than in 1942, and 9.1 percent higher in 1944 than in 1943. These estimates are for the nation as a whole and are in terms of current prices.

Contributions paid in Pennsylvania during the year 1942, excluding interest on the Unemployment Compensation Fund amounted to $122.8 millions. Applying the above percentages to this figure we obtain estimates of contribution income for Pennsylvania of $141 millions in 1943 and $154 millions in 1944.

Undoubtedly some of the benefits paid during the first half of 1942 reflect our transition from a peacetime to a war-time economy. The figures for recent months indicate that we may have approached the "irreducible" low in unemployment.

On the basis of the current rate of benefit payments, and assuming, of course, continuation of the war, it is reasonable to assume that benefit payments will approximate $8 million to $10 million for 1943 and a like amount or slightly less for 1944. During 1943, the amount of interest earned on the Unemployment Compensation Fund should also approach $8 million and for 1943 will be in excess of that amount. Thus, for purposes of these estimates we will presume that the amount of interest earned on the Fund during 1943 and during 1944 will equal the amount of benefits that will be paid during those years.

Therefore, if benefits will offset interest earned, the balance in the Fund should increase in about the same amount as contributions paid. The Fund balance at the end of 1942 was $322.5 million. Adding estimated contributions for the next two years, the balance would be $464 million at the end of 1943, and $618 million on December 31, 1944.

In accepting these estimates it should be considered that they are predicated upon current price levels. An increase in either wage rates or in average weekly earnings resulting from increased hours of work would increase payments into the Unemployment Compensation Fund.

A currently important factor in this connection is the movement to place all employment on a 48-hour week basis, with time and half-time pay in most instances for time over forty hours a week.

The next problem that arises in attempting to estimate reserve requirements during the post-war period is the severity and duration of the period of readjustment.

Opinions on this question will necessarily differ widely. No one is qualified to say how long after an armistice the momentum of war economy will continue before any widespread unemployment occurs, nor how soon thereafter the period of post-war reconstruction and rehabilitation will commence and how long it will continue. Moreover, while conversion to a peace-time economy may be relatively rapid in some sections of the country, there may be widespread unemployment in other sections. The conditions of the peace, the extent and rapidity of demobilization of the armed forces, and federal legislation granting aid both to business in converting to the new economy and to individuals in breaching the period of readjustment are all factors which must be considered.

Therefore, without attempting to answer these questions which are practically in the realm of the unknown, we will base our computations on what may be considered the maximum unemployment which can be expected under most adverse conditions.

Let us assume a total labor force of 3.5 million covered by unemployment compensation in Pennsylvania at the end of 1944, with one-third in non-war, and two-thirds in war industries. Unemployment among non-war workers should not exceed 25 percent and among war workers not more than 75 percent.

Employer	Labor Force	Unemployed	Percent
Total	3,600,000	2,100,000	58%
War	2,400,000	1,800,000	75%
Non-War ..	1,200,000	300,000	25%

The maximum benefits to which a claimant is entitled in a benefit year under the present law is $288. Because of the steady employment and long hours of work which will prevail for the duration, a large proportion of claimants will receive maximum benefits. An adequately high and conservative estimate is that claimants will average $250 in benefits during their first benefit year after the war. Applying this figure of $250 to an estimated possible 2,100,000 claimants, the fund would be called upon to pay $525 million in benefits in 1945. This would cover the first year of mass unemployment. Assuming that during 1945 current contributions reverted to the pre-war level of $75 million and subtracting this amount from $525 million leaves a net loss to the fund of $450 million for the year 1945.

Benefit payments at their highest during the second post-war year should not exceed half those of the first year, since many persons will have exhausted their benefit rights and will be unable to reestablish eligibility. Consequently assuming total benefit payments of $265 million during such second year and contribution collections of $65 million during the same period, the net loss to the period would amount to $200 million.

After the second post-war year disbursements should not exceed income, since most workers, excluding those in secure and permanent positions, will have exhausted all benefit rights.

Adding the net loss of $450 million for the first post-war year to $200 million for the second post-war year, the total reserve required for solvency would be $650 million. Although this is slightly more than the $6.8 million reserve estimated as of the end of 1944, in view of the fact that our computation of possible payments have been what we believe more than adequately high in all directions, it is believed that we may come to the very general conclusion that assuming the war to end at the close of 1944, the fund would probably be able to withstand all demands.

These figures, of course, assume no change in the rate of contributions (namely, no merit rating). They should not be considered as predictions, but merely

what could happen under most extreme economic circumstances.

These computations are based on the belief that the assumed extent and duration of unemployment (namely approximately 3 out of every 5 workers over a period of sufficient length for them to exhaust all of their benefits) is the maximum that our economy can withstand. It is presumed that if any worse conditions occurred they would of necessity result in a complete revolutionary change in our political, social, and economic life, in which event unemployment compensation as we know it, as well as all other institutions which we recognize today, must collapse.

In conclusion, it would appear that if we are to protect unemployment reserves so that they may be sufficient to withstand any and all demands that may arise under our present form of economy, it is necessary to continue to accumulate such reserves on the basis of present contribution. Therefore, gentlemen on both sides of this house, I ask you in the interest of good government, as guardians of this social trust fund, and in behalf of the unfortunate unemployed peoples of our Commonwealth to give your consideration to this problem and vote against the bill which will tear down the very structure of our present act.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken.

Messrs. Lane, Russell E. Reese and Petrosky asked for a verification of the roll.

The roll was verified and was as follows:

YEAS—119

Alspach,	Fullerton,	Lee,	Rowley,
Auker,	Garber,	Leisey,	Royer,
Barton,	Gardner,	Leydic,	Salus,
Bonawitz,	Gillan,	Lichtenwalter,	Sarge,
Boorse,	Gorman,	Livingstone,	Serrill,
Bower,	Greenwood,	Lyons,	Simons,
Bretherick,	Gross,	Madigan,	Smith,
Brice,	Gyger,	Mahany,	Sollenberger,
Brunner C. H.,	Hall,	McAtee,	Sorg,
Cadwalader	Hannon,	McClester,	Stockham,
Calvin	Hare,	McKinney,	Stonier,
Campbell,	Haudenshield,	McMillen,	Taylor,
Cook,	Helm,	McSurdy,	Thrasher,
Cooper,	Hewitt,	Menna,	Tiemann,
Costa,	Hocke,	Miller,	Trout,
Coulson,	Hoffman,	Mintess,	Turbett,
Denman,	Hoopes,	Mock,	Van Allsburg,
Dennison,	Hunter, W. M.,	Moore,	Wachhaus,
Depuy,	Huntley,	Moser,	Wagner K. H.,
Dix,	Imbrie,	Muir,	Wagner P. L.,
Elder,	Irvin,	Murray,	Wallin,
Ely,	James,	Nowak,	Walton,
Erb,	Jones,	O'Dare,	Watkins,
Ewing,	Kennedy,	Reagan,	Winner,
Figlock,	Kitchen,	Reese, D. P.,	Wood, L. H.,
Flack,	Kline,	Reilly,	Wood, N.,
Fleming,	Kowalski,	Riley,	Worley,
Foor,	Krepps,	Robertson,	Yeakel,
Fox,	Krise,	Root,	Fiss,
Freed,	Laughner,	Rose, W. E.,	Speaker

NAYS—70

Baker,	Dillon,	Leonard,	Reese, R. E.,
Barrett,	Duffy,	Levy,	Regan,
Bentley,	Elliott,	Longo,	Reynolds,
Boles,	Goodwin,	Lovett,	Sarraf,
Boory,	Grant,	Maxwell,	Scanlon,
Bradley,	Green,	Modell,	Schuster,
Brigerman,	Haberlen,	Mooney,	Snider,
Brown,	Hamilton,	Moran,	Stank,
Burns,	Harris,	Munley,	Swope,
Chervenak,	Heatherington,	O'Brien,	Tate,
Chudoff,	Herman,	O'Connor,	Thompson,
Cohen,	Hersch	O'Neill,	Trent,
Coleman,	Hoggard,	Owens,	Verona,
Cordier,	Holmes,	Petrosky,	Weiss,
Croop,	Hunter, B. F.,	Pettit,	Welsh,
Cullen,	Kirley,	Polaski,	Wright,
Dague,	Kolankiewicz,	Powers,	Yester,
Dalrymple,	Lane,		

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with the information that the House has passed the same without amendment.

RESOLUTION

RECALLING HOUSE BILL No. 155 FROM THE GOVERNOR

Mr. TURBETT offered the following resolution which was twice read, considered and adopted:

In the House of Representatives, May 3, 1943.

Resolved (if the Senate concur), that House Bill No. 155, Printer's No. 453, entitled "An act to further amend section two hundred twenty of the act approved the second day of May one thousand nine hundred twenty-five (P. L. 448) entitled 'An act relating to fish and amending revising consolidating and changing the law relating to fish in the inland waters and the boundary lakes and boundary rivers of the Commonwealth' exempting for the duration of the present war persons in the armed forces from the payment of a fee to the Commonwealth for resident fishing license" be recalled from the Governor for the purpose of amendment.

Ordered, That the Clerk present the same to the Senate for concurrence.

SENATE MESSAGE

RESOLUTION FOR CONCURRENCE

The Clerk of the Senate being introduced, presented an extract from the Journal of the Senate, which was read as follows:

In the Senate, May 3, 1943.

Resolved, (if the House of Representatives concur), That the Senate Bill No. 246, Printer's No. 187, entitled:

An Act to enable tax collectors and receiver of taxes in counties of the sixth class to make return to the county commissioners of unpaid taxes assessed on seated lands for certain years and validating the liens of such taxes

be recalled from the Governor for the purpose of amendment.

Ordered, That the Clerk present the same to the House of Representatives for its concurrence.

On the question,

Will the House concur in the resolution of the Senate?

It was concurred in.

Ordered, That the Clerk inform the Senate accordingly.

MEMBER OF TEXAS HOUSE OF REPRESENTATIVES WELCOMED

The SPEAKER. The Chair welcomes at this time Lieut. MacNamara, a Member of the House of Representatives of Texas for a number of years. Will the gentleman rise in his place?

RECESS

The SPEAKER. If there is no objection the Chair is about to declare a recess until 8:30 p. m. Is there objection? The Chair hears none and a recess is declared.

AFTER RECESS

The House reconvened at 8:30 p. m.
The SPEAKER (Ira T. Fiss) in the Chair.

BILLS ON SECOND READING

BILL PASSED OVER

There being no objection Senate Bill No. 34, Printer's No. 328, was passed over at the request of the SPEAKER.

Agreeably to order,
The House proceeded to the second reading and consideration of Senate Bill No. 311, entitled:

An Act relating to appointments reclassifications and promotions made under any civil service system of this Commonwealth after the effective date of this act until a period after the cessation of hostilities making such appointments of war duration providing for examinations at the end of such period suspending inconsistent laws and prohibiting the establishment of civil service systems by rule or regulation for a limited period and suspending powers of the Personnel Director of the State Civil Service Commission and conferring powers on the State Civil Service Commission.

The first and second sections were separately read and agreed to.

The third section was read.

On the question,

Will the House agree to the section?

Mr. COHEN offered the following amendment:

Amend Sec. 3, page 3, line 21, by inserting after the word "act" the following:
In computing the final rating attained in any examination to establish eligible lists as provided for in this section, no extra weight or experience credit shall be given to any war-duration employe appointed under the provisions of this act, by reason of his or her war-duration employment in any department, board commission or agency of the Commonwealth affected by this act, except where such war-duration employe has been honorably discharged from some branch of the armed service of the United States or from some women's uniformed service directly connected therewith.

It was agreed to.

The section was agreed to as amended.

The fourth, fifth and sixth sections were separately read and agreed to.

The title was read.

On the question,

Will the House agree to the title?

Mr. COHEN offered the following amendment:

Amend Title, page 1, next to last line of title, by inserting after the word "powers" the following: "and duties"

It was agreed to.

The title was agreed to as amended.

And said bill having been read at length the second time and agreed to as amended.

Ordered, To be transcribed for a third reading.

BILL PASSED OVER

There being no objection Senate Bill No. 305, Printer's No. 171, was passed over at the request of the SPEAKER.

Agreeably to order,
The House proceeded to the second reading and consideration of House Bill No. 605, entitled:

An Act authorizing the Pennsylvania Historical Commission to acquire by gift from the Erie County Historical Society a plot of ground in the city of Erie Pennsylvania to be used as a permanent resting place for the Flagship Niagara and making an appropriation to said Commission for the improvement development and preparation of such plot of ground and the removal of the said Flagship thereto

And said bill having been read at length the second time and agreed to

Ordered, To be transcribed for third reading.

Agreeably to order,
The House proceeded to the second reading and consideration of House Bill No. 1102, entitled:

An Act to further amend section one of the act approved the twenty-fifth day of May one thousand nine hundred thirty-three (P. L. 1016) entitled "An act relating to aeronautics providing for the maintenance and operation of intermediate landing fields and air navigation facilities by the Commonwealth alone or in cooperaton with the United States Government or political subdivisions of the Commonwealth providing for the execution of leases or the issuance of licenses to the United States Government or to political subdivisions of the Commonwealth for the maintenance of navigation facilities on intermediate landing fields of the Commonwealth conferring powers and duties on the Department of Revenue with respect thereto and repealing certain acts and parts of acts" by transferring certain powers and duties from the Department of Revenue to the Pennsylvania Aeronautics Commission

And said bill having been read at length the second time and agreed to

Ordered, To be transcribed for third reading.

Agreeably to order,
The House proceeded to the second reading and consideration of House Bill No. 1103, entitled:

An Act to further amend section two hundred two to reenact and amend section four hundred seven to reenact and further amend Section one thousand two hundred eight and to amend section two thousand nine hundred six of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant-Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" by providing for a Pennsylvania Aeronautics Commission

in the Department of Commerce by defining the constitution powers duties and remuneration of said commission and its employes and repealing all acts and parts of acts inconsistent therewith

And said bill having been read at length the second time and agreed to

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration fo House Bill No. 1104, entitled:

An Act to amend the title the table of contents and certain sections of the act approved the twenty-fifth day of May one thousand nine hundred thirty-three (P. L. 1001) entitled "An act providing for the regulation of aeronautics within this Commonwealth conferring powers and imposing duties upon the Department of Revenue in respect thereto providing for the licensing and registration of airman and aircraft establishing the legal status of air navigation providing for sovereignty in and ownership of space providing for lawfulness of flights regulating civil causes of action arising out of operation of aircraft fixing the status of contracts crimes and torts in by or by means of operation of aircraft imposing duties upon officers burgesses magistrates aldermen justices of the peace the courts and clerks thereof providing for denial or revocation of licenses providing for certain penalties and their disposition and repealing certain existing laws" by conferring certain powers and imposing certain duties heretofore exercised and performed by the Department of Revenue upon the Pennsylvania Aeronautics Commission

And said bill having been read at length the second time and agreed to

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1111, entitled:

An Act providing for the payment by the State Treasurer of one-half of the amount of the tax on premiums paid by foreign casualty insurance companies to the treasurers of the several cities boroughs towns and townships and for the payment thereof into police pension funds and in certain cases into the State Employes' Retirement Fund for certain purposes

The first section was read.

On the question,

Will the House agree to the section?

Mr. TIEMANN offered the following amendment:

Amend Sec. 1, page 2, line 20, by striking out the word "Motor" and inserting in lieu thereof: "State"

It was agreed to.

On the question recurring,

Will the House agree to the section as amended?

Mr. WALLIN offered the following amendments.

Amend sec. 1, page 2, line 9, by inserting after the word "township" the following: "or into the county police pension fund maintained for the benefit, among, others, of the police of such city, borough, town or township,"

Amend sec. 1, page 2, line 10, by inserting after the word "where" the following: "in either case"

They were agreed to.

The section was agreed to as amended.

The second section was read.

On the question,

Will the House agree to the section?

Mr. TIEMANN offered the following admendment:

Amend Sec. 2, page 2, line 27, by striking out "act" and inserting in lieu thereof: "and"

It was agreed to.

The section was agreed to as amended.

The title was read and agreed to.

And said bill having been read at length the second time and agreed to as amended.

Ordered, To be transcribed for a third reading.

HOUSE BILL No. 1111 MADE SPECIAL ORDER

Mr. TIEMANN. Mr. Speaker, I move that House Bill No. 1111, be made a special order of business on third reading and final passage on Tuesday, May 4, 1943, at 1:30 p. m.

On the question,

Will the House agree to the motion?

PARLIAMENTARY INQUIRY

Mr. LEVY. Mr. Speaker, I rise to a question of parliamentary inquiry.

The SPEAKER. The gentleman will state his question of parliamentary inquiry.

Mr. LEVY. Mr. Speaker, is it proper at this time to inquire if there were any amendments to the title of that bill?

The SPEAKER. No amendments to the title. The amendments were to sections 1 and 2.

Mr. LEVY. A further question of parliamentary inquiry, Mr. Speaker.

The SPEAKER. The gentleman will state his question of parliamentary inquiry.

Mr. LEVY. Mr. Speaker, is it not proper that the amendments inserted by the gentleman from Centre, Mr. Wallin, also be incorporated in the title in view of the words in the body of the bill. You will note, Mr. Speaker, that the word "counties" was inserted, and the word "counties" is not in the title.

The SPEAKER. The Chair would suggest that the gentleman confer with the sponsor of the bill in order that we do not delay the proceedings. Would the gentleman from Philadelphia, Mr. Tiemann, agree to making the special order a little later?

Mr. TIEMANN. Yes, I will, Mr. Speaker.

The SPEAKER. The bill may not be printed. Would the gentleman make it an hour later?

Mr. TIEMANN. That is agreeable, Mr. Speaker.

The SPEAKER. The gentleman from Philadelphia, Mr. Tiemann, amends his motion to the effect that the special order on House Bill No. 1111, Printers No. 686 be at 2:30 on Tuesday, May 4, on third reading and final passage.

Mr. LEVY. Mr. Speaker, would it be possible under the rules to permit the sponsor of the bill to have an amendment prepared to the title so as to put the bill in proper form before it is prepared for third reading tomorrow?

The SPEAKER. The bill can be held for printing and unanimous consent can be requested later in the day.

On the question recurring,

Will the House agree to the motion as amended?

It was agreed to.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 444, entitled:

An Act to further amend sections two thousand six hundred three and two thousand six hundred twenty-three of the act approved the eighteenth day of May one thousand nine hundred eleven (P. L. 309) entitled 'An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" by authorizing school districts of the third and fourth classes in certain cases to employ certified public accountants to audit the school finances in lieu of the elected auditors and providing as to the powers duties and compensation of the certified public accountants so employed

And said bill having been read at length the second time and agreed to

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 613, entitled:

An Act creating a commission to investigate and consider various phases of aeronautics in order to keep the General Assembly advised as to legislation which may be needed to keep the Commonwealth of Pennsylvania abreast of present rapid developments in this field; directing such commission to make a report and recommendations to the General Assembly; conferring certain powers upon such commission including the power to issue subpoenas, administer oaths and affirmations; retain employes and expend funds and making an appropriation.

And said bill having been read at length the second time and agreed to

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1037, entitled:

An Act to amend sections two three thirteen and twenty-seven of the act approved the twentieth day of June one thousand nine hundred and nineteen (P. L. 521) entitled as amended "An act providing for the imposition and collection of certain taxes upon the transfer of property passing from a decedent who was a resident of this Commonwealth at the time of his death and of property within this Commonwealth of a decedent who was a nonresident of the Commonwealth at the time of his death defining and taxing transfers made in contemplation of death defining as a transfer and taxing the right of survivorship in property as to which such right exists and making it unlawful for any corporation of this Commonwealth or national banking association located therein to transfer the stock of such corporation or banking association standing in the name of any such decedent until the tax on the transfer thereof has been paid and providing penalties and citing certain acts for repeal" by changing the requirements for the allowance of deductions for a decedent's debts by changing the provisions requiring security for the payment of inheritance tax by residents and nonresidents on future interests where payment is postponed by decreasing the interest penalty on unpaid taxes by eliminating appeals to the Superior Court and by extending the time within which appeals may be taken from the appraisement of property of resident and nonresident decedents for inheritance tax purposes

And said bill having been read at length the second time and agreed to

Ordered, To be transcribed for third reading.

BILL PASSED OVER

There being no objection Senate Bill No. 53, Printer's No. 357, was passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 54. entitled:

An Act providing for the Pennsylvania Register for the publication and distribution of certain orders regulations rules notices proclamations and similar instruments imposing powers and duties on the Legislative Reference Bureau and the Department of Property and Supplies creating the Pennsylvania Register Board and defining its powers and duties and making an appropriation for payment of expenses and costs of publication and distribution of the Pennsylvania Register

The first section was read.

On the question,

Will the House agree to the section?

BILL RECOMMITTED

Mr. WALTER E. ROSE. Mr. Speaker, I move that this bill be recommitted to the Committee on Appropriations.

The motion was agreed to.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 345, entitled:

An Act to further amend the act approved the first day of June one thousand nine hundred thirty-seven (P. L. 1168) entitled "An act to protect the right of employes to organize and bargain collectively creating the Pennsylvania Labor Relations Board conferring powers and imposing duties upon the Pennsylvania Labor Relations Board officers of the State government and courts providing for the right of employes to organize and bargain collectively declaring certain labor practices by employers to be unfair further providing that representatives of a majority of the employes be the exclusive representatives of all the employes authorizing the board to conduct hearings and elections and certify as to representatives of employes for purposes of collective bargaining empowering the board to prevent any person from engaging in any unfair labor practice and providing a procedure for such cases including the issuance of a complaint the conducting of a hearing and the making of an order empowering the board to petition a court of common pleas for the enforcement of its order and providing a procedure for such cases providing for the review of an order of the board by a court of common pleas on petition of any person aggrieved by such order and establishing a procedure for such cases providing for an appeal from the common pleas court to the Supreme Court providing the board with investigatory powers including the power to issue subpoenas and the compelling of obedience to them them through application to the proper court providing for service of papers and process of the board prescribing certain penalties" further regulating the right to and procedure on appeals to court

And said bill having been read at length the second time and agreed to

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1066, entitled:

An Act to add section eight and one-tenth to the act approved the thirteenth day of April one thousand nine hundred and forty-two (P. L. 32) entitled "An act to protect property and prevent sabotage by prohibiting for a limited period of time certain intentional injuries to and interferences with real and personal property prohibiting certain intentional defects in workmanship limiting the privileges of certain witnesses prohibiting certain entries upon real property and waters authorizing the closing of highways or the regulation or restriction of travel thereon conferring powers on the Water and Power Resources Board and providing penalties" vesting for a limited period of time game protectors foresters forest rangers and fish wardens with the same powers vested in constables and other peace officers for the purpose of enforcing said act

And said bill having been read at length the second time and agreed to

Ordered, To be transcribed for third reading.

BILL PASSED OVER

There being no objection Senate Bill No. 71, Printer's No. 239, was passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 85, entitled:

A Joint Resolution making application to the Congress of the United States to call a convention for proposing an amendment to the Constitution of the United States prohibiting the imposition of conditions upon grants of moneys and the invasion of the states rights

And said bill having been read at length the second time and agreed to

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 201, entitled:

An Act to amend the title and section one of the act approved the twentieth day of April one thousand nine hundred and five (P. L. 239) entitled "An act providing for and defining the rights remedies duties and liabilities of purchasers of real estate at judicial sales and of their grantees heirs and devisees and of the persons then in possession thereof" extending the provisions of said act to purchasers of real estate at tax sales and their grantees heirs and devisees and persons then in possession thereof

And said bill having been read at length the second time and agreed to

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 301, entitled:

An Act to amend section one hundred four clause (a) of section two hundred five clause (a) of section two hundred twelve section four hundred three section five hundred five and to add clause (d) to section five hundred two of the act approved the twenty-fifth day of June one thousand nine hundred and forty-one (P. L. 159) entitled "An act amending revising consolidating and changing the law relating to the borrowing of money by certain political subdivisions the authorization issuance and sale of general obligation bonds as herein defined of bonds imposing no general obligation of debt and of bonds not deemed to constitute a debt for certain purposes and to the funding of debt and the refunding of bonds regulating the keeping and use of sinking funds imposing powers and duties upon the Department of Internal Affairs and upon corporate bodies and officers of political subdivisions imposing penalties and repealing existing laws" clarifying and correcting the provisions of said sections and providing for the funding of debts represented by judgments entered by courts

And said bill having been read at length the second time and agreed to

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 354, entitled:

An Act to further amend clause (d) of section four of the act approved the twenty-eighth day of June one thousand nine hundred and thirty-five (P. L. 452) entitled as amended "An act to promote the welfare of the people of the Commonwealth creating a General State Authority as a body corporate and politic with power to construct improve equip furnish and operate projects and to lease the same and to fix and collect fees rentals and charges for the use thereof authorizing and regulating the issuance of bonds by said Authority and providing for the payment of such bonds and the rights of the holders thereof and to enter into agreements with the Government of the United States or any Federal agency and authorizing the Department of Property and Supplies to grant assign convey or lease to the Authority lands of the Commonwealth and interests therein and to acquire lands therefor granting the right of eminent domain and providing that no debt of the Commonwealth shall be incurred in the exercise of any of the powers granted by this act" empowering the General State Authority to sell and convey projects and property to the Commonwealth and to sell and convey the Butler Tuberculosis Sanatorium to the United States or any Federal agency

The first section was read.

On the question,

Will the House agree to the section?

Mr. McCLESTER offered the following amendment:

Amend Sec. 1 (Sec. 4), page 5, line 14, by striking out the words "the Butler Tuberculosis Sanatorium" and inserting in lieu thereof: "any hospital or sanatorium erected by it upon real estate purchased by any county within the Commonwealth, with the approval of the court of such county, upon the repayment to such county by the General State Authority, or the United States Government, or any Federal agency of such sum of money as shall have been paid for such real estate by such county."

It was agreed to.

On the question,

Will the House agree to the section as amended?

It was agreed to.

The second section and title were separately read and agreed to.

And said bill having been read at length the second time and agreed to as amended.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 377, entitled:

An Act abolishing the State Forests and Waters Fund in the State Treasury; providing for the payment of the moneys therein and all future moneys heretofore payable into such special fund into the General Fund; making the same available for all lawful expenditures; and making certain repeals.

And said bill having been read at length the second time and agreed to

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 400, entitled:

An Act to ratify confirm and validate as debts of the municipality bonds and obligations issued by municipal corporations for the payment of the cost of a public improvement which were to rest alone for their security and payment upon assessments for benefits

And said bill having been read at length the second time and agreed to

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 427, entitled:

An Act to amend Sections 2501, 2504, 2505 and 2506 of the act, approved the twenty-fourth day of June, one thousand nine hundred and thirty-one (P. L. 1206), entitled "An act concerning townships of the first class; amending, revising, consolidating and changing the law relating thereto," providing for the payment of sewer assessments in monthly or quarterly instalments; regulating the filing of liens therefor and authorizing the filing of such liens after the time fixed by law shall have expired.

And said bill having been read at length the second time and agreed to

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 440, entitled:

An Act creating a Commission for the Port of Chester providing for the appointment of the members of said commission defining its powers and duties and making an appropriation to defray its expenses

The first section was read.

On the question,

Will the House agree to the section?

BILL RECOMMITTED

Mr. WALTER E. ROSE. Mr. Speaker, I move that this bill be recommitted to the Committee on Appropriations.

The motion was agreed to.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 498, entitled:

An Act creating a commission to make a study and investigation of strip mining directing such commission to make a report and recommendations to the General Assembly conferring certain powers upon such commission including the power to issue subpoenas administer oaths and affirmations retain employes and expend funds and making an appropriation

The first section was read.

On the question,

Will the House agree to the section?

BILL RECOMMITTED

Mr. WALTER E. ROSE. Mr. Speaker, I move that this bill be recommitted to the Committee on Appropriations.

The motion was agreed to.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 534, entitled:

An Act to amend section four hundred thirty-seven and to further amend section four hundred thirty-eight of the act approved the second day of May one thousand nine hundred twenty-nine (P. L. 1278) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto" changing the amount of aid which the board of county commissioners may pay out of the county funds to the historical society of the county and changing the qualifications of historical societies to receive county appropriations

And said bill having been read at length the second time and agreed to

Ordered, To be transcribed for third reading.

PERMISSION GRANTED COMMITTEE TO MEET DURING SESSION

Mr. LYONS asked and obtained permission for the Committee on Liquor Control to meet during the session of the House.

BILLS ON SECOND READING

BILL PASSED OVER

There being no objection Senate Bill No. 87, Printer's No. 282, was passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 539, entitled:

An Act to further amend section eight hundred one of the act approved the twentieth day of April one thousand nine hundred thirty-seven (P. L. 417) entitled "An act relating to milk and the products thereof creating a Milk Control Commission establishing its jurisdiction powers and duties regulating the production transportation manufacturing processing storage distribution delivery and sale of milk and certain products thereof providing for the licensing of milk dealers and the payment of fees therefor requiring milk dealers to file bonds to secure payment for milk to producers and certain milk dealers authorizing the holding of hearings and the issuance of subpoenas by the commission conferring jurisdiction upon courts to punish contempts and to prohibit violations of this act and of rules regulations and orders of the commission authorizing the commission to adopt rules regulations and orders and to enter into interstate and Federal compacts requiring persons who weigh measure sample or test milk to procure permits or certificates to take examinations to pay fees therefor to furnish certain notices records and statements and to use certain methods of weighing measuring sampling and testing authorizing the commission to examine the business papers and premises of milk dealers and producers requiring the keeping of records and the filing of reports by milk dealers and permitting with limitations the use of information obtained thereby authorizing the commission to fix prices for milk and certain milk products subject to the approval of the Governor and conferring certain powers upon the Governor with respect thereto providing for appeals to the courts from decisions of the commission and for the burden of proof upon such appeals prescribing penalties fines and imprisonment for violations of this act and rules regulations and orders of the commission defining perjury defining remedies repealing legisaltion supplied and superseded by this act and saving rights duties and proceedings thereunder and making appropriations" by requiring further hearings on proposed orders and eliminating the requirement of the Governor's approval for certain orders of the commission and any amendments or revisions thereof fixing or changing the price of milk

And said bill having been read at length the second time and agreed to

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 601, entitled:

An Act to amend section 3.1 of the act approved the twentieth day of June one thousand nine hundred one (P. L. 582) entitled "An act to provide for the registration of labels trade-marks trade-names stamps designs devices shopmarks terms brands designations descriptions or forms of advertisement and protect and secure the rights property and interest therein of the persons copartnerships or corporations adopting and filing the same and providing penalties for the violations of the act" by further providing for the cancellation of such registrations in certain cases

And said bill having been read at length the second time and agreed to

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 852, entitled:

An Act to further amend the act approved the twenty-eighth day of May one thousand nine hundred and thirty-seven (P. L. 1053) entitled "An act relating to the regulation of public utilities defining as public utilities certain corporations companies associations and persons providing for the regulation of public utilities including to a limited extent municipalities engaging in public utility business by prescribing defining and limiting their duties powers and liabilities and regulating the exercise surrender or abandonment of their powers privileges and franchises defining and regulating contract carriers by motor vehicle and brokers in order to regulate effectively common carriers by motor vehicle conferring upon the Pennsylvania Public Utility Commission the power and duty of supervising and regulating persons associations companies and corporations including to a limited extent municipal corporations subject to this act and administering the provisions of this act authorizing the commission to fix temporary rates placing the burden of proof on public utilities to sustain their rates and certain other matters authorizing a permissive or mandatory sliding scale method of regulating rates providing for the supervision of financial and contractual relations between public utilities and affiliated interests and supervision and regulation of accounts and securities or obligations issued assumed or kept by persons associations companies corporations or municipal corporations subject to this act conferring upon the commission power to vary reform or revise certain contracts conferring upon the commission the exclusive power to regulate or order the construction alteration relocation protection or abolition of crossings of facilities of public utilities and of such facilities by or over public highways to appropriate property for the construction or improvement of such crossings and to award or apportion resultant costs and damages authorizing owners of such property to sue the Commonwealth for such damages providing for ejectment proceedings in connection with the appropriation of property for crossings conferring upon the commission power to control and regulate budgets of public utilities imposing upon persons associations companies and corporations (except municipal corporations) subject to regulation the cost of administering this act prescribing and regulating practice and procedure before the commission and procedure for review by the courts of commission action giving the court of common pleas of Dauphin County exclusive original jurisdiction over certain proceedings prescribing penalties fines and imprisonment for violations of the provisions of this act and regulations and orders of the commission and the procedure for enforcing such fines and penalties and repealing legislation supplied and superseded by or inconsistent with this act" by exempting from the provisions thereof the transportation of voting machines for and on account of political subdivisions for use in the conduct of any primary general or special election

And said bill having been read at length the second time and agreed to

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 972, entitled:

An Act making appropriations for aid to free public non-sectarian county libraries and for the purchase and transportation of books

And said bill having been read at length the second time and agreed to

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1050, entitled:

An Act to further amend the first paragraph of section four and section nine of the act approved the twenty-eighth day of June one thousand nine hundred and thirty-five (P. L. 463) entitled as amended "An act providing for the incorporation as bodies corporate and politic of 'Authorities' for municipalities counties and townships defining the same prescribing the rights powers and duties of such Authorities authorizing such Authorities to acquire construct improve maintain and operate projects and to borrow money and issue bonds therefor providing for the payment of such bonds and prescribing the rights of the holders thereof conferring the right of eminent domain on such Authorities authorizing such Authorities to enter into contracts with and to accept grants from the Federal Government or any agency thereof and for other purposes" by authorizing municipal authorities to acquire construct maintain operate and lease terminal facilities for the interchange of transportation of persons property or any and all other things including port rail-river rail-truck rail-bus rail-plane river-truck river-bus and river-plane terminals with warehouse and storage facilities and authorizing the Commonwealth political subdivisions thereof and other owners to transfer such terminal facilities to municipal authorities

The first section was read,

On the question,

Will the House agree to the section?

BILL RECOMMITTED

Mr. STOCKHAM. Mr. Speaker, I move that this bill be recommitted to the Committee on Public Utilities for the purpose of further study.

On the question,

Will the House agree to the motion?

Mr. BENTLEY. Mr. Speaker, I desire to interrogate the chairman of the Public Utilities Committee, the gentleman from Bucks, Mr. Stockham.

The SPEAKER. Will the gentleman from Bucks permit himself to be interrogated?

Mr. STOCKHAM. I will, Mr. Speaker.

Mr. BENTLEY. Might I ask the gentleman, Mr. Speaker, for what purpose does he propose to recommit the bill?

Mr. STOCKHAM. Mr. Speaker, this bill is being re-

committed by agreement of the committee when it was reported out.

Mr. BENTLEY. I thank the gentleman. I didn't know of that agreement.

On the question recurring,

Will the House agree to the motion?

It was agreed to.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1072, entitled:

An Act providing for refunds by the Pennsylvania Board of Finance and Revenue of state personal property taxes paid upon certain personal property by liquidating trustees receivers or other fiduciaries of banks trust companies and savings institutions and making an appropriation

And said bill having been read at length the second time and agreed to

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 344, entitled:

An Act to further amend clause (c) of section three of the act approved the first day of June one thousand nine hundred thirty-seven (P. L. 1168) entitled "An act to protect the right of employes to organize and bargain collectively creating the Pennsylvania Labor Relations Board conferring powers and imposing duties upon the Pennsylvania Labor Relations Board officers of the State government and courts providing for the right of employes to organize and bargain collectively declaring certain labor practices by employers to be unfair further providing that representatives of a majority of the employes be the exclusive representatives of all the employes authorizing the board to conduct hearings and elections and certify as to representatives of employes for purposes of collective bargaining empowering the board to prevent any person from engaging in any unfair labor practice and providing a procedure for such cases including the issuance of a complaint the conducting of a hearing and the making of an order empowering the board to petition a court of common pleas for the enforcement of its order and providing a procedure for such cases providing for the review of an order of the board by a court of common pleas on petition of any person aggrieved by such order and establishing a procedure for such cases providing for an appeal from the common pleas court to the Supreme Court providing the board with investigatory powers including the power to issue subpoenas and the compelling of obedience to them through application to the proper court providing for service of papers and process of the board prescribing certain penalties" including persons subject to the National Labor Relations Act in the definition of "employer" and defining the term "labor organization"

And said bill having been read at length the second time and agreed to

Ordered, To be transcribed for third reading.

BILL PASSED OVER

There being no objection Senate Bill No. 444, Printer's No. 207, was passed over at the request of Mr. LICHTENWALTER.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 516, entitled:

An Act authorizing during the continuance of the present war and for a period thereafter the employment except during school hours or after the hour of eleven o'clock post meridian of certain minors as pin boys in bowling alleys; and suspending existing laws which prohibit such employment.

And said bill having been read at length the second time and agreed to

Ordered, To be transcribed for third reading.

BILL PASSED OVER

There being no objection Senate Bill No. 570, Printer's No. 356, was passed over at the request of Mr. LICHTENWALTER.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 749, entitled:

An Act to further amend sections fifteen and eighteen of the act approved the twelfth day of June one thousand nine hundred nineteen (P. L. 466) entitled "An act to provide for the incorporation and regulation of cooperative agricultural associations not having a capital stock and not conducted for profit and defining agriculture so as to include persons engaged in agriculture dairying livestock raising poultry raising beekeeping and horticulture" by providing for the termination of memberships and exempting associations from payment of certain State county or municipal tax and the filing of reports relative to such taxes

And said bill having been read at length the second time and agreed to

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 892, entitled:

An Act to amend sections two four five six seventeen and twenty of the act approved the thirtieth day of April one thousand nine hundred and twenty-nine (P. L. 885) entitled "An act to provide for the incorporation and regulation of cooperative agricultural associations having capital stock and defining agriculture so as to include persons engaged in agriculture dairying livestock raising poultry raising floriculture mushroom growing beekeeping horticulture and other allied occupations and providing penalties" by providing for asssociations to be formed by two or more cooperative agricultural associations removal of limitations on holding of common stock further regulating preferred stock dividends and patronage and further exempting certain classes of associations formed under such act from State county and municipal taxation and from the duty of filing certain tax reports

The first section was read.

On the question,

Will the House agree to the section?

BILL RECOMMITTED

Mr. DENNISON. Mr. Speaker, I move that this bill be recommitted to the Committee on Ways and Means for the purpose of further study.

On the question,

Will the House agree to the motion?

Mr. MADIGAN. Mr. Speaker, I object to having this bill recommitted. It has already been recommitted once to the Committee on Dairy Industries for further study and amendment. A public hearing has been held and the bill has been amended and brought out for consideration of the House. Under those conditions I oppose having

the bill recommitted again, and I ask the House to vote down this motion.

Mr. DENNISON. Mr. Speaker, in support of my motion for recommittal, this bill definitely affects state revenues, and I think it should have some study from the Committee on Ways and Means.

Mr. ELY. Mr. Speaker, in reply to the statement of the gentleman from Jefferson, I wish to state that the gentleman from the Revenue Department who has charge of this tax has stated that there is very little if any income to the state from this tax. The cost of collecting and handling it very nearly balances what little tax is received. I ask the Members of the House to vote down this motion to recommit.

Mr. HEATHERINGTON. Mr. Speaker, I would like to interrogate the gentleman from Jefferson, Mr. Dennison.

The SPEAKER. Will the gentleman from Jefferson permit himself to be interrogated?

Mr. DENNISON. I will, Mr. Speaker.

Mr. HEATHERINGTON. Mr. Speaker, does the gentleman say that this is practically a farmers' cooperative bill?

Mr. DENNISON. Mr. Speaker, the bill so states. May I read to the gentleman from page 10 of this bill, in which they asked for an exemption. They "shall be exempt from any state, county or municipal personal property or other tax upon mortgages, shares of stock, bonds or other securities owned by them in their own right, and they shall be exempt from any tax upon net earnings or savings."

Mr. HEATHERINGTON. Yes, I read that section. I thank the gentleman.

Mr. Speaker, not being a farmer that is almost the only section I have read in the bill, and I noticed that we have knocked off a lot of tax on automobiles, or license, and knocking off revenue on the big trucks and trailers, and now when you get to taking a little off on the farmer you want to recommit the bill. I don't know what is wrong with the farmers that are in the House, whether they know what bill we are considering or not, but I will ask the the Members on this side of the House to vote against recommittal of this bill.

Mr. DENNISON. Mr. Speaker, may I interrogate the gentleman from Allegheny, Mr. Heatherington?

The SPEAKER. Will the gentleman from Allegheny permit himself to be interrogated?

Mr. HEATHERINGTON. I will, Mr. Speaker.

Mr. DENNISON. Mr. Speaker, can the gentleman tell me about what amount of revenue would be affected by this bill?

Mr. HEATHERINGTON. Very little, Mr. Speaker.

Mr. DENNISON. Is that a guess or a statement?

Mr. HEATHERINGTON. Mr. Speaker, I think I heard the gentleman say a little while ago that it was very little revenue, is that not correct?

Mr. DENNISON. Probably somebody else, Mr. Speaker.

Mr. HEATHERINGTON. Mr. Speaker, how about the gentleman telling me how much it would be affected?

Mr. DENNISON. I have no idea, Mr. Speaker, that is the reason I ask that this bill be recommitted, that the Committee may make a study of it.

Mr. HEATHERINGTON. Mr. Speaker, does the gentleman have any objection to leaving the bill on the calendar while the Committee studies it?

Mr. DENNISON. Mr. Speaker, I think the proper place to study the bill is in the Committee.

Mr. VAN ALLSBURG. Mr. Speaker, I think it would be a very grave mistake to recommit this bill, as my good friend, Mr. Dennison, proposes to do. This bill represents a study that has been carried on for five or six years by prominent agriculturists in Pennsylvania including all types of farmers and co-operatives to improve the co-operative laws. This bill has received the most careful attention by the Committee for some time. I think the Committee made a very good investigation of it and made a very fair attempt to study the situation. The further I went the more I felt that such legislation is really needed. I suggest to the Members on both sides of the House that they vote this motion down.

Mr. HEATHERINGTON. Mr. Speaker that is just what I wanted to find out, whether we are going to get in here and holler "aye" and "no" on this kind of legislation when both sides are hollering what they are going to do for the farmer. I ask for a rollcall on this motion.

Mr. TROUT. Mr. Speaker, I desire to interrogate the gentleman from Erie, Mr. Van Allsburg.

The SPEAKER. Will the gentleman from Erie permit himself to be interrogated?

Mr. VAN ALLSBURG. I will, Mr. Speaker.

Mr. TROUT. Mr. Speaker, I should like to ask the gentleman from Erie, since he has made such a careful study of this bill, just what is the business engaged in by these co-ops.

Mr. VAN ALLSBURG. In the business of the various varieties of farming, Mr. Speaker, fruit growers and agriculturists of all types.

Mr. TROUT. And what is their line of business, Mr. Speaker?

Mr. VAN ALLSBURG. That of growing farm products, Mr. Speaker.

Mr. TROUT. Is that all, Mr. Speaker?

Mr. VAN ALLSBURG. These are co-operatives, Mr. Speaker, largely so, in dairying, poultry raising and the raising of general crops, and fruit growing.

Mr. TROUT. Mr. Speaker, do they not also engage in a general line of merchandise?

Mr. VAN ALLSBURG. Not that I know of, Mr. Speaker.

Mr. TROUT. The gentleman has not made a very careful study of the question apparently.

Mr. VAN ALLSBURG. Mr. Speaker, I have made a careful study of the co-operatives in my own county.

Mr. TROUT. If we find they are in direct competition with the local merchants, Mr. Speaker, there is no reason in the world why they should be exempt from taxation any more than the people with whom they are in competition. I ask the Members of the House to vote to recommit this bill.

Mr. VAN ALLSBURG. Mr. Speaker, it is news to me that merchants are doing business co-operatively. All I know of is farmers doing work co-operatively. I have never read where merchandising was done co-operatively. I have read the law several times and I am acquainted with it, and I think the gentleman is misinformed.

Mr. Speaker, I would conclude by saying that, as has been suggested by Members on both sides of the House, that we have an opportunity to do something for the farmers; let us do so tonight and vote down these amendments.

Mr. DENNISON. Mr. Speaker, I desire to interrogate the gentleman from Erie, Mr. Van Allsburg.

The SPEAKER. Will the gentleman from Erie permit himself to be interrogated?

Mr. VAN ALLSBURG. I will, Mr. Speaker.

Mr. DENNISON. Mr. Speaker, can the gentleman tell me about the amount of business done by cooperatives in Pennsylvania in the past year?

Mr. VAN ALLSBURG. Well, no, I couldn't say as far as the whole state is concerned, Mr. Speaker.

The SPEAKER. The Chair would inform both gentleman that this is a motion to recommit. They will confine themselves to the motion.

Mr. DENNISON. Would the gentleman state, Mr. Speaker, that this bill has an effect on state revenues, as I stated in my motion to recommit?

Mr. VAN ALLSBURG. The Department of Revenue is certainly agreeable to the passing of this bill, Mr. Speaker.

Mr. DENNISON. That is not the question, Mr. Speaker. My question is, does it have any effect upon state revenues?

Mr. VAN ALLSBURG. Little or none, Mr. Speaker.

Mr. DENNISON. "Little or none" gives very broad latitude. Does the gentleman have any idea as to what effect it might have?

Mr. VAN ALLSBURG. Mr. Speaker, I do not object to answering the question, but the gentleman is not talking on the question and is not asking questions which are relevant to the question before the House.

Mr. DENNISON. Mr. Speaker, does the gentleman not feel that any measure dealing with state revenues should have some review by the Committee on Ways and Means?

Mr. VAN ALLSBURG. No, Mr. Speaker.

Mr. DENNISON. Then the gentleman does not agree that the regular parliamentary procedure should be followed here?

Mr. VAN ALLSBURG. Will the gentleman please state his question again, Mr. Speaker?

Mr. DENNISON. I say, the gentleman does not agree to the regular procedure which we follow here that revenues be reviewed by the Committee on Ways and Means.

Mr. VAN ALLSBURG. Mr. Speaker, this bill properly belongs to the committee which considered it, and I think it has no place in the Committee on Ways and Means. It is definitely a farmers' bill and was considered by the Agricultural Committee.

Mr. AUKER. Mr. Speaker, on this motion to recommit I have heard gentleman in the House say "now is the time to do something for the farmer." I like to see people come into a court or into these legislative halls with clean hands, or as one of my colleagues says "He who seeks equity must do equity." House Bill No. 11 was introduced by me to reduce the oleomargarine tax on the small retail grocer. It is really not a necessity of life, and we haven't been able to pry that bill out of the farmers' committee. I say they ought to be accorded the same treatment and let us recommit this bill.

On the question recurring,

Will the House agree to the motion?

The yeas and nays were required by Mr. Dennison and Mr. Heatherington and were as follows:

YEAS—62

Alspach,	Dalrymple,	Helm,	Salus,
Auker,	Dennison,	Hunter, W M.,	Sarge,
Barton,	Depuy,	Irvin,	Serrill,
Bentzel,	Elder,	Kennedy,	Stockham,
Bonawitz,	Erb,	Kline,	Swope,
Boorse,	Figlock,	Lee,	Taylor,
Bower,	Flack,	Lichtenwalter,	Trout,
Boyd,	Fleming,	Livingstone,	Turbett,
Brunner, C. H.	Foor,	Longo,	Wagner, K H.,
Cadwalader,	Fox	Maxwell,	Wagner P L.,
Campbell,	Freed,	McAtee,	Watkins,
Cook	Gates,	McKinney,	Winner,
Cordier,	Gorman,	Mock,	Wood L. H.,
Costa,	Greenwood,	Pettit,	Worley,
Coulson,	Gross,	Reilly,	Yeakel,
Dague,	Hare,	Royer,	

NAYS—112

Baker,	Goodwin,	Leydic,	Reynolds,
Barrett,	Grant,	Lovett,	Riley,
Bentley,	Green,	Lyons,	Root,
Boory,	Gyger,	Madigan,	Rose, W E.,
Bradley,	Haberlen,	McClester,	Rowley,
Bretherick,	Hall,	McSurdy,	Sarraf,
Brice	Hamilton,	Menna,	Scanlon,
Brigerman	Harris,	Miller,	Schuster,
Brunner P A.	Heatherington	Modell,	Skale,
Burns	Herman,	Mooney,	Smith,
Calvin,	Hersch,	Moore,	Snider,
Chervenak,	Hewitt,	Moran,	Sollenberger,
Chudoff,	Hocke,	Moser,	Sorg,
Cohen,	Holmes,	Muir,	Tate,
Coleman,	Hunter, B. F.,	Munley,	Thompson,
Corrigan,	Huntley,	Nowak,	Thrasher,
Croop,	Imbrie,	O'Brien,	Tiemann,
Cullen,	James,	O'Connor,	Trent,
Denman,	Jones,	O'Dare,	Van Allsburg,
Dillon,	Kirley,	O'Neill,	Verona,
Dix,	Kitchen,	Owens,	Wachhaus,
Duffy,	Kolankiewicz,	Petrosky,	Wallin,
Elliott,	Krepps,	Polaski,	Walton,
Ely,	Lane,	Powers,	Weiss,
Finnerty,	Laughner,	Readinger,	Welsh,
Flynn,	Leisey,	Reese, D. P.,	Wood, N.,
Fullerton,	Leonard,	Reese, R. E.,	Wright,
Gillan,	Levy,	Regan,	Yester,

So the question was determined in the negative and the motion was not agreed to.

On the question recurring,

Will the House agree to the section?

It was agreed to.

The second section and title were separately read and agreed to.

And said bill having been read at length the second time and agreed to as amended.

Ordered, To be transcribed for a third reading.

UNANIMOUS CONSENT REQUESTED

Mr. O'BRIEN. Mr. Speaker, on page 8 of today's calendar, Senate Bill No. 305, Printer's No. 171, I would like to call it up.

The SPEAKER. Will the gentleman please confer with the floor leader on this bill? There has been an agreement on it and has been passed over by unanimous consent.

Mr. O'BRIEN. Mr. Speaker, I would like to call it up, Senate Bill No. 305, Printer's No. 171, on page 8.

The SPEAKER. It can be done by unanimous consent if the gentleman insists.

Will the House give its unanimous consent to call up this bill out of order? Is there objection?

Mr. SALUS. Mr. Speaker, I object to the bill's being called up.

The SPEAKER. The Chair hears objection and consent is not granted.

MEMBER OF HOUSE OF REPRESENTATIVES OF MAINE WELCOMED

The SPEAKER. The Chair welcomes to the House Mrs. Ruth Thorndike Clow who represents the city of Bangor in the House of Representatives of Maine, who is also the assistant floor leader. Will the lady please come to the rostrum? The Chair presents Mrs. Clow.

Mrs. RUTH THORNDIKE CLOW. Mr. Speaker, thank you indeed for this grand, warm reception. I count it a very great privilege and honor to see the Pennsylvania Assembly—do you call it the General Assembly—in session. I thank you.

The SPEAKER. The Chair thanks the lady from Maine.

PARLIAMENTARY INQUIRY

Mr. COHEN. Mr. Speaker, I rise to a question of parliamentary inquiry.

The SPEAKER. The gentleman will state his question of parliamentary inquiry.

Mr. COHEN. Mr. Speaker, by unanimous consent could we now move to annex Maine to Pennsylvania?

FORMER MEMBER WELCOMED

The SPEAKER. The Chair welcomes to the House a former Member of this House, now in the armed forces, the gentleman from Luzerne, Mr. McLane.

REPORTS FROM COMMITTEES

The SPEAKER. If there are no objections the Chair will now take reports of committees. Is there objection?

Mr. O'BRIEN. Mr. Speaker, I object.

The SPEAKER. The Chair hears objection.

REPORTS OF COMMITTEE MADE SPECIAL ORDER OF BUSINESS

Mr. LICHTENWALTER. Mr. Speaker, I move that reports of committees be made a special order of business immediately.

The motion was agreed to.

REPORTS FROM COMMITTEES

Mr. WATKINS from the Committee on Municipal Corporations reported as committed, Senate Bill No. 565, entitled:

An Act to amend section one of the act approved the sixteenth day of May, one thousand nine hundred thirty-nine (P. L. 139) entitled "An act authorizing counties, cities, boroughs, townships of the first and second class, and school districts to issue and sell bonds for certain purposes and for a certain period of time providing for a trust fund and a sinking fund for the payment thereof, and defining the duties of the officers and governing bodies of the said municipalities or quasi municipalities in relation to said funds; and fixing a penalty for the violation thereof," extending the provisions thereof to meet increased operating expenses during the war emergency.

Mr. LYONS from the Committee on Liquor Control reported as amended, House Bill No. 894, entitled:

An Act to further amend section ten of the act, approved the third day of May, one thousand nine hundred and thirty-three (P. L. 252), entitled, as amended, "An act to regulate and restrain the traffic in malt and brewed beverages as herein defined; providing for the licensing of the manufacture, transportation, sale and distribution of such beverages; imposing license and permit fees, and providing for collection and distribution thereof; restricting ownership and interest in licensed places; permitting municipalities and townships, by vote of the electors, to prevent the licensing therein of places where such beverages may be sold for consumption on the premises, and regulating elections for this purpose; imposing duties upon the Pennsylvania Liquor Control Board, quarter sessions court, district attorneys, the Department of Justice, proper authorities of political subdivisions of the State, and election officers; providing penalties; and repealing existing acts," requiring and regulating the publishing of notice of applications for new distributors', importing distributors' and retail dispensers' licenses and of applications for the transfer of distributors', importing distributors' and retail dispensers' licenses.

Mr. LYONS from the Committee on Liquor Control reported as amended, House Bill No. 899, entitled:

An Act to further amend section four hundred and two of the act, approved the twenty-ninth day of November, one thousand nine hundred and thirty-three (P. L. 15, 1933-34) entitled, as amended, "An act to regulate and restrain the sale, manufacture, possession, transportation, importation, traffic in, and use of alcohol, and alcoholic and malt or brewed beverages; conferring powers and imposing duties upon the Pennsylvania Liquor Control Board and its agents, the Department of Public Instruction, other officers of the State government, courts, and district attorneys; authorizing the establishment and operation of State stores for the sale of such beverages not for consumption on the premises, and the granting of licenses, subject to local option, to sell such beverages for consumption on and off the premises; forbidding importation or bringing of such beverages into the State except as herein provided; prohibiting certain sales or practices in connection with, and transaction in such beverages by licensees and others; providing for the forfeiture of certain property; making disposition of the receipts," requiring and regulating the publishing of notice of applications for new liquor licenses for hotels, restaurants and clubs, and of applications for the transfer of hotel, restaurant and club liquor licenses.

Mr. GOODWIN from the Committee on Municipal Corporations reported as committed, House Bill No. 1070, entitled:

An Act providing for and regulating the appointment, promotion and reduction in rank, suspension and removal of paid operators of fire apparatus in boroughs, incorporated town and townships of the first class; creating a civil service commission in each borough, incorporated town and township of the first class; defining the duties of such civil service commission; imposing certain duties and expenses on boroughs, incorporated town and townships of the first class; imposing penalties and repealing inconsistent laws.

BILL ON FIRST READING

By unanimous consent the following bill was read the first time.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1070, entitled:

An Act providing for and regulating the appointment, promotion and reduction in rank, suspension and removal of paid operators of fire apparatus in boroughs, incorporated town and townships of the first class; creating a civil service commission in each borough, incorporated town

and township of the first class; defining the duties of such civil service commission; imposing certain duties and expenses on boroughs, incorporated town and townships of the first class; imposing penalties and repealing inconsistent laws.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

UNANIMOUS CONSENT REQUESTED

Mr. WATKINS. Mr. Speaker, I ask unanimous consent to have Senate Bill No. 565 read for the first time.

The SPEAKER. Will the House give its unanimous consent? Is there objection?

Mr. O'BRIEN. I object, Mr. Speaker.

The SPEAKER. The Chair hears objection and consent is not granted.

HOUSE BILL No. 1055 MADE SPECIAL ORDER

Mr. LICHTENWALTER. Mr. Speaker, I move that House Bill No. 1055, Printer's No. 559, on page 30 of today's calendar, bill on third reading, be made a special order of business immediately.

On the question,

Will the House agree to the motion?

Mr. COHEN. Mr. Speaker, this bill was discussed when it was on second reading and amendments were offered. At that time the sponsor of the bill was unable to give us real answers as to the amount of money involved in the changing of the laws provided by this bill. Last Thursday when the bill had passed second reading I immediately addressed a letter to the Unemployment Compensation Division of the Department of Labor and Industry, Mr. Shallow, Executive Director, requesting an analysis of the effects of this bill. This morning, about 10:30 or 11 o'clock I was told by my Secretary that someone from the Bureau came to my office, and finding I was not there said that they would be back at quarter to twelve. I waited until almost one o'clock, and since that time I have been in almost constant communication with the Bureau and I find that the Executive Director is out of the city for the week. I find further that the persons who were assigned to the task of analyzing the bill and submitting the information necessary to have an intelligent debate on the bill were to have come to my office. They never showed up. I still haven't got the information.

Mr. Speaker, the Governor told us early in the session if any of his departments from which information was asked by either side, failed to give it, we should come to him. I submit that we cannot intelligently debate this bill unless the information is at hand, and I respectfully object to the motion until such time as the information is made available to us.

Mr. LICHTENWALTER. Mr. Speaker, I sympathize with the gentleman from Philadelphia, but we are in the final week of this session, and this is a House Bill. It has been on the calendar for quite some time. It was up for debate last week, and I think there has been ample time to secure whatever information is necessary to debate this bill. I, therefore, feel that we should discuss this bill at this time and send it over to the Senate for final passage. We should bring it to a vote at this time on final passage.

Mr. COHEN. If the majority insists on the immediate consideration of this bill, Mr. Speaker, and if the minority is put in the position where we have no information on which to discuss the bill, I for one will leave the hall of the House and will not return until the bill is through.

On the question recurring,

Will the House agree to the motion?

It was agreed to.

(At this point the majority of Democratic members left the floor of the House.)

BILL ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1055, as follows:

An Act to further amend the act approved the fifth day of December one thousand nine hundred and thirty-six (P. L. 2897 1937) entitled "An act establishing a system of unemployment compensation to be administered by the Department of Labor and Industry and its existing and newly created agencies with personnel (with certain exceptions) selected on a civil service basis requring employers to keep records and make reports and certain employers to pay contributions based on payrolls to provide moneys for the payment of compensation to certain unemployed persons providing procedure and administrative details for the determination payment and collection of such contributions and the payment of such compensation providing for cooperation with the Federal Government and its agencies creating certain special funds in the custody of the State Treasurer and prescribing penalties" changing the provisions thereof and the rights obligations and procedure thereunder

The General Assembly of the Commonwealth of Pennsylvana hereby enacts as follows

Section 1 Section four of the act approved the fifth day of December one thousand nine hundred and thirty-six (P. L. 1897 1937) entitled "An act establishing a system of unemployment compensation to be administered by the Department of Labor and Industry and its existing and newly created agencies with personnel (with certain exceptions) selected on a civil service basis requiring employers to keep records and make reports and certain employers to pay contributions based on payrolls to provide moneys for the payment of compensation to certain unemployed persons providing procedure and administrative details for the determination payment and collection of such contributions and the payment of such compensation providing for cooperation with the Federal Government and its agencies creating certain special funds in the custody of the State Treasurer and prescribing penalties" as last amended by Section one of the act approved the twenty-third day of April one thousand nine hundred and forty-two (P. L. 60) is hereby further amended to read as follows

Section 4 Definitions The following words and phrases as used in this act shall have the following meanings unless the context clearly requires otherwise

[(a) "Base year" means the first four of the last five completed calendar quarters immediately preceding the first day of an individual's benefit year excluding however any completed calendar quarter which occurs prior to January first one thousand nine hundred thirty-seven]

[(a.1)] "Base period" means the first eight of the last nine completed calendar quarters immediately preceding the first day of an individual's benefit year]

[(b) "Benefit year" with respect to any individual (i) who has filed a first compensable claim for any week of total unemployment which began subsequent to the first day of July one thousand nine hundred forty-one and which ends prior to the first day of July one thousand nine hundred forty-two means the fifty-two consecutive

weeks beginning with the first day of the week for which such first compensable claim was filed (ii) who files a "Valid Application for Benefits" subsequent to the thirtieth day of June one thousand nine hundred forty-two means the one year period beginning with the day for which such "Valid Application for Benefits" was filed and (iii) who has established a benefit year as provided in clauses (i) and (ii) of this subsection means thereafter the one year period beginning with the day for which any such individual next files a "Valid Application for Benefits" after the termination of his last preceding benefit year]

(b.1) A "Valid Application for Benefits" means a statement which is filed by any individual as of a day not included in a benefit year previously established by such individual (i) who has been separated from work (ii) who has earned sufficient wages in his base year as provided in Section 401 (a) and (iii) who is not disqualified by reason of Section 401 (d) or Section 402 (a) or (b) A "Valid Application for Benefits" which was filed subsequent to the first day of July one thousand nine hundred forty-one and prior to the first day of July one thousand nine hundred forty-one and prior to the first day of July one thousand nine hundred forty-two by an individual who has not filed a first compensable claim during such period shall be deemed to be filed for the first day of the first week of total unemployment subsequent to the thirtieth day of June one thousand nine hundred forty-two for which such individual first claims compensation or credit against the waiting period requirements]

(a) "Base year" with respect to an individual means the period of twelve consecutive months ending the thirty-first day of December immediately preceding the first day of a benefit year Provided however that with respect to an individual who was in a benefit year on the thirty-first day of May one thousand nine hundred and forty-three the base year of such benefit year shall be the first four of the last five completed calendar quarters immediately preceding the first day of such benefit year

(b) "Benefit year" with respect to an individual means the period of twelve consecutive months ending thirty-first day of May Provided however that (for the purpose of this subsection only) a week in which a benefit year begins shall be deemed to be in that benefit year which includes the major part of such week and Provided further that with respect to an individual who was in a benefit year on the thirty-first day of May one thousand nine hundred and forty-three such benefit year shall be the period defined in this subsection prior to the effective date of this amendment and such individual's next benefit year shall extend from the end of such current benefit year to the thirty-first day of May one thousand nine hundred and forty-four

(b.2) A "First Compensable Claim" means a claim for the first week of total unemployment for which compensation is payable in a benefit year

(c) "Board" means the Unemployment Compensation Board of Review established by this act

(d) "Calendar quarter" means the period of three consecutive calendar months ending on March thirty-first June thirtieth September thirtieth or December thirty-first or the equivalent thereof as determined in accordance with general rules of the department

(e) "Compensation" means money payments payable to individuals with respect to their unemployment as provided in this act

(f) "Contributions" means the money payments required to be paid into the Unemployment Compensation Fund by employers with respect to employment which payments shall be used for the creation of financial reserves for the payment of compensation as provided in this act

(g) "Department" means the Department of Labor and Industry of the Commonwealth of Pennsylvania

(h) "Employe" means every individual whether male female citizen alien or minor who is performing or subsequent to January first one thousand nine hundred thirty-six has performed services for an employer in an employment subject to this act

(i) "Employer" means every (1) individual (2) copartnership (3) association (4) corporation (domestic or foreign) (5) the legal representative trustee in bankruptcy receiver or trustee of any individual copartnership association or corporation or (6) the legal representative of a deceased person (I) who or which employed or employs any employe (whether or not the same employe) in employment subject to this act for some portion of each of some twenty (20) days during the calendar year one thousand nine hundred thirty-six or any calendar year thereafter each day being in a different week or (II) who or which has elected to become fully subject to this act and whose election remains in force

Whenever any employer contracts with or has under him any contractor or subcontractor for any work which is part of his usual trade occupation profession or busines unless such employer as well as each such contractor of subcontractor is an employer (as defined in the first paragraph of this subsection) the employer shall for all the purposes of this act be deemed to employ each individual in the employ of each such contractor or subcontractor for each day during which said individual is engaged in performing such work except that each such contractor or subcontractor who is an employer (as defined in the first paragraph of this subsection) shall alone be liable for the employer's contributions measured by the wages payable to individuals in his employ and except that any employer who shall become liable for and pay contributions with respect to individuals in the employ of any such contractor or subcontractor who is not an employer (as defined in the first paragraph of this subsection) may recover the same from such contractor or subcontractor Each individual employed to perform or to assist in performing work of any agent or employe of an employer shall be deemed to be employed by such employer for all the purposes of this act whether such individual was hired or paid directly by such employer or by such agent or employe provided the employer had actual or constructive knowledge of the work

Wherever a change of ownership or transfer of interest of the assets or substantially all the assets of an organization trade or business occurs within a calendar year the successor in interest is deemed to be an employer within the meaning of this section if and when (1) the predecessor and successor in interest within the same calendar year have together employed one or more employes (whether or not the same employe) for some part of twenty (20) different weeks in employment subject to this act or (2) the predecessor was an employer under this act

Where an employer maintains more than one place of employment within this Commonwealth all of the employes at the several places of employment shall be treated for the purposes of this act as if employed by a single employer

Any individual copartnership association or corporation who or which is not subject to this act may elect to become subject thereto by filing with the department his or its written application and if such application is approved by the department the election shall become binding for not less than two calendar years

An employer subject to this act may elect to include within the term "employment" subject to this act services performed by his or its employes with respect to which no contributions are required and paid under an unemployment compensation law of any other state (1) if the employe or employes included in such election maintain a domicile within this Commonwealth and the services of such employe or employes are performed entirely without this Commonwealth or (2) if the employe or employes included in the election maintains no domicile within this Commonwealth but the services of such employe or employes are (A) performed without this Commonwealth and (B) are directed from this Commonwealth

Such election shall be subject to the approval of the department [and if such election is approved by the department] the election shall become binding for not less than two calendar years or until the department on its own motion cancels the election

An employer subject to this act may elect to include within the term "employment" subject to this act services performed by his or its employes which are exempt under the provisions of subsection (j) of section four of this act Such election shall be subject to the approval of the department and if such election is approved by the department the election shall become binding for not less than two calendar years

Any services performed for an employer covered by an election pursuant to this subsection shall during the effective period of such election be deemed to be employment for all the purposes of this act Any election approved by the department pursuant to this subsection shall cease to be effective only as of January first of any calendar year subsequent to the initial two calendar years thereof and only if at least thirty (30) days prior to such first day of January the employer has filed with the department a notice of termination of his election

(j) (1) "Employment" means all service performed prior to the first day of January one thousand nine hundred forty-two which was employment as defined in this section prior to such date and subject to the provisions of this subsection as amended all service performed after the thirty-first day of December one thousand nine hundred forty-one including service in inter-state commerce and service as an officer of a corporation performed for remuneration or under any contract of hire express or implied written or oral

(2) The term "Employment" shall include an individual's entire service performed within or both within and without this Commonwealth if

(A) The service is localized within this Commonwealth or

(B) The service is not localized in any state but some of the service is performed within this Commonwealth and (a) the base for operations or place from which such service is directed or controlled is in this Commonwealth or (b) the base for operations or place from which such service is directed or controlled is not in any state in which some part of this service is performed but the individual's residence is in this Commonwealth Service shall be deemed to be localized within this Commonwealth if (a) the service is performed entirely within this Commonwealth or (b) the service is performed both within and without this Commonwealth but the service performed without this Commonwealth is incidental to the individual's service within this Commonwealth as for example where it is temporary or transitory in nature or consists of isolated transactions Services performed without this Commonwealth shall not be included within the term "Employment" if contributions are required and paid with respect to such services under an unemployment compensation law of any other state

An individual performing services for remuneration in an employment subject to this act shall be deemed to be performing such services for wages unless and until it is shown to the satisfaction of the department that (a) such individual has been and will continue to be free from control or direction over the performance of such services both under his contract of service and in fact and (b) that such service is either outside the usual course of the business for which such service is performed or that such service is performed outside of all the places of business of the enterprise for which such service is performed and (c) that such individual is customarily engaged in an independently established trade occupation profession or business

(3) "Employment" shall include

(A) Services covered by an election pursuant to section 4 (i) of this act and

(B) Services covered by an arrangement pursuant to section 312 of this act between the department and the agency of any other state or Federal Unemployment Compensation Law pursuant to which all services performed by an individual for an employing unit are deemed to be performed entirely within this State shall be deemed to be employment if the department has approved an election of an employing entity for whom such services are performed pursuant to which the entire service of such individual during the period covered by such election is deemed to be employment

(4) The word "employment" shall not include

(1) Agricultural labor which shall include all services performed

(a) On a farm in the employ of any person in connection with cultivating the soil or in connection with raising or harvesting any agricultural or horticultural commodity including the raising shearing feeding caring for training and management of livestock bees poultry and fur-bearing animals and wildlife

(b) In the employ of the owner or tenant or other operator of a farm in connection with the operation management conservation improvement or maintenance of such farm and its tools and equipment or in salvaging timber or clearing land of brush and other debris left by a hurricane if the major part of such service is performed on a farm

(c) In connection with the production or harvesting of maple sirup or maple sugar or any agricultural commodity or in connection with the raising or harvesting of mushrooms or in connection with the hatching of poultry or in connection with the ginning of cotton or in connection with the operation or maintenance of ditches canals reservoirs or waterways used exclusively for supplying and storing water for farming purposes

(d) In handling planting drying packing packaging processing freezing grading storing or delivering to storage or to market or to a carrier for transportation to market any agricultural or horticultural commodity but only if such service is performed as an incident to ordinary farming operations or in the case of fruits and vegetables as an incident to the preparation of such fruits or vegetables for market The provisions of this paragraph shall not be deemed to be applicable with respect to service performed in connection with commercial canning or commercial freezing or in connection with any agricultural or horticultural commodity after its delivery to a terminal market for distribution for consumption

As used in this subsection the term "farm" includes stock dairy poultry fruit fur-bearing animal and truck farms plantations ranches nurseries ranges greenhouses or other similar structures used primarily for the raising of agricultural or horticultural commodities and orchards

(2) Domestic service in a private home local college club or local chapter of a college fraternity or sorority

(2.1) Casual labor not in course of employer's trade or business

(3) Service performed as an officer or member of the crew of a vessel on the navigable waters of the United States

(4) Service performed by an individual in the employ of his son daughter or spouse and service performed by a child under the age of twenty-one (21) in the employ of his father or mother

(5) Service performed in the employ of the United States Government or of an instrumentality of the United States exempt under the Constitution of the United States from the contributions imposed by this act except that to the extent that the Congress of the United States shall permit states to require any instrumentalities of the United States to make payments into an unemployment fund under a state unemployment compensation law all of the provisions of this act shall be applicable to such instrumentalities in the same manner to the same extent and on the same terms as to all other employes In the event that this State shall not be certified for any year by the Social Security Board under section one thousand six hundred three (c) of the Federal Internal Revenue Code the payments required of such instrumentalities with respect to such year shall be refunded by the department from the fund in the same manner and within the same period as is provided in section three hundred eleven of this act with respect to contributions erroneously collected

(6) Service performed in the employ of a state a political subdivision thereof or an instrumentality of one or more states or political subdivisions

(7) Service performed in the employ of a corporation

community chest fund or foundation organized and operated exclusively for religious charitable scientific literary or educational purposes or for the prevention of cruelty to children or animals no part of the net earnings of which inures to the benefit of any private shareholder or individual and no substantial part of the activities of which is carrying on propaganda or otherwise attempting to influence legislation

(8) Service performed after June thirtieth one thousand nine hundred and thirty-nine either as an employe representative or service performed in the employ of an employer when such employe representative or employer is determined to be subject to the Act of Congress known as the Railroad Unemployment Insurance Act (52 U S Stat 1094) or to an Act of Congress establishing an unemployment compensation system for maritime employes by the agency or agencies empowered to make such determinations

(9) Service performed in any calendar quarter in the employ of an organization exempt from income tax under Section 101 of the Federal Internal Revenue Code as amended if (i) the remuneration for such service does not exceed forty-five dollars or (ii) such service is in connection with the collection of dues or premiums for a fraternal beneficiary society order or association and is performed away from the home office or is ritualistic service in connection with any such society order or association or (iii) such service is performed by a student who is enrolled and is regularly attending classes at a school college or university

(10) Service performed in the employ or [an] a labor agricultural or horticultural organization exempt from income tax under Section 101 (1) of the Federal Internal Revenue Code as amended

(11) Service performed in the employ of a voluntary employes' beneficiary association providing for the payment of life sick accident or other benefits to the members of such association or their dependents if (i) no part of its net earnings inures (other than through such payments) to the benefit of any private shareholder or individual and (ii) eighty-five per centum or more of the income consists of amounts collected from members for the sole purpose of making such payments and meeting expenses

(12) Service performed in the employ of a voluntary employes' beneficiary association providing for the payment of life sick accident or other benefits to the members of such association or their dependents or their designated beneficiaries if (i) admission to membership in such association is limited to individuals who are officers or employes of the United States Government and (ii) no part of the net earnings of such association inures (other than through such payments) to the benefit of any private shareholder or individual

(13) Service performed in any calendar quarter in the employ of a school college or university not exempt from income tax under Section 101 of the Internal Revenue Code as amended if such service is performed by a student who is enrolled and is regularly attending classes at such school college or university and the remuneration for such service does not exceed forty-five dollars (exclusive of room board and tuition)

(14) Service performed in the employ of a foreign government (including service as a consular or other office or employe or a nondiplomatic representative)

(15) Service performed in the employ of an instrumentality wholly owned by a foreign government (i) if the service is of a character similar to that performed in foreign countries by employes of the United States government or of an instrumentality thereof and (ii) if the Secretary of State of the United States shall certify to the Secretary of the Treasury of the United States that the foreign government with respect to whose instrumentality exemption is claimed grants an equivalent exemption with respect to similar service performed in the foreign country by employes of the United States Government and of instrumentalities thereof

(16) Service performed as a student nurse in the employ of a hospital or a nurses training school by an individual who is enrolled and is regularly attending classes in a nurses' training school chartered or approved pursuant to the laws of this Commonwealth and services performed as an interne in the employ of a hospital by an individual who has completed a four years' course in a medical school chartered or approved pursuant to the laws of this Commonwealth

(17) Services performed by an individual for an employer as an insurance agent or as an insurance solicitor if all such service performed by such individual for such employer is performed for remuneration solely by way of commission

(18) Service performed by an individual under the age of eighteen in the delivery or distribution of newspapers or shopping news not including delivery or distribution to any point for subsequent delivery or distribution

If the services performed during one-half or more of any pay period by an employe for the person employing him constitute employment all the services of such employe for such period shall be deemed to be employment but if the services performed during more than one-half of any such pay period by an employe for the person employing him do not constitute employment then none of the services of such employe for such period shall be deemed to be employment As used in this paragraph the term "pay period" means a period (of not more than thirty-one consecutive days) for which a payment of remuneration is ordinarily made to the employe by the person employing him This subsection shall not be applicable with respect to services performed in a pay period by an employe for the person employing him where any of such service is expected by paragraph (8) hereof

(19) Service covered by an arrangement between the department and the agency charged with the administration of any other state or Federal Unemployment Compensation Law pursuant to which all services performed by an individual for an employing entity during the period covered by such employing unit's duly approved election are deemed to be performed entirely within such agency's state or under such Federal law

(k) "Employment Office" means a public employment office or branch thereof operated by the department or by any other state or by the Federal Government under agreement with the department

[(1) "Full-time weekly Wage" means the weekly wages that any individual would receive if he were employed at his most recent wage rate from employers during his base year and for the customary schedule full-time week prevailing for his occupation in the enterprise in which he last earned wages from employers during his base year]

(m) "Referee" means a referee appointed by the Governor to hear appeals under this act

(n) "Secretary" means the Secretary of Labor and Industry of this Commonwealth or his duly authorized representative

(o) 'Social Security Act" means the act enacted by the Congress of the United States approved the fourteenth day of August one thousand nine hundred thirty-five entitled "An act to provide for the general welfare by establishing a system of Federal old-age benefits and by enabling the several States to make more adequate provision for aged persons blind persons dependent and crippled children maternal and child welfare public health and the administration of their unemployment compensation laws to establish a Social Security Board to raise revenue and for other purposes" as amended

(p) "Social Security Board" means the Social Security Board established by the Social Security Act

(q) "State" includes Alaska Hawaii and the District of Columbia

(r) "Suitable Work" means all work which the employe is capable of performing except work in which (1) the position offered is vacant due directly to a strike lockout or other labor dispute or (2) the remuneration hours or other conditions of the work offered are substantially less favorable to the employe than those pre-

vailing for similar work in the locality or (3) as a condition of being employed the employe would be required to join a company union or to resign from or refrain from joining any bona fide labor organization

(s) "Total Unemployment" An individual shall be deemed totally unemployed with respect (1) to any week during which he performs no services for which [no] remuneration is paid or payable to him or (2) to any week of less than full-time work if the remuneration paid or payable to him does not exceed three dollars ($3.00)

(t) "Unemployment Trust Fund" means the unemployment Trust Fund established by the Social Security Act

(u) "Wages" means all remuneration for employment [including the cash value of all remuneration paid or payable in any medium other than cash] (including the cash value of mediums of payment other than cash) paid with respect to all services performed subsequent to December thirty-first one thousand nine hundred and forty-one and paid or poyable with respect to all services performed prior to January first one thousand nine hundred and forty-two except that the term "wages" shall not include

(1) That part of the remuneration which after remuneration equal to three thousand dollars ($3,000) has been paid or becomes payable to an individual by an employer with respect to employment during or for any calendar year is paid or becomes payable to such individual by such employer with respect to employment during the calendar year one thousand nine hundred forty and during each calendar year thereafter

(2) The amount of any payment made to or on behalf of an employe under a plan or system established by an employer which makes provision for his employes generally or for a class or classes of his employes (including any amount paid by an employer for insurance or annuities or into a fund to provide for any such payment) on account of (A) retirement or (B) sickness or accident disability or (C) medical and hospitalization expenses in connection with sickness or accident disability or (D) death provided the employe (I) has not the option to receive instead of provision for such death benefit any part of such payment or if such death benefit is insured any part of the premiums (or contributions to premiums) paid by his employer and (II) has not the right under the provisions of the plan or system or policy of insurance providing for such death benefit to assign such benefit or to receive a cash consideration in lieu of such benefit either upon his withdrawal from the plan or system providing for such benefit or upon termination of such plan or system or policy of insurance or of his employment with such employer

(3) The payment by an employer (without deduction from remuneration of the employe) of the tax imposed upon an employe under section one thousand four hundred (1400) of the Federal Internal Revenue Code

(4) Dismissal payments which the employer is not legally required to make

(5) Payments made by an employer to employes while in the military or naval service of the United States and performing no services for the employer

(v) "Week" means any calendar week ending at midnight Saturday or the equivalent thereof as determined in accordance with general rules adopted by the department

Section 2 Section two hundred and six of said act is hereby amended to read as follows

Section 206 Records of and Reports by Employers Each employer (whether or not liable for the payment of contributions under this act) shall keep accurate employment records containing such information as may be prescribed by the rules and regulations adopted by the department Such records shall be open to inspection by the department and its agents at any reasonable time and as often as may be deemed necessary The department may require from such employers such reports as it deems necessary which shall be sworn to if required by the department

Information thus obtained shall not be made public or be open to public inspection other than to the members of the board and the officers and employes of the department and the Social Security Board in the performance of their public duties but any claimant at a hearing of his claim shall upon request be supplied with information from such records to the extent necessary for the proper presentation of his claim

Any officer or employe of the department or the board or any other public employe who shall violate any of the provisions of this section shall upon conviction thereof in a summary proceeding be sentenced to pay a fine of not less than twenty nor more than two hundred dollars and in default of the payment of such fine and costs of prosecution shall be sentenced to imprisonment for not longer than thirty days

Any employer required to file with the department any report necessary to enable the department to determine the amount of any contribution owing to such employer who shall neglect or refuse to do so within five days aiter the time such report should have been filed shall upon conviction thereof in a summary proceeding be sentenced to pay a fine of five dollars which shall be in addition to all other penalties provided for in this act

Section 3 Sections 305 309.1 401 404 407 and 804 of said act as amended by sections four and five of the act approved the twenty-third day of April one thousand nine hundred and forty-two (P. L. 60) are hereby further amended to read as follows

Section 305 Payment of Contributions Concurrently with each report the employer shall pay to the department the amount of contributions imposed by this act for the period covered by the report but the department may in proper cases upon request made permit an extension of time for the payment of contributions due The amount of the contribution in respect of which an extension is granted shall be paid (with interest at the rate of one-half of one per centum per month) or fraction of a month) on or before the expiration of the period of extension

Section 309.1 Compromises Where the department is satisfied (1) that the employer is unable to make payment in full of contributions interest and penalties imposed upon him by the law or that it would be inequitable to require the payment in full of delinquent interest and (2) that the employer has acted in good faith the secretary is hereby authorized with the approval of the Attorney General and under rules and regulations adopted therefor to compromise delinquent interest and penalties due on any contribution and in the case of any employer that has been adjudged a bankrupt or for whom a receiver has been appointed to compromise the principal of any delinquent contribution as well as interest and penalties thereon

Section 401 Qualifications Required to Secure Compensation Compensation shall be payable to any employe who is or becomes totally unemployed on or after January first one thousand nine hundred thirty-eight and who

(a) Has within his base year [earned] been paid wages of fifty dollars in each of two separate calendar quarters during his base year

(b) Has registered for work at a designated employment office at such times and in such manner as the department may prescribe

(c) Has made a valid application for benefits with respect to the benefit year for which compensation is claimed and has made a claim for compensation in the proper manner prescribed by the department

(d) Is able to work and available for work and

(e) Has been toally unemployed for a waiting period of at least two weeks prior to the week for which the first compensation claim is filed The two weeks of total unemployment need not be consecutive

No week shall be counted as a week of total unemployment for the purposes of this subsection (1) unless it occurs within the benefit year which includes the week with respect to which such employe claims compensation Provided That the two weeks immediately preceding a

benefit year shall be deemed (for the purpose of this subsection only) to be within such benefit year [And provided further That any approved waiting week which is prior to the first day of July one thousand nine hundred forty-two and is within a period of fifty-two weeks immediately preceding the week subsequent to the thirtieth day of June one thousand nine hundred forty-two for which a first compensable claim is filed shall be deemed to be a waiting week with respect to the benefit year in which such first compensable claim is filed] or (2) if compensation is payable with respect thereto or (3) unless the individual was eligible for compensation with respect thereto under all other provisions of this section and was not disqualified with respect thereto under section 402 (a) (b) and (d)

Section 404 Rate and Amount of Compensation Compensation shall be paid with respect to each eligible employe whose benefit year began prior to [July first one thousand nine hundred forty-two] June first one thousand nine hundred and forty-three in accordance with the provisions of this act prior to that date and with respect to each eligible employe whose benefit year begins subsequent to [June thirtieth one thousand nine hundred forty-two] May thirty-first one thousand nine hundred and forty-three and who is totaly unempoyed and is not disquaified under any provisions of this act at a weekly rate and for a number of weeks to be determined in accordance with the following provisions by reference to Table I if the balance in the Unemployment Compensation Fund is in excess of one and one-half times the highest amount paid out for compensation during any twelve consecutive months or to Table II if the balance in said fund is equal to or less than one and one-half times the highest amount paid out for compensation during any twelve consecutive months as set forth in the tables in this section

[(a) Where an employe has a "full time weekly wage" his weekly benefit rate shall be that rate which appears in "Part C" and which is on the same horizontal line as the interval in "Part A" which includes such "full time weekly wage" except as otherwise provided in subsection (b)]

[(b) Where an employe has a "full time weekly wage" but (i) the total wages earned by such employe during the first eight out of the last nine completed calendar quarters immediately preceding his benefit year are less than the minimum amount in "Part B" which appears on the same horizontal line with the interval which includes such "full time weekly wage" or (ii) in the opinion of the department the application of such "full time weekly wage" would be arbitrary or would operate to adversely affect the amount of compensation otherwise payable to such employe his weekly benefit rate shall be that rate which appears in "Part C" and which is on the same horizontal line as the interval in "Part B" which includes his "highest quarterly wage"]

[(c) Where an individual has no "full time weekly wage" his weekly benefit rate shall be that rate which appears in "Part C" and which is on the same horizontal line in "Part B" as the interval which includes his "highest quarterly wages"]

(a) The employe's weekly benefit rate shall be that rate which appears in "Part B" and which is on the same horizontal line in "Part A" as the interval which includes his "highest quarterly wage"

(d) The "highest quarterly wages" of an employe shall be the total wages (computed to the nearest dollar) which were [earned] paid to [by] such employe in that calendar quarter in which such total wages were highest during the base [period] year

(e) The maximum number of weeks for which an employe may receive compensation for total unemployment during a benefit year shall be the number of weeks which appears at the top of a column under "Part [D] C" to be ascertained by locating on the same horizontal line on which his weekly benefit rate appears the interval which includes [his total wages earned during the base period] the total wages paid to him during his base year

[Table I

Part A	Part B	Part C	Part D	
			Number of Benefit Weeks According to Base Period Earnings	
Full-Time Weekly Wage	Highest Quarter Earnings	Weekly Benefit Rate	3 Weeks	4 Weeks
Less than $17.00	$50-220	$8	$100-195	$196-251
$17.00-18.99	221-246	9	157-219	220-282
19.00-20.99	247-272	10	175-244	245-314
21.00-22.99	273-298	11	192-268	269-345
23.00-24.99	299-324	12	210-293	294-377
25.00-26.99	325-350	13	227-317	318-408
27.00-28.99	351-376	14	245-342	343-440
29.00-30.99	377-402	15	262-366	367-471
31.00-32.99	403-428	16	280-391	392-503
33.00-34.99	429-454	17	297-415	416-534
35.00 and over	455 and over	18	315-440	441-566]

[Table II

Part A	Part B	Part C	Part D	
			Number of Benefit Weeks According to Base Period Earnings	
Full-Time Weekly Wage	Highest Quarter Earnings	Weekly Benefit Rate	3 Weeks	4 Weeks
Less than $17.00	$50-220	$8	$100-223	$224-287
$17.00-18.99	221-246	9	180-251	252-323
19.00-20.99	247-272	10	200-279	280-359
21.00-22.99	273-298	11	220-307	308-395
23.00-24.99	299-324	12	240-335	336-431
25.00-26.99	325-350	13	260-363	364-467
27.00-28.99	351-376	14	280-391	392-503
29.00 and over	377 and over	15	300-419	420-539]

[Table I

Part D Number of Benefit Weeks According to Base Period Earnings					
5 Weeks	6 Weeks	7 Weeks	8 Weeks	9 Weeks	10 Weeks
$252-307	$308-363	$364-419	$420-475	$476-531	$532-587
283-345	346-408	409-471	472-534	535-597	598-660
315-384	385-454	455-524	525-594	595-664	665-734
346-422	423-499	500-576	577-653	654-730	731-807
378-461	462-545	546-629	630-713	714-797	798-881
409-499	500-590	591-681	682-772	773-863	864-954
411-538	539-636	637-734	735-832	833-930	931-1028
472-576	577-681	682-786	787-891	892-996	997-1101
504-615	616-727	728-839	840-951	952-1063	1064-1175
535-653	654-772	773-891	892-1010	1011-1129	1130-1248
567-692	693-818	819-944	945-1070	1071-1196	1197-1322]

[Table II

Part D Number of Benefit Weeks According to Base Period Eearnings					
5 Weeks	6 Weeks	7 Weeks	8 Weeks	9 Weeks	10 Weeks
$288-351	$352-415	$416-479	$480-543	$544-607	$608-671
324-395	396-467	468-539	540-611	612-683	684-755
360-439	440-519	520-599	600-679	680-759	760-839
396-483	484-571	572-659	660-747	748-835	836-923
432-527	528-623	624-719	720-815	816-911	912-1007
468-571	572-675	676-779	780-883	884-987	988-1091
504-615	616-727	728-839	840-951	952-1063	1064-1175
540-659	660-779	780-899	900-1019	1020-1139	1140-1259]

[Table I

Part D Number of Benefit Weeks According to Base Period Eearnings					
11 Weeks	12 Weeks	13 Weeks	14 Weeks	15 Weeks	16 Weeks
$588-643	$644-699	$700-755	$756-811	$812-867	$868-923
661-723	724-786	787-849	850-912	913-975	976-1038
735-804	805-874	875-944	945-1014	1015-1084	1085-1154
808-884	885-961	962-1038	1039-1115	1116-1192	1193-1269
882-965	966-1049	1050-1133	1134-1217	1218-1301	1302-1385
955-1045	1046-1136	1137-1227	1228-1318	1319-1409	1410-1500
1029-1126	1127-1224	1225-1322	1323-1420	1421-1518	1519-1616
1102-1206	1207-1311	1312-1416	1417-1521	1522-1626	1627-1731
1176-1287	1288-1399	1400-1511	1512-1623	1624-1735	1736-1847
1323-1448	1449-1574	1575-1700	1701-1826	1827-1952	1953 and
1249-1367	1368-1486	1487-1605	1606-1724	1725-1843	1844-1962 over]

[Table II

Part D Number of Benefit Weeks According to Base Period Eearnings					
11 Weeks	12 Weeks	13 Weeks	14 Weeks	15 Weeks	16 Weeks
$672-735	$736-799	$800-863	$864-927	$928-991	$992-1055
756-827	828-899	900-971	972-1043	1044-1115	1116-1187
840-919	920-999	1000-1079	1080-1159	1160-1239	1240-1319
924-1011	1012-1099	1100-1187	1188-1275	1276-1363	1364-1451
1008-1103	1104-1199	1200-1295	1296-1391	1392-1487	1488-1583
1092-1195	1196-1299	1300-1403	1404-1507	1508-1611	1612-1715
1176-1287	1288-1399	1400-1511	1512-1623	1624-1735	1736-1847
1260-1379	1380-1499	1500-1619	1620-1739	1740-1859	1860 and over]

Tables Specified for the Determination of Amount and Duration of Benefits
(Section 404 Pennsylvania Unemployment Compensation Law)
Table I

Part A Highest Quarterly Earnings	Part B Weekly Benefit Rate	Part C Number of Benefit Weeks According to Base Year Earnings 7 Weeks	8 Weeks	9 Weeks	10 Weeks	11 Weeks
$50-212	$8	$100-209	$210-237	$238-265	$266-293	$294-321
213-237	9	221-235	236-267	268-298	299-330	331-361
238-262	10	247-262	263-297	298-332	333-367	368-402
263-287	11	273-288	289-326	327-365	366-403	404-442
288-312	12	299-314	315-356	357-398	399-440	441-482
313-337	13	325-340	341-385	386-431	432-476	477-522
338-362	14	351-366	367-415	416-464	465-513	514-562
363-387	15	377-393	394-445	446-498	499-550	551-603
388-412	16	403-419	420-475	476-531	532-587	588-643
413-437	17	429-445	446-505	506-564	565-624	625-683
438 or more	18	455-472	473-535	536-598	599-661	662-724

Tables Specified for the Determination of Amount and Duration of Benefits
(Section 404 Pennsylvania Unemployment Compensation Law)
Table I

Part A Highest Quarterly Earnings	Part B Weekly Benefit Rate	Part C Number of Benefit Weeks According to Base Year Earnings 12 Weeks	13 Weeks	14 Weeks	15 Weeks	16 Weeks
$50-212	$8	$332-359	$350-377	$378-405	$406-433	$434 or more
213-237	9	362-393	394-424	425-456	457-487	488 or more
238-262	10	403-437	438-472	473-507	508-542	543 or more
263-287	11	443-480	481-519	520-557	558-596	597 or more
288-312	12	483-524	525-566	567-608	609-650	651 or more
313-337	13	523-567	568-613	614-658	659-704	705 or more
338-362	14	563-611	612-660	661-709	710-758	759 or more
363-387	15	604-655	656-708	709-760	761-813	814 or more
388-412	16	644-699	700-755	756-811	812-867	868 or more
413-437	17	684-743	744-802	803-862	863-921	922 or more
438 or more	18	725-787	788-850	851-913	914-976	977 or more

Tables Specified for the Determination of Amount and Duration of Benefits
(Section 404 Pennsylvania Unemployment Compensation Law)
Table II

Part A Highest Weekly Quarterly Earnings	Part B Benefit Rate	Part C Number of Benefit Weeks According to Base Year Earnings 6 Weeks	7 Weeks	8 Weeks	9 Weeks	10 Weeks	11 Weeks
$50-212	$8	$100-207	$208-239	$240-271	$272-303	$304-335	$336-367
213-237	9	221-233	234-269	270-305	306-341	342-377	378-413
238-262	10	247-259	260-299	300-339	340-379	380-419	420-459
263-287	11	273-285	286-329	330-373	374-417	418-461	462-505
288-312	12	299-311	312-359	360-407	408-455	456-503	504-551
313-337	13	325-337	338-389	390-441	442-493	494-545	546-597
338-362	14	351-363	364-419	420-475	476-531	532-587	588-643
363 or more	15	377-389	390-449	450-509	510-569	570-629	630-689

Tables Specified for the Determination of Amount and Duration of Benefits
(Section 404 Pennsylvania Unemployment Compensation Law)
Table II

Part A Highest Quarterly Earnings	Part B Weekly Benefit Rate	Part C Number of Benefit Weeks According to Base Year Earnings 12 Weeks	13 Weeks	14 Weeks	15 Weeks	16 Weeks
$50-212	$8	$368-399	$400-431	$432-463	$464-495	$496 or more
213-237	9	414-449	450-485	486-521	522-557	558 or more
238-262	10	460-499	500-539	540-579	580-619	620 or more
263-287	11	506-549	550-593	594-637	638-681	682 or more
288-312	12	552-599	600-647	648-695	696-743	744 or more
313-337	13	598-649	650-701	702-753	754-805	806 or more
338-362	14	644-699	700-755	756-811	812-867	868 or more
363 or more	15	690-749	750-809	810-869	870-929	930 or more

Section 407 Status Preserved During and After Military or Naval Service The Secretary is hereby empowered and directed to promulgate such rules nd regulations as may be necessary to preserve the compensation rights of any employe who enters the armed forces of the United States subsequent to March thirty-first one thousand nine hundred forty and who is honorably discharged therefrom Such rules and regulations shall provide that the compensation rights of any such employe shall be preserved notwithstanding his entrance into the armed forces of the United States and such compensation rights shall not be adversely affected or prejudiced notwithstanding any inconsistent provisions of this act Provided however that no employe may be granted any right under the provisions of this section unless he shall have filed a claim for compensation within a period of one year from the date of such discharge and provided further that if under an Act of Congress payments with respect to unemployment of individuals who have completed a period of military service are payable by the United States such individuals shall be disqualified under this act for benefits until they have exhausted all their rights to such payments by the United States

Section 804 Recovery and Recoupment of Compensation Any person who by reason of his [fraud] fault has received any sum as compensation under this act to which he was not entitled shall be liable to repay to the Unemployment Compensation Fund to the credit of the Employers' Contribution Account a sum equal to the amount so received by him Such sum shall be collectible (a) in the manner provided in this act for the collection of past due contributions or (b) b' deduction from any future compensation payable to the claimant under this act

Any person who other than by reason of his [fraud] fault has received any sum as compensation under this act to which he was not entitled shall not be liable to repay such sum but shall be liable to have such sum deducted from any future compensation payable to him with respect to the benefit year current to or next succeeding the receipt thereof Provided however That no recoupment from future compensation shall be had if [such sum was received by such person without fault on his part and] such recoupment would be inequitable and unconscionable

The claimant and other affected parties shall be notified in writing of the department's determination to deduct any sum from future compensation under this section and such determination shall be subject to appeal in the manner provided in this act for appeals from determinations of compensation

Section 4 The provisions of this act shall become effective on the first day of June one thousand nine hundred and forty-three

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. ALSPACH. Mr. Speaker, I would like at the outset of my remarks while the gentlemen on the other side are filing out,—and I request that they do so very, very quietly so that it does not disturb the deliberations of the majority,—to pay particular attention to the merits of this bill. The gentlemen on the other side will proceed out very quietly, and I will be glad to discuss the merits of the bill.

Mr. BROWN. Mr. Speaker—

The SPEAKER. Will the gentleman from Lancaster yield to the gentleman from Allegheny?

Mr. ASLPACH. I will, Mr. Speaker.

Mr. BROWN. I thank the gentleman for yielding, Mr. Speaker. May I interrogate the Majority Floor Leader?

The SPEAKER. Will the gentleman from Lehigh permit himself to be interrogated?

Mr. LICHTENWALTER. I shall, Mr. Speaker.

Mr. BROWN. Mr. Speaker, would the Majority Floor Leader agree to pass this bill over for about ten minutes? There is a matter that has arisen that I think will work out and the House will not be thrown into confusion for the balance of the night.

Mr. LICHTENWALTER. Mr. Speaker, I don't see any reason why the House should be thrown into confusion for the balance of the night. I informed the gentleman from Philadelphia that this was to be made a special

order of business, and I believe we are at least an hour and a half behind the time scheduled for that purpose.

Mr. BROWN. Mr. Speaker, will the gentleman agree to pass it over for ten minutes?

Mr. LICHTENWALTER. Mr. Speaker, I do not see what we can gain by passing it over for ten minutes. We have waited, according to the Minority Leader, all day for the information he wishes to have at hand.

Mr. BROWN. Mr. Speaker, will the gentleman agree to pass it over for five minutes?

Mr. LICHTENWALTER. No, Mr. Speaker, I do not see that we on this side have done anything unusual or out of the ordinary in asking for this to be made a special order of business. We are pressed for time, and I believe the gentlemen on the other side will agree, and I feel that the gentleman from Philadelphia with his knowledge of unemployment compensation can very intelligently debate the bill.

Mr. BROWN. I thank the gentleman.

Mr. Speaker, I am sorry that the Majority Floor Leader will not agree to pass this bill for these five minutes. I believe in five minutes we could save a lot of time of the House. There is some confusion as to this bill; certainly five minutes will not hurt the bill and will not hurt the time of the House. I yield to the gentleman from Lancaster, Mr. Alspach.

Mr. ALSPACH. Mr. Speaker, may I suggest that I speak for about five minutes while the gentleman does his negotiating or whatever it is he wishes to do?

Mr. BROWN. Well, if they are the best terms we can get, Mr. Speaker, I am willing to do it. I am sure that we all see that some disorder has arisen tonight, and I feel, just for the interest of saving time for the House, that the bill should be passed over for a short time. I have no interest in the bill one way or the other. I think the gentlemen can understand that exigencies have arisen, and if the gentleman will speak for five minutes I will see if we can get it straightened out. I thank you for waiting.

Mr. ALSPACH. Mr. Speaker, I will be glad to accommodate the gentleman. I do not care indeed to hold myself to five minutes.

House Bill 1055, Members of the House, is a bill amending the unemployment compensation act. Very briefly the bill does one or two things. In the first place it simplifies the method of reporting the wages earned by various employes to the department of labor and industry for the benefit of the unemployment compensation fund.

Second, it facilitates the determination of the benefits that are to be received; and thirdly it liberalizes the benefits which are paid and payable to the workmen, especially in the lower brackets.

Very briefly the bill does this, it provides for the computation of the benefits on the basis of the calendar year immediately preceding the present year instead of the first day of the last quarter which is the subject of the present computation. It provides that the year for determining benefits shall run from June 1 to May 31, and it likewise provides that instead of one-twenty-sixth of the employes wages being taken as a method of determining benefits payable, it provides for one-twenty-fifth, which is a liberalization of possibly four or five per cent. This is especially helpful in the lower brackets; in other words those men who would be entitled to receive as low as three weeks under the present act; the present amendment would provide that a man who is entitled to compensation at all would be entitled to a compensation of seven weeks, which all the Members of the House must concede will be and is liberalization so far as the persons receiving the unemployment compensation are concerned.

There are several other provisions here which are procedural in nature, which are for the purpose of simplifying the procedure in the department itself. I would like to call the attention of the Members to one particular thing, and that is at the present time it is necessary for the employer to file four times a year a slip of paper for each and every employe on his payroll. That is filed on Form C 2-A.

QUESTION OF INFORMATION

Mr. LOVETT. Mr. Speaker, I rise to a question of information.

The SPEAKER. The gentleman will state his question of information.

Mr. LOVETT. Mr. Speaker, is it permissible for me to ask for fifteen minutes' recess for the Democrats to have a caucus?

The SPEAKER. A motion for a recess is not in order.

Mr. LOVETT. May I ask the gentleman from Lancaster to yield?

Mr. ALSPACH. For what purpose, Mr. Speaker, does the gentleman wish me to yield?

Mr. LOVETT. Mr. Speaker, to ask that we have consent of the House to have a Democratic caucus.

Mr. ALSPACH. I would object to that, Mr. Speaker.

The SPEAKER. The Chair would suggest to the gentleman from Westmoreland, if the gentleman talks for fifteen minutes you can have your caucus if there is no objection. The Chair hears none.

Mr. LOVETT. Mr. Speaker, in answer to that I might say that we possibly are interested in what the gentleman has to say and would be very glad to come back in fifteen minutes to listen.

Mr. ALSPACH. Mr. Speaker, the gentleman is very complimentary, but that begs the question.

The SPEAKER. The gentleman from Lancaster, Mr. Alspach, has the floor. The Chair has offered a suggestion.

Mr. ALSPACH. Five minutes is now past, Mr. Speaker. As I said, at the present time employers are required to file four times a year these little forms with the wage record of all the employers thereon. At the present time there are approximately five hundred thousand persons in the state of Pennsylvania subject to and covered by the unemployment compensation act. The members of course will appreciate that there are certain employments which are not covered by the act, and of those there are approximately one million five hundred thousand. That means that four times a year it is necessary for the department to process approximately three million five hundred thousand of these reports, segregate them and file them, and if necessary refer to them. That means in the course of a year there will be approximately four times three million five hundred thousand, or about fourteen million reports that must be processed and referred to.

This bill would eliminate the necessity for filing quarterly reports and require only annual reports, similar

to the social security reports filed in Washington, making it on the calendar year basis and that will be a terrific saving in the department, and especially at the present time when they are short of help during the war emergency.

Furthermore, I might point out that during the month of August 1942,—using that not as an illustration only, but two per cent of all the returns of employers in the state were scanned by the department for the purpose of determining compensation which may be payable to any person entitled to receive the same. In other words, possibly ninety-eight per cent of all the returns filed remain buried deeply in the files of the department and serve no purpose whatever except to clutter up the file and give the department a lot of trouble and nuisance. The very same purpose could be served by having annual reports.

However, it is provided that in case the department demands them, of course, the reports may be and shall be furnished to the department in case of a contest as to what any person is entitled to receive. There are several other things included in this act which are merely procedural, shall I say, in nature to the department and a matter of efficiency.

In commending this bill to the Members on this side,—I do not see anybody on the other side, and possibly they are out of earshot of my voice,—in commending this bill to the House, I just want to call your attention to the fact that this act does just one or two things; first it provides for annual reports instead of quarterly reports, with all the elimination of red tape; secondly it liberalizes, especially in the lower brackets by raising from three weeks to seven weeks the compensation to which they are entitled; and thirdly it facilitates the determination of the amount that the employe shall receive by providing a base year and by providing a table on which every employee can determine ahead of time how much he woud be entitled to receive by merely looking at the table, and drawing his conclusion accordingly.

Mr. Speaker, I am not going to speak fifteen minutes. I have spoken ten minutes and I think in speaking ten minutes I have covered the outlines of the bill. If anyone has any questions to ask he may ask them. Otherwise let us vote on this bill, and I would ask the members of the House to vote "aye".

The SPEAKER. The gentleman from Lancaster agreed to talk for fifteen minutes.

Mr. ALSPACH. I have the mandate, members of the House, to talk five minutes longer. It is suggested that I read the Bill of Rights and the Constitution and the Declaration of Independence.

At the present time this department covers approximately three million five hundred thousand persons. As I stated before, the number of claims processed are approximately two per cent of the total of those reports which are received. Now then, the proposed changes are effective in many of the states of the Union. As a matter of fact the proposed changes are effective in about forty states. In other words we are just getting in line with thirty-nine or forty other states of the Union. In the matter of calculation of the benefit year and the method of calculation of payments certainly it seems to me, that it would make for efficiency and economy if we would adopt and put into practice and into effect what was done in about forty other states, namely, that we would go on the calendar year basis.

I would like to call another thing to the attention of the Members of the House, the bill defines the method of computation of the payments by the high quarterly method, in other words, the highest earnings in any one quarter will determine the amount of compensation which a man is entitled to receive. This is a decided simplification, and likewise a liberalization of the present law in that it enables a man to take not his average high weekly wages, for instance, but his high quarterly wage, which in most respects will entitle him to receive a much higher amount than he normally would be entitled to receive under the old method of compensation, which was in the alternative, namely, one or the other.

Now that, of course, in itself makes for simplicity for the employe in determining the facts, and in determining ahead of time what his high quarterly wages are, instead of determining what his high weekly earnings are, and then go into a calculation of what his benefits might be when it would become possible for him to become taxed or not.

As I stated before, this bill is introduced simply for the purpose of simplification and bringing Pennsylvania in line with the other states, namely, approximately forty individual states of the Union.

I have spoken now fifteen minutes. I think all I have said could have been probably condensed into the first five or seven minutes, but I have consumed the fifteen minutes which was mandated to me, and I submit it to the Members of the House. If any member would like verification of this, I should be glad to answer any questions.

Mr. AUKER. Mr. Speaker—

The SPEAKER. For what purpose does the gentleman rise?

Mr. AUKER. Mr. Speaker, I understood the gentleman from Lancaster concluded his debate, and I would like to interrogate just briefly on this bill. If I am wrong I would be glad to yield to him for debate.

The SPEAKER. Will the gentleman from Lancaster yield to the gentleman from Blair?

Mr. ALSPACH. Mr. Speaker, I shall be glad to be interrogated if the gentleman wishes to interrogate me.

Mr. AUKER. Mr. Speaker, I should like to inquire of the gentleman from Lancaster, Mr. Alspach, if the returning veterans of the present world war are granted payments from the Federal government in the nature of unemployment compensation, whether or not, if after those Federal unemployment compensation payments cease they would not then be entitled to payments under the state unemployment act?

Mr. ALSPACH. The answer to that is in one word, absolutely yes, Mr. Speaker. If the Members will note on page 38 the amendments inserted in the special session of 1942 improve the fund as far as the members of the armed forces are concerned. Further down, in line 17 it provides that unemployment benefits which might be accorded by act of Congress shall be exhausted first by the particular man returning from the service and then he shall be entitled to benefits from the state fund. As an illustration of that my understanding is that it is contemplated that Congress, and the Social Security Board

has suggested to Congress that the Federal Unemployment Act take care of the returning soldier. What the benefits of that will be nobody knows. It is merely a surmise at the present time. Now, if the states have acts themselves which would entitle people to receive benefits, it is conceivable that the Federal government would require that Federal benefits be paid first and then the state benefits next. This would take care of that situation. My understanding is that the Federal social security administration has requested the states to approve this particular provision in their act so that there would be no question about the returning soldiers receiving their benefits. This has nothing to do with the soldiers' bonus because the soldiers' bonus is paid to the soldier on the basis of military service and not on the basis of whether he was employed or unemployed. This particular act of course is on the basis solely of unemployment or employment. I think the gentleman's point is well taken, and that it should be brought out here so that all the Members might have that particular point clear.

Mr. AUKER. That is all, and I thank the gentleman for his fine and lucid explanation of this particular point, Mr. Speaker.

PARLIAMENTARY INQUIRY

Mr. ALSPACH. Mr. Speaker, I rise to a question of parliamentary inquiry.

The SPEAKER. The gentleman will state his question of parliamentary inquiry.

Mr. ALSPACH. Mr. Speaker, is it not correct that after all the debate has been terminated in the House and no Member rises to debate the question either pro or con, the question before the House is, shall the bill pass finally, and the House then proceed to vote on this measure?

The SPEAKER. The Chair suggested to the gentleman from Westmoreland, Mr. Lovett, that they meet in caucus while the gentleman was talking. The Chair feels honor bound to request the gentleman to continue talking a little longer.

Mr. ALSPACH. Mr. Speaker, I say that it is a happy moment in my life when I am instructed to talk. I do not think at the present time I should bore the Members of the House. I am no after dinner speaker of great moment, and I don't know any jokes at present that I might tell that would be germane to the issue.

Mr. Speaker, is it my understanding that I still have the floor and will hold it?

The SPEAKER. The gentleman from Lancaster still has the floor.

POINT OF ORDER

Mr. BRETHERICK. Mr. Speaker, I rise to a point of order.

The SPEAKER. The gentleman will state his point of order.

Mr. BRETHERICK. Would there be any chance at this time to have the gentleman from Wayne, Mr. Dix, read one or two or three or four of his poems on unemployment compensation?

The SPEAKER. The question before the House is on House Bill No. 1055. That is the only question before the House.

Mr. BRETHERICK. One of his poems, Mr. Speaker, is on the subject of unemployment compensation.

The SPEAKER. The Chair would prefer to confine the discussion to the question before the House.

Mr. TROUT. Mr. Speaker—

The SPEAKER. Will the gentleman from Lancaster, Mr. Alspach, yield?

PARLIAMENTARY INQUIRY

Mr. TROUT. Mr. Speaker, I rise to a question of parliamentary inquiry.

The SPEAKER. The gentleman will state his question of parliamentary inquiry.

Mr. TROUT. Did I understand the Speaker to say that the proceedings of the House would be delayed for fifteen minutes while the gentleman from Lancaster, Mr. Alspach, was speaking?

The SPEAKER. That is correct.

Mr. TROUT. How much time has expired since the Speaker made that statement?

The SPEAKER. Approximately twenty-five minutes.

Mr. TROUT. Is it not time then, Mr. Speaker, that the House proceed with its business?

The SPEAKER. The Chair wishes we could proceed with our business and is endeavoring to be tolerant with all concerned.

Mr. TROUT. Who shall determine when we begin with the business of the House, Mr. Speaker.

The SPEAKER. The business before the House is House Bill No. 1055, Printer's No. 599, and the gentleman from Lancaster, Mr. Alspach, is speaking on this bill.

Mr. TROUT. I understand Mr. Alspach has finished his speaking and I call for the order of the day, Mr. Speaker.

The SPEAKER. The Chair would inquire of the Majority Leader whether the minority has been informed that we are ready to vote on this bill?

Mr. LICHTENWALTER. Mr. Speaker, the gentleman from Dauphin, Mr. Reese, informed the minority that we are ready to call the roll on this particular bill.

The SPEAKER. If there is no objection the Chair will instruct the Sergeant-at-Arms to inform the Democratic Caucus that we are about to vote on this bill.

PARLIAMENTARY INQUIRY

Mr. STOCKHAM. Mr. Speaker, I rise to a question of parliamentary inquiry.

The SPEAKER. The gentleman will state his question of parliamentary inquiry.

Mr. STOCKHAM. Mr. Speaker, did not the Chair deny the right of the minority to hold a caucus, and by inference have they not done so, and by continuance of this process are they not holding up the rightful procedure of this House?

The SPEAKER. The Chair would inform the gentleman from Bucks that the Chair suggested they hold a caucus during the time the gentleman from Lancaster, Mr. Alspach, was speaking if there was no objection. The Chair heard no objection.

Mr. STOCKHAM. Mr. Speaker, they requested a recess for the purpose of holding a caucus, and that was denied them.

The SPEAKER. That is correct.

Mr. STOCKHAM. Now, by implication they have accomplished their purpose, and the denial was unquestion-

ably well-founded insofar as we wanted no delay. The Chair has been very gracious to the minority. I think we should proceed, sir.

Mr. BROWN. Mr. Speaker, for the purpose of the record, did the minority request permission to hold a caucus at this time?

The SPEAKER. The gentleman from Westmoreland, Mr. Lovett, asked for a recess for the purpose of a caucus.

Mr. BROWN. Mr. Speaker, I did not hear that.

The SPEAKER. The Chair recognizes the Sergeant-at-Arms of the House.

The SERGEANT-AT-ARMS. The Minority Floor Leader said "Do whatever you please".

Mr. ALSPACH. Mr. Speaker, I call for the order of the day.

The SPEAKER. Will the gentleman yield? The Sergeant-at-Arms reports that the Minority Leader said that we should do whatever we pleased.

Mr. TROUT. I call for the order of the day, Mr. Speaker.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken.

Messrs. Alspach, Taylor and James requested a verification of the roll.

The roll was verified and was as follows:

YEAS—121

Alspach,	Foor,	Kline,	Rose, W. E.,
Auker,	Fox,	Kowalski,	Rowley,
Barton,	Freed,	Krepps,	Royer,
Bonawitz,	Fullerton,	Krise,	Salus,
Boorse,	Gardner,	Laughner,	Sarge,
Bower,	Gates,	Lee,	Serrill,
Boyd,	Gillan,	Leisey,	Simons,
Bretherick,	Goodling,	Leydic,	Smith,
Brice,	Gorman,	Lichtenwalter,	Sollenberger,
Brunner, C. H.,	Greenwood,	Lyons,	Sorg,
Cadwalader,	Gross,	Madigan,	Stockham,
Calvin,	Gyger,	Mahany,	Tahl,
Campbell,	Hall,	McAtee,	Taylor,
Cook,	Hannon,	McClester,	Thrasher,
Cooper,	Hare,	McKinney,	Tiemann,
Cordier,	Haudenshield,	McMillen,	Trout,
Costa,	Helm,	McSurdy,	Turbett,
Coulson,	Hewitt,	Menna,	Van Allsburg,
Dague,	Hocke,	Mintess,	Wachhaus,
Dalrymple,	Hoffman,	Moore,	Wagner, K. H.,
Denman,	Holmes,	Moser,	Wagner, P. L.,
Dennison,	Hoopes,	Muir,	Wallin,
Depuy,	Hunter, W. M.,	Murray,	Walton,
Dix,	Huntley,	O'Dare,	Watkins,
Elder,	Imbrie,	Reagan,	Winner,
Ely,	Irvin,	Reese, D. P.,	Wood, L. H.,
Erb,	James,	Reilly,	Wood, N.,
Ewing,	Jones,	Riley,	Worley,
Figlock,	Kennedy,	Robertson,	Yeakel,
Fleming,	Kitchen,	Root,	Fiss,
			Speaker

NAYS—3

Brown,	Harris,	O'Connor,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

BILLS CONSIDERED IN CALENDAR ORDER

Mr. JAMES. Mr. Speaker, I move that any other bills considered or otherwise disposed of at this evening's session be considered or otherwise disposed of in the exact order in which they are printed on today's calendar.

On the question,

Will the House agree to the motion?

Mr. BROWN. Mr. Speaker, I desire to interrogate the gentleman from Delaware, Mr. James.

The SPEAKER. Will the gentleman from Delaware permit himself to be interrogated?

Mr. JAMES. I will, Mr. Speaker.

Mr. BROWN. Mr. Speaker, what is the purpose of such a motion?

Mr. JAMES. The purpose of the motion is, Mr. Speaker, that I would not like to feel that at any time in the future the procedure on the Republican side of this House was in question, because it might be said that they called up bills that were controversial out of the order in which they are printed on the calendar in the absence of the minority.

PARLIAMENTARY INQUIRY

Mr. BROWN. Mr. Speaker, I rise to a question of parliamentary inquiry.

The SPEAKER. The gentleman will state his question of parliamentary inquiry.

Mr. BROWN. If this motion were not put, the bills would be called in their order anyway, would they not, Mr. Speaker, unless the Majority Floor Leader should ask for consent for the bill to be called up out of order?

The SPEAKER. That is correct.

Mr. BROWN. Mr. Speaker, I would ask the gentleman from Delaware to withdraw his motion. This motion can do nothing more than to have us break the rule later on. Those of us who have been here through the years know that during the closing days of the session there are bills on the calendar that ultimately will be dropped, there are bills that will be passed over, there are bills that will be sent back to committee, there are bills that will die on the calendar. I see no reason for this motion, and it seems to me that the gentleman from Delaware should withdraw his motion. We do not want any more confusion than we have; we have enough confusion now. We do not want anything that would add to the confusion, and if there are bills to be called up out of order, which we all recognize is frequently done during the session, let them be called up.

Mr. JAMES. Mr. Speaker, in answer to the gentleman from Allegheny, Mr. Brown, bills on tonight's calendar can be, as I suggested in my motion, otherwise disposed of, and that process can take place in order just the same as the reading and consideration of the bills. I insist that under these unusual circumstances under which we are operating tonight that the Republican side of this House shall do everything to avoid any odium or any responsibility for the shameful conduct that has been perpetrated by the Democratic side of the House tonight.

On the question recurring,

Will the House agree to the motion?

It was agreed to.

REQUEST TO HOLD COMMITTEE MEETING

Mr. CHARLES H. BRUNNER, Jr. Mr. Speaker, I ask unanimous consent of the House to hold a meeting of the Judiciary Special Committee in the anteroom to the left of the Speaker's rostrum immediately.

The SPEAKER. The gentleman from Montgomery, Mr. Brunner, asks consent of the House to hold a meeting of the Committee on Judiciary Special in the conference room. Is there objection?

Mr. STOCKHAM. I object, Mr. Speaker.

QUESTION OF PARLIAMENTARY INQUIRY

Mr. BROWN. Mr. Speaker, I rise to a question of parliamentary inquiry.

The SPEAKER. The gentleman will state his question of parliamentary inquiry.

Mr. BROWN. Are we not now on the calendar, Mr. Speaker?

The SPEAKER. We are on the calendar.

Mr. BROWN. Can the request prevail without unanimous consent a motion having been made that bills be taken up in order as they appear on the calendar?

The SPEAKER. That is correct.

Mr. BROWN. Can this request prevail without unanimous consent?

The SPEAKER. The Chair would inform the gentleman from Allegheny that the only way a committee can meet during the session of the House is by consent of the House.

Mr. BROWN. Mr. Speaker, I have no objection to any committee meeting. However, I do not think we ought to have our record cluttered up by the motion and then as we make the motion ask unanimous consent. I have no objection, but you see where we are going. Let us wipe this motion of Mr. James off the record. Let us proceed as we did before and we will get along better.

The SPEAKER. Does the Chair hear objection to the holding of the committee meeting?

Mr. CHARLES H. BRUNNER, Jr. Mr. Speaker, I withdraw my request for a meeting at this time.

BILLS ON FINAL PASSAGE RECALLED FROM GOVERNOR

Agreeably to order,

The House proceeded to the consideration on final passage of House Bill No. 421, as follows:

An Act to add section ten to the act approved the first day of July one thousand nine hundred thirty-seven (P. L. 2624) entitled "An act authorizing townships of the second class to adopt and enforce zoning ordinances regulating the location construction and use of buildings the size of courts and open spaces the density of population and the use of land" authorizing townships to make appropriations for said purposes and to accept grants of money and service for said purposes from private or public sources State or Federal

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The act approved the first day of July one thousand nine hundred thirty-seven (P. L. 2624) entitled "An act authorizing townships of the second class to adopt and enforce zoning ordinances regulating the location construction and use of buildings the size of courts and open spaces the density of population and the use of land" is hereby amended by adding at the end thereof a new section to read as follows

Section 10 Finances The board of township supervisors is empowered to appropriate out of the general township fund such moneys otherwise unappropriated as it may deem fit to finance the work of the township zoning commission and the board of adjustment and to enforce the zoning regulations and restrictions which are adopted and to accept grants of money and service for these purposes and other purposes in accordance with this act from either private or public sources State or Federal

Section 2 This act shall become effective immediately upon final enactment

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—129

Alspach,	Fox,	Krise,	Rose, W. E.,
Auker,	Freed,	Laughner,	Rowley,
Barton,	Fullerton,	Lee,	Royer,
Bonawitz,	Garber,	Leisey,	Salus,
Boorse,	Gardner,	Leydic,	Sarge,
Bower,	Gates,	Lichtenwalter,	Serrill,
Boyd,	Gillan,	Livingstone,	Simons,
Bretherick,	Goodling,	Lyons,	Smith,
Brice,	Gorman,	Madigan,	Sollenberger,
Brown,	Greenwood,	Mahany,	Sorg,
Brunner, C. H.,	Gross,	McAtee,	Stockham,
Cadwalader,	Gyger,	McClester,	Stonier,
Calvin,	Hall,	McKinney,	Tahl,
Campbell,	Hannon,	McMillen,	Taylor,
Cook,	Hare,	McSurdy,	Thrasher,
Cooper,	Haudenshield,	Menna,	Tiemann,
Cordier,	Helm,	Miller,	Trout,
Costa,	Hewitt,	Mintess,	Turbett,
Coulson,	Hocke,	Mock,	Van Allsburg,
Dague,	Hoffman,	Moore,	Wachhaus,
Dalrymple,	Holmes,	Moser,	Wagner, K. H.,
Denman,	Hoopes,	Muir,	Wagner, P. L.,
Dennison,	Hunter, W. M.,	Murray,	Wallin,
Depuy,	Huntley,	Nowak,	Walton,
Dix,	Imbrie,	O'Connor,	Watkins,
Elder,	Irvin,	O'Dare,	Winner,
Ely,	James,	Reagan,	Wood, L. H.,
Erb,	Jones,	Reese, D. P.,	Wood, N.,
Ewing,	Kennedy,	Reilly,	Worley,
Figlock,	Kitchen,	Riley,	Yeakel,
Flack,	Kline,	Robertson,	Fiss,
Fleming,	Kowalski,	Root,	Speaker.
Foor,	Krepps,		

NAYS—1

Harris,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the consideration on final passage of House Bill No. 487, as follows:

An Act to amend section three of the act approved the third day of May one thousand nine hundred and nine (P. L. 413) entitled "An act relating to the granting of titles by the Commonwealth of Pennsylvania to vacant or unappropriated land the price to be paid for the same the conveyance to the State Forestry Reservation Commission where desirable for forest culture or forest preservation preventing the granting of warrants for the beds of navigable rivers and providing for acceptance of returns of surveys without limitation as to excess or surplus" by providing for and regulating the granting of warrants and rights to certain additional lands

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section three of the act approved the third day of May one thousand nine hundred and nine (P. L. 413) entitled "An act relating to the granting of titles by the Commonwealth of Pennsylvania to vacant or unappropriated land the price to be paid for the same the conveyance to the State Forestry Reservation

Commission where desirable for forest culture or forest preservation preventing the granting of warrants for the beds of navigable rivers and providing for acceptance of returns of surveys without limitation as to excess or surplus" is hereby amended to read as follows

Section 3 That on and after the passage of this act there shall be no warrants or other office rights granted in any of the counties of the Commonwealth for lands in the beds of navigable rivers or in beds of streams which are by law declared public highways except for such lands as intervene between former islands for which patents have been granted and the former mainland of navigable rivers where such intervening lands form an obstruction to navigation and are without the ordinary low water lines of such navigable rivers as shown by the certificate of the Secretary of War of the United States No such warrant or other office right shall be granted unless and until written approval of the Water and Power Resources Board of the Department of Forests and Waters has been obtained following the submission of formal application and plans to the Board showing the manner in which the said lands within the flood water channel of the navigable river will be occupied and used and the extent to which the flood carrying capacity of the channel will be reduced or modified Provided however That preference in granting any such patent shall be given to applications of owners of the land abutting the land intervening between the former islands to which patents have been granted and the former mainland of navigable rivers Such patents may be issued in accordance with any agreement entered into by all such land owners providing for an allotment of the land intervening between the former islands

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—130

Alspach,	Fox,	Krepps,	Rose, W. E.,
Auker,	Freed,	Krise,	Rowley,
Barton,	Fullerton,	Laughner,	Royer,
Bonawitz,	Garber,	Lee,	Salus,
Boorse,	Gardner,	Leisey,	Sarge,
Bower,	Gates,	Leydic,	Serrill,
Boyd,	Gillan,	Lichtenwalter,	Simons,
Bretherick,	Goodling,	Livingstone,	Smith,
Brice,	Gorman,	Lyons,	Sollenberger,
Brown,	Greenwood,	Madigan,	Sorg,
Brunner, C. H.,	Gross,	Mahany,	Stockham,
Cadwalader,	Gyger,	McAtee,	Stonier,
Calvin,	Hall,	McClester,	Tahl,
Campbell,	Hannon,	McKinney,	Taylor,
Cook,	Hare,	McMillen,	Thrasher,
Cooper,	Harris,	McSurdy,	Tiemann,
Cordier,	Haudenshield,	Menna,	Trout,
Costa,	Helm,	Miller,	Turbett,
Coulson,	Hewitt,	Mintess,	Van Allsburg,
Dague,	Hocke,	Mock,	Wachhaus,
Dalrymple,	Hoffman,	Moore,	Wagner, K. H.,
Denman,	Holmes,	Moser,	Wagner, P. L.,
Dennison,	Hoopes,	Muir,	Wallin,
Depuy,	Hunter, W. M.,	Murray,	Walton,
Dix,	Huntley,	Nowak,	Watkins,
Elder,	Imbrie,	O'Connor,	Winner,
Ely,	Irvin,	O'Dare,	Wood, L. H.,
Erb,	James,	Reagan,	Wood, N.,
Ewing,	Jones,	Reese, D. P.,	Worley,
Figlock,	Kennedy,	Reilly,	Yeakel,
Flack	Kitchen,	Riley,	Fiss,
Fleming,	Kline,	Robertson,	Speaker.
Foor,	Kowalski,	Root,	

NAYS—1

Hersch,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

PERMISSION TO ADDRESS HOUSE

Mr. COHEN asked and obtained unanimous consent to address the House.

Mr. Speaker, may I first ask on a question of information, what action was taken on House Bill No. 1055 on page 3 of the calendar?

The SPEAKER. House Bill No. 1055 passed finally.

Mr. COHEN. Mr. Speaker, will the Speaker inform me the vote on the bill?

The SPEAKER. The vote was 121 to 3. The roll was verified.

Mr. COHEN. Mr. Speaker, at the time the motion was made to have House Bill No. 1055 made a special order of business I objected on the very solid ground that a Department of this Commonwealth had not supplied me with information as to the possible effect of this bill. I had very good reason, Mr. Speaker, to ask for that information, because if the truth were known the Members of this House might not have voted as they did. As I was saying at the time I opposed this motion to make this a special order of business as a result of the interrogation when the bill was on second reading on Thursday, the sponsor of the bill was only able to tell us that in his opinion and from information supplied to him the effect of this bill would be to pay an additional two to five million dollars to those persons in the lower groups under unemployment compensation.

I doubted that very much, Mr. Speaker, and as a matter of fact last Thursday I told the sponsor of the bill I thought his information was wrong and whoever gave him that information was leading him the wrong way. I suggested that he get the information verified. I then immediately, Mr. Speaker, addressed a letter to Mr. Frank L. Shallow, the executive director of the fund, in which I requested that the information be made available to me.

Might I remind you again, Mr. Speaker, that the Governor of this Commonwealth at the beginning of this session suggested that any information that any Member of the House wanted from any of his bureaus, secretaries, and so forth should be made available. That statement was made specifically at a meeting of the appropriation committee of the House and Senate in the new House caucus room. I assumed that what the Governor meant was that any information we wanted from the state departments we would be entitled to have. That information did not reach me today, although I understand that a representative of the department was at my office at 11:30 this morning and when he didn't find me there he said he would be back at a quarter to twelve. He didn't show up at a quarter to twelve, when I had to leave to attend a caucus. I left my representative at the office, and at three o'clock no representative of the department had come in. I immediately called the department on the phone and spoke to the secretary—he is the chief of the statistical department, Mr. Wallace, I believe, and was told by his secretary that the information was on the way over to me. I waited and had a secretary wait in my office and no one came. I called from here a little while later and was told again that the information was being sent over, but when it came

past five o'clock I called another time and found that everyone had gone home.

I also ascertained today that Mr. Shallow would be out of the city for a week. He was in Washington for a week on official business. However, that did not mean that the information should be denied to me by the bureau.

Mr. Speaker, I say that my opposition to House Bill No. 1055 was based on the ground that the minority had not been able to get the proper information from the department of the government. When I walked out of the House, Mr. Speaker, I met the Secretary of Labor and Industry, and I complained to him that someone under him in his department had failed to cooperate with me on this vital information. He told me that he had mailed a letter this afternoon in which he had answered my inquiry. He then suggested that it was in my mail box. I just turned around, and there was a letter from the gentleman in my mail box. I had been there only an hour before and got two letters and a telegram. The letter I threw in the wastebasket and the telegram I read.

The letter from Mr. Chestnut was not made available to me until late this evening. The letter refutes the information given on this floor last Thursday that this bill will increase payments from two to five million dollars.

It may be that the bill would have passed anyway, but we didn't have a chance to put it on the record, and when I found I was not going to have information available from a department under the Governor in order properly to debate a bill I in disgust walked out of the House. I thank the Members on this side of the House who felt as I did and walked out with me, because I hope that this shall be a protest to the people of Pennsylvania that we in the minority are going to be a fighting minority. We want to fight this thing clean and we don't want to be bulldozed, and we don't want to have a juggernaut run over us.

We also insist, Mr. Speaker, that the minority representatives be recognized on the floor. Whether anyone agrees with them or not we insist that the minority shall have a voice on this floor if we have to stay here twenty-four hours a day, and we are not going to do anything for the convenience of anybody to get out of here in a hurry. A week ago we dropped our demand that all bills be read at length. He hoped that our action had brought a bit of sober thinking to the majority. Immediately we dropped that practice a flood of bills came out on the calendar. We know we do not have the votes to lick them and we know that you are going to put over anything you want to but, Mr. Speaker, we insist on our right to protest and fight. We have the right to be recognized on this floor if we have to stay until Christmas to do so, and if the attitude of the majority is that we have no right on the floor whether we are right or wrong, we will fight under the Constitution and Rules of this House and stay until Christmas if need be. We are not going to be steamrollered. If we are going to be licked, we are going to be licked like men. We are not going to be steamrollered. We insist on our right to protest, and we insist on our right to have information from the bureaus under the Governor. If the Governor wants the right kind of cooperation he will have it, and everyone knows I have done everything in my power to agree. I have gotten hallelujah on this side of the House in trying to be co-operative. I have been slapped on one cheek, and as the Good Book says, turned the other also, but Mr. Speaker, I am all out of cheeks; I have no other place to be slapped, and I am not going to be, and there is no one in this House who is going to do it. Mr. Speaker, that is the position of the minority; we insist on the right to be heard, whether we are right or wrong. The other side has said that the people are going to be the judges. If we are right we have a right to be heard and let the people be the judges of that, but we are not going to be steamrollered and we are not going to be pushed around all over the lot. That is our position, Mr. Speaker, and if that be treason make the most of it.

PERMISSION TO ADDRESS HOUSE

Mr. BROWN. Mr. Speaker, I ask to violate the motion of the gentleman from Delaware, Mr. James and make a very brief statement.

The SPEAKER. Will the House give its unanimous consent? The Chair hears no objection. The gentleman will proceed.

Mr. BROWN. Mr. Speaker, I listened attentively to the statement of the Minority Floor Leader, and I am in the minority, as all the Members of the House well know. I did not walk out of this House as some of you well know, and while I concur in all of the protests that he makes I still do not agree with the attitude of my colleagues in walking out of this House. I consider the right to vote a mandate from the people. I consider that right as sacred as the soldier who puts his gun on his arm and goes to battle, and I could not agree that when the battle got hot and the battle was going against me that I was going to walk away from the battle and leave my gun silent. Therefore, I voted and will continue to vote as long as this Legislature sits in session.

I had a little opportunity over the weekend to peruse this question of majority rule and minority rights. It has been perplexing to all of us during this session, and I have found a pronouncement by one of the sages of Pennsylvania, a man whom we all revere, a man well known to all who know anything about our Constitution and fundamental liberties. I refer to none other than the distinguished patron saint of Pennsylvania, James Wilson, who gave us this brief summary in some of his writings many, many years ago.

I simply give this for the information of the minority party, and if the majority cares to have it, for them also, hoping from now on we will recognize, especially those of us in the minority, that the best we can do is to make our protest here in the hall of the House not elsewhere. Therefore, I am going to read this quotation from James Wilson because I believe it is sound and because I have found nothing else that would override his words said many years ago.

> In society when the sentiments of the members are not unanimous the voice of the majority must be deemed the will of the whole. A number of persons can do business in only three ways, by the decision of the whole, which is nowhere proposed; by the decisions of the majority or by the decision of the minority. The later is more reasonable and more equitable

Those are the words of a distinguished son of Pennsylvania, a man not only learned in the law but learned

in the principles of government, and as long as I am in the minority, though I may be overruled, I think it is our duty to be here and to fight within the hall of the House. It is not my intention to castigate in any way the leaving of the House by the minority. I did not agree with it then and do not agree with it now. I do not expect to agree with it if it should happen in the future.

QUESTION OF PERSONAL PRIVILEGE

Mr. O'BRIEN. Mr. Speaker, I rise to a question of personal privilege.

The SPEAKER. The gentleman will state his question of personal privilege.

Mr. O'BRIEN. Mr. Speaker, in rising and trying to get this floor, I do not enjoy the favors that the gentleman from Allegheny, Mr. Brown enjoys.

Mr. BROWN. Mr. Speaker—

The SPEAKER. Will the gentleman from Philadelphia yield?

Mr. O'BRIEN. I will not, Mr. Speaker.

I made great efforts, Mr. Speaker, all in the interest of my particular district which I represent, and I represent equally as big a district as the gentleman from Allegheny, Mr. Brown, represents.

The SPEAKER. Will the gentleman yield?

Mr. BROWN. A question of personal privilege, Mr. Speaker.

The SPEAKER. Will the gentleman from Philadelphia yield to the gentleman from Allegheny, Mr. Brown?

Mr. O'BRIEN. I will not, Mr. Speaker.

PARLIAMENTARY INQUIRY

Mr. BROWN. Mr. Speaker, I rise to a question of parliamentary inquiry.

The SPEAKER. The gentleman will state his question of parliamentary inquiry.

Mr. BROWN. Is not the gentleman compelled to yield on a question of personal privilege, Mr. Speaker?

The SPEAKER. The gentleman from Philadelphia, Mr. O'Brien, has the floor on a question of personal privilege. The Chair recognized him for that purpose.

Mr. BROWN. I yield then, Mr. Speaker.

Mr. O'BRIEN. I wanted to point then, Mr. Speaker, continuing, that I had a great deal of difficulty in being recognized. I want to point out to you, Mr. Speaker, and members of the House, that the daily order of business is as follows, rule 14 of the House:

First. Prayer by the Chaplain.
Second. Reading and approval of the Journal.
Third. The referring to proper committtees by the Speaker of bills, letters, petitions, memorials, remonstrances and accompanying documents.
Fourth. The asking of leaves of absence.
Fifth. The receiving of reports of committees.
Sixth. Bills on first reading.
Seventh. Bills on second reading.

I will stop there momentarily, Mr. Speaker. I attempted to get the floor of the House to point out the fact that I wanted to call up a bill on second reading. At that time the Speaker said I had to get unanimous consent to call a bill out of order, which the Speaker had prevously called out of order. I contended at that time that there was not unanimous consent needed.

Again let me proceed:

Eighth. Bills on final passage recalled from the Governor.
Ninth. Bills on final passage. (Bills on the final passage postponed calender may be called up under this order of business.)
Tenth. Bills on third reading and final passage.

At the time we had not dispensed with bills on second reading. I could not be recognized, even though I had lost my voice in my endeavor to be recognized, yet the gentleman from Lehigh, Mr. Lichtenwalter, got up out of his seat and was immediately recognized, and permitted to make a special order of business of bills on third reading without dispensing with rule 8 or 9. Mr. Speaker, in my experience in this House I have served in the majority on two different occasions, and now this is my second experience in the minority. I have served, Mr. Speaker, under four different Speakers. I am unhappy to state that my experiences in the 1943 session are ones that I regret very much. The rulings and the procedure of the House have been so irregular and unusual that it really brings me to tears.

For your information, Mr. Speaker, and for the information of the House, I volunteered and had been approved by the United States Navy as of last summer for a non-commissioned job. I was perfectly willing to fight and defend my country. Unfortunately I broke my leg, which stopped me from going into that service. I say to you members on the other side of the House, I thought I made a lot of friends, but I say to you after your treatment of us on this side fo the House, maybe it's just as well I wasn't out there fighting for you.

PERMISSION TO ADDRESS THE HOUSE

Mr. LICHENWALTER asked and obtained unanimous consent to address the House.

Mr. Speaker, just to keep the record clear, the gentleman from Philadelphia stated that he had had no cooperation from the departments and the department heads. Then we were told that in answer to an inquiry to the head of the department, the Department of Labor, that he did receive a reply in answer to his inquiry. He also stated that he was told that the director of a bureau under that department from whom he was awaiting answers to inquiries was out of town—I believe in Washington attending a meeting of the directors from the various states in the Union—the directors of unemployment compensation. Then we were told that we were not giving the proper cooperation as a majority party to the minority party. We were also told about all the hallelujah he has received on his side of the House.

I want to say that I probably received the same, and for the same reason on this side of the House. If we are to be faced with a fighting minority—and I stated on the floor the other day we welcome a fighting minority, we realize their rights,—I do not think anyone in this session can raise a question that they have not been given their rights as a minority party. I think the record will disclose that as far as time consumed and cost per page of the Journal of this session of the Legislature are concerned, the onus will certainly fall upon the minority side.

I also want to say, Mr. Speaker, that it has not been the majority that has held up the procedure of this House. If we are to be faced with a fighting minority

certainly I do not think the action that was displayed tonight was the type of action that we would expect to come from a fighting minority in walking out of the House because as they stated they had not received proper information to debate a bill.

As stated before we are fighting today for a democratic form of government. A democratic form of Government is ruled by the majority. We in no wise want to jeopardize the rights and privileges of the minority. We believe in a strong minority, they are essential to a democratic form of government. They have not at any time during this session, been steamrollered. Particularly coming from that side of the House, when we think back to the sessions of 1935 and 1937, I hate even to bring up that word "steamrollered", because if any one was steamrollered, we had the examples of it in those particular sessions of the Legislature. We here on this side of the House in no way intend now to take away any privileges of the minority that rightfully belong to them. Certainly they shall be recognized; we want them to debate these bills; we want them to point out what in their good judgment they feel are faults in the particular bills that we are considering, but we don't want, Mr. Speaker, in any way, shape or form, to be dictated to as a majority party, as we have had examples set forth in this session of the Legislature. We welcome the criticism of the minority party, we recognize their rights and privileges, and we in no way intend to curtail those rights and privileges in this session of the Legislature. But again, Mr. Speaker, the action of the minority in this House tonight does not reveal, I think, good judgment for the people of Pennsylvania as far as having a fighting minority in the halls of the Legislature is concerned.

PARLIAMENTARY INQUIRY

Mr. BROWN. Mr. Speaker, I rise to a question of parliamentary inquiry.

The SPEAKER. The gentleman will state his question of parliamentary inquiry.

Mr. BROWN. Mr. Speaker, is it permissible under a question of personal pivilege to answer a Member who has challenged another member's standing on the floor of the House?

The SPEAKER. The Chair would state that it is permissible, but would suggest to the gentleman that he do not engage in personalities. The gentleman will proceed.

Mr. BROWN. Mr. Speaker, I do not intend to engage in personalties except to answer the gentleman from Philadelphia, Mr. O'Brien. I do so because I know when he said that he did not enjoy the reputation that I enjoy, he did not mean it as a compliment, but he meant it in the other way, as a reflection both upon me and upon the Chair. I know the gentleman well enough to know that he is not passing out compliments. I know that in the frame of mind in which he is in right now he would not be giving out anything except that which would come out of a mind filled with the hate and with enmity and with prejudice toward the Speaker. I am sorry the gentleman made that statement. It reaches a new low in our legislative procedure. Maybe the gentleman said it as a compliment. I would ask that the gentleman comport himself in the way that I comport myself and maybe I might be able to say the same thing for the gentleman from Philadelphia, Mr. O'Brien.

Mr. O'BRIEN. Mr. Speaker, in response to the gentleman from Allegheny Mr. Brown, he pointed out—

The SPEAKER. Does the gentleman wish to make a statement to the House?

Mr. O'BRIEN. Thank you, Mr. Speaker, I do.

The SPEAKER. The Chair hears no objection. The gentleman will proceed.

PERMISSION TO ADDRESS HOUSE

Mr. O'BRIEN asked and obtained unanimous consent to address the House.

Mr. Speaker, the gentleman from Allegheny pointed out his reasons for not leaving the House. He thought it was his fundamental right and his constitutional right to vote for his particular district that sent him to the legislature. I also think that as a member of the legislature I enjoy those same fundamental and constitutional rights, but when the Speaker does not see fit to recognize me I do not think I enjoy those rights. At the moment the gentleman from Allegheny, Mr. Brown, arises he is immediately recognized by the Speaker, and I lose my voice in my endeavor to be recognized on something that I thought was really fundamentally concerned with my particular district and on which I enjoy the same rights as the gentleman from Allegheny, Mr. Brown.

Now, I make no apologies to anyone; I have always in my association with the legislature spoken quite frankly. If I want to insult any individual I will do it as a gentleman. I won't enjoy or won't even attempt to use the floor of the House in that connection. I think any Member of the House who has known me knows that I always speak straight from the shoulder. This is an attempt to answer the gentleman from Allegheny, Mr. Brown, who attempted to justify his staying here when the rest of the minority walked out, and I say to you, Mr. Speaker, that I would have done the same thing under any circumstances when I cannot enjoy that constitutional and fundamental right of being heard on the floor of this House.

PERMISSION TO ADDRESS HOUSE

Mr. GRANT asked and obtained unanimous consent to address the House.

Mr. Speaker, I have been observing since I have been up here; since we started the session. I came up here figuring that I was coming to a House that was composed of a group of gentlemen. I recognized all the Members of the House as gentlemen, and to those gentlemen I say that gentlemen at all times should receive the same consideration I realize that the majority at all times should prevail, and I also realize that the minority also has certain rights that should be respected.

I make no apology for what we did here in walking out. I say that I personnally think in my humble opinion that we were discriminated against in this particular, and in some of the rulings that were made here. I say that I am not sorry one bit that I walked out of this House, because I walked out in righteous indignation because of the fact that the methods that are available to the majority are not available to the minority. They can do anything they want to under parliamentary practice instead practicing what they pulled on us here and I make no apology for walking out.

PERMISSION TO ADDRESS HOUSE

Mr. LEVY asked and obtained unanimous consent to address the House.

Mr. Speaker, I have always agreed with the gentleman from Allegheny on questions pertaining to minority rights. I think personally there has been no greater advocate of minority rights and what minorities mean than the gentleman from Allegheny, and I say that, Mr. Speaker, with all the emphasis at my command. However, tonight the Minority Floor Leader in a protest against the actions of the majority walked from the floor, not intending to leave the floor of the House for the session nor for the day, but only as he stated on the floor himself, during the consideration of House Bill 1055.

Now, why did he walk from the House? Why did he intend to bring in question a certain action? So that the majority side of the House and the people of the Commonwealth might understand.

Mr. Speaker, last Thursday the gentleman from Lancaster made certain statements relative to the bill just passed by the House, and in those statements he made certain representations. As I said here a few weeks ago, if we are going to argue these bills on their merits, let us argue facts and truths so that when a Member making them is called upon to argue the question he may be in position to back up the statements he makes.

The gentleman from Lancaster made a statement last Thursday, and he made the statement like so many other statements have been made by some of the other Members of the majority, and it was on the basis of that statement that the minority leader asked the majority to hold up consideration of this bill on third reading and final passage until he received from the department head the statistical figures relative to the statement by the sponsor of the bill, Mr. Alspach.

What happened, Mr. Speaker? Let us review the facts. The Minority Floor Leader asked the Majority Floor Leader on his motion to consider immediately House Bill No. 1055, to hold the bill until he might have sufficient time to receive the information from the department. Remember, gentleman, I was also present at the joint session of the Appropriations Committee of the House and Senate when Governor Martin in his very earnest manner told the minority, and he directed his attention to the minority membership of the committee, and said that if any departmental head does not lend to the minority the facts and figures which the minority thinks it might use in its arguments on the floor of the House or in its debate on a bill, the Governor would see to it that the departmental head delivered the goods or else. Now, gentlemen, that is the exact expression used by the Governor of the Commonwealth. Surely we recognize the rights of the majority but what the gentleman from Alleg[illegible] doe[illegible] ot approve, the majority has at no time in its argument with the minority leader on House Bill No. 1055 recognized the rights of the minority. What were those rights? Simply the right of the minority to have called to its attention figures as promised by a departmental head under the supervision of the Governor of the Commonwealth. That is all and that is stated as simply as possible. Now, were these facts forwarded? It was only after the Minority Floor Leader had left the House that he was approached by the head of the Department of Labor and Industry who told him to look in his mail box and he would then find mysteriously placed therein a letter from the department. Well, mind you, gentlemen, the Minority Floor Leader made the statement on the floor and said that he had visited his mail box one hour previously and had found no such letter. So it leads one obviously to believe that the letter saw its way into the Minority Floor Leader's mail box one hour and no more before the Minority Floor Leader opened the box the second time.

I would ask the Majority Floor Leader who made such a beautiful speech on minority rights if that is the courtesy, if that is the right the majority party intends to extend to the minority party. I say to the Majority Floor Leader that it is a provocation not to walk from the floor of the House in disgust, when the sponsor of the bill only three days ago made certain representations on the floor of this House that have since been proven false. The Minority Leader was not able to get for himself the information from the Department of Labor and Industry.

Gentlemen, incidentally let me repeat what the gentleman from Lancaster said here last Thursday. He said that House Bill No. 1055 would mean more funds for the lower bracket people in Pennsylvania. The Department of Labor and Industry, from which department he was supposed to have received his figures, says plainly that that is not the case. In view of those facts I ask the majority are they according the minority side of this House the right which it is entitled under a democracy and under a republic such as we have in the Commonwealth?

PERMISSION GRANTED COMMITTEE TO MEET DURING SESSION

Mr. GATES asked and obtained permission for the Committee on Townships to meet during the session of the House.

PERMISSION TO ADDRESS HOUSE

Mr. LOVETT asked and obtained unanimous consent to address the House.

Mr. Speaker and members of the House, I realize that men lose their heads at times. I tried to have this House recess in order to give the minority of this House a chance to caucus and straighten out the difficulty but I was not granted that right. I heard the Majority Floor Leader of this House say how unfairly he was treated under the Democratic administration when they were in power. I want to say to you, gentlemen on the other side that I have served in this House and I want to agree with the floor leader on this side of the House when he said that he has never seen such a decision as was made in this House. I want to agree with him. I want to say to the men on the other side of this House that I know the men on this side of the House were more than fair during the time they were in control of this House. I stated to you here the other night that we reduced the number required to discharge committees in this House during the time we were in power in order that you could bring your legislation to the floor of this House and have it acted upon by the Members of this House. Now gentlemen I say to you that there is nothing more fair than that, and you gentlemen don't accord us that kind of fairness today. I say to you in all fairness that to me

that is bending backwards to be fair with the minority as we did in the session of 1937, and I dare any man to get up and deny it.

Now, gentlemen I realize and I am sorry that I have to admit that never during my time in the state Legislature have I seen such decisions and actions by the majority of the House.

PERMISSION TO ADDRESS HOUSE

Mr. ALSPACH asked and obtained unanimous consent to address the House.

Mr. Speaker, I do not think I am particularly thin skinned in any respect but I cannot let go unchallenged the remarks and insinuations of the gentleman from Philadelphia just made about some remarks which I made last Thursday. I made several statements on interrogation on second reading of this bill, 1055, and I made certain statements that the gentleman had all week-end from Thursday to Monday to find out whether or not those statements were correct. When the bill came up for discussion did the gentleman stay here and debate the bill or did he run out? He stated here, Mr. Speaker, and he charged that the figures and facts which I gave have been proven false. Now, Mr. Speaker, when we prove things we prove them by certain accepted standards, and I for one am not willing to take the rantings and ravings of the gentleman from Philadelphia as proof of anything.

PERMISSION TO ADDRESS HOUSE

Mr. HOFFMAN asked and obtained unanimous consent to address the House.

Mr. Speaker, pardon me if I make reference to the reluctance with which we are compelled to sit here tonight to listen to this argument pro and con. The fact of the matter is that I do not think the Members of the House on both sides are in a proper mental attitude to continue further this controversy. We all try to be as tolerant and as fair and as considerate as we possibly can be, but we must remember that there comes a time when even forbearance ceases to be a virtue. I am afraid that we are taking the wrong attitude. We must remember that we are in a democracy and that a democracy is constituted of a two-party system, a majority and a minority. Now, a minority is not always in control. There occur instances when the people speak and the minority party does not, but somehow we get the notion in our heads when the minority becomes a majority it is hard for them to reconcile themselves to the actions when the majority takes hold and prevails. I think we have a job here to do and we ought to reconcile ourselves to the fact that we are sent here by the people to do that job, and not do it by delaying unnecessarily over controversial matters that have no real merit in the objective for which we are sent here. We can do a great deal better at home in serving our country in this time of war. We have industries that are engaged in war and our attention to their needs, and contact with the men who are employed in those industries is of far greater significance in helping to win the war than for us to be idly wasting our time in useless words when the situation ought to be met in a spirit of fairness and accepted in the challenge of the strength of real manhood. I believe the time is here for both the minority and the majority parties to recognize that we are the voice of the people and the sooner we can complete our job here and go back to our respective citizens, and industries and farms and do something really constructive we will be helping to win the war in a far greater way than what we are trying to do here tonight by these bills and the controversial issues that have no real substance or no real merit. I hope we will get down to real honest common sense and deal with one another in a spirit of real cooperation.

PERMISSION GRANTED COMMITTEE TO MEET DURING SESSION

Mr. CHARLES H. BRUNNER, Jr., asked and obtained permission for the Committee on Judiciary Special to meet during the session of the House.

QUESTION OF PERSONAL PRIVILEGE

Mr. COHEN. Mr. Speaker, I rise to a question of personal privilege.

The SPEAKER. The gentleman from Philadelphia will state his question of personal privilege.

Mr. COHEN. Mr. Speaker, the gentleman from Lancaster, Mr. Alspach, just stated that the gentleman from Philadelphia accused him of making a false statement on the floor of this House last Thursday. Since I consider myself a gentleman from Philadelphia and perhaps the record might not be clear to prove who he intended the remarks to refer to, I should like to make this clear. I stated that the gentleman was in error, that the source of his material and statement was not right. I was fair enough to tell him that last Thursday. Now, Mr. Speaker, this is the record and let it be clear: The gentleman on interrogation last Thursday stated that the amendments to House Bill 1055 with respect to benefits would provide greater payments and more liberal payments to persons in the lower brackets and to persons entitled to benefits in the lower brackets. Upon further questioning he stated it would increase the benefit payments in the lower brackets from two to five million dollars a year. Let me read a letter dated May 3, 1943 addressed to myself which reads as follows:

> Dear Mr. Cohen:
>
> Benefit provisions under House Bill No. 1055 referred to in your letter of April 29 to Mr. Frank L. Shallow would apparently not increase the total amount of compensation which would be payable under the present provisions of the Law.
>
> The exact cost of benefit payments under the amended provisions are not ascertainable at this time. Moreover, the relationship of such amount to the amount which would be payable under the present benefit provisions of the Law will vary considerably depending on economic conditions at any particular time. As a different period of time is used as a basis for determining the amount of benefits payable to an individual claimant the amended provisions would appear to be more favorable to claimants during a period of declining employment and less favorable during a period of increasing employment. Consequently, as the rate and amount of benefits may be greater at certain periods in the economic cycle and less at other periods, there would be a certain tendancy for these two influences to offset each other.
>
> Sincerely yours,
>
> /s/ WILLIAM H. CHESTNUT,
>
> Secretary of Labor and Industry.

I never said the gentleman from Lancaster, Mr. Alspach, made a false statement on this floor. I told him privately last week that he was in error, that his source of information must be erroneous, and that if he looked into the matter more carefully he would possibly find that the payments would not be increased but may be decreased.

Now, the Department of Labor and Industry gives us a letter which is not too clear to me even at this time but it does at least say emphatically that these benefits would not be increased. The gentleman from Lancaster did not lie, the gentleman from Lancaster did not tell a falsehood. I said to him privately and I say to him now that the gentleman has been given the wrong information but the persons who seek the enactment of this bill, whether it be a private agency or a public agency, have certainly committed a fraud upon this House.

PERMISSION TO ADDRESS THE HOUSE

Mr. ALSPACH asked and obtained unanimous consent to address the House.

Mr. Speaker, I want to say but one sentence. My remarks the last time I was on the floor of this House were not directed to the Minority Leader, Mr. Cohen, I did not have him in mind when I made the statement on the floor at that time.

PERMISSION GRANTED COMMITTEE TO MEET DURING SESSION

Mr. FLEMING asked and obtained permission for the Committee on Cities Second-Class to meet during the session of the House.

RESOLUTION

RECALLING HOUSE BILL No. 115 FROM THE GOVERNOR

Mr. CHARLES H. BRUNNER, Jr., offered the following resolution which was twice read, considered and adopted:

In the House of Representatives, May 3, 1943.

Resolved, (if the Senate concur), That House Bill No. 115, Printer's No. 70, entitled "An act to further amend the act, approved the first day of May, one thousand nine hundred and twenty-nine (P. L. 905), entitled 'An act for the protection of the public safety; regulating the use of highways, and the operation of vehicles, tractors, street cars, trackless trolley omnibuses, bicycles, pedestrians, and the riding of animals upon the highways of this Commonwealth; providing for the titling, including liens, encumbrances, and legal claims; registration of certain vehicles and licensing the operators thereof, upon payment of prescribed fees; prescribing and limiting the powers of local authorities to deal with the subject matter of this act; conferring powers and imposing duties upon the Department of Revenue, the Department of Highways, peace officers, mayors, burgesses, magistrates, aldermen, justices of the peace, the courts and the clerks thereof, owners of vehicles, and garage keepers; providing that records are admissible as evidence; imposing upon owners, counties, cities, boroughs, incorporated towns, townships, within the Commonwealth, liability for damages caused by the negligent operation of their motor vehicles; imposing penalties; imposing certain costs upon counties; providing for the disposition of fines, forfeitures, fees, and miscellaneous receipts; making an appropriation and providing for refunds,' by permitting the use of red signal lights and sound devices on certain additional vehicles; changing the provisions concerning rights of way and providing penalties," be recalled from the Governor for the purpose of amendments.

Ordered, That the Clerk present the same to the Senate for concurrence.

PERMISSION GRANTED COMMITTEE TO MEET DURING SESSION

Mr. REAGAN asked and obtained permission for the Committee on Agriculture to meet during the session of the House.

RESOLUTION INTRODUCED AND REFERRED

By Mr. COULSON (Concurrent) RESOLUTION No. 69.

In the House of Representatives, May 3, 1943.

The people of Pennsylvania, by a majority vote of the electorate, have approved the purchase by the Commonwealth of the few remaining, privately-owned intrastate toll bridges in the state and have authorized the issuance of ten million dollars of bonds for that purpose;

The General Assembly of the Commonwealth, in accordance with that mandate of the electorate, has enacted legislation establishing the procedure by which the necessary bonds can be issued and the bridges can be purchased;

Both the mandate of the people and the intent of the General Assembly have been nullified by failure to complete the process of acquisition of these toll bridges by the Commonwealth;

The continued operation of these toll bridges by private owners prevents Pennsylvania from having a completely free system of highways and bridges, and compels millions of highway users to pay more than a million dollars a year in toll-taxes with no prospect of the bridges ever being freed; therefore, be it

Resolved (if the Senate concur), That the General Assembly of the Commonwealth of Pennsylvania, hereby requests and urges the proper executive officers of the Commonwealth to take immediate and appropriate action by which all privately-owned, intrastate toll bridges in Pennsylvania can be purchased with the proceeds of the authorized bond issue without delay, to the end that they shall become free bridges just as soon as the revenues from tolls have been sufficient to retire the bonds; and be it further

Resolved, That copies of this Resolution be sent to the Governor, the Secretary of Highways, the Auditor General and the State Treasurer.

Referred to the Committee on Rules.

SENATE MESSAGES

SENATE BILL FOR CONCURRENCE

The clerk of the Senate being introduced, presented for concurrence, bills numbered and entitled as follows:

SENATE BILL No. 236.

A Supplement to the act approved the twelfth day of June one thousand nine hundred and thirty-nine (P. L. 335) entitled "An act creating a temporary commission to examine report upon and recommend measures to improve the economic cultural health and living conditions of the urban colored population of the State and making an appropriation of the expenses of such commission" by extending the term of such commission until the next regular session of the General Assembly and making an appropriation.

Referred to the Committee on State Government.

SENATE BILL No. 415.

An Act authorizing cemetery companies to accept certain gifts in trust and to be appointed trustees or sub-

stituted trustees of certain funds regulating their rights and duties in respect to trust funds the income therefrom and the investment thereof permitting them to give their own bonds and validating certain actions.

Referred to the Committee on Banking.

SENATE BILL No. 419.

An Act giving the consent of the Commonwealth of Pennsylvania to the acquisition by the United States of America of approximately twenty-one thousand acres of land in the County of Franklin Commonwealth of Pennsylvania known as the Letterkenny Ordnance Depot and ceding jurisdiction to the United States.

Referred to the Committee on State Government.

SENATE BILL No. 420.

An Act giving the consent of the Commonwealth of Pennsylvania to the acquisition by the United States of America of a tract of land in Lancaster County Pennsylvania known as the Marietta Holding and Reconsignment Point and ceding jurisdiction to the United States.

Referred to the Committee on State Government.

SENATE BILL No. 425.

An Act giving the consent of the Commonwealth of Pennsylvania to the acquisition by the United States of America of a tract of land in Crawford County Pennsylvania known as the Keystone Ordance Plant and ceding jurisdiction to the United States

Referred to the Committee on State Government.

SENATE BILL No. 430.

An Act giving the consent of the Commonwealth of Pennsylvnia to the acquisition by the United States of America of a tract of land in the Thirty-eighth Ward of the City of Philadelphia Pennsylvania known as the Philadelphia Signal Depot and ceding jurisdiction to the United States.

Referred to the Committee on State Government.

SENATE BILL No. 492.

An Act to reenact and further amend the title of and the act approved the twenty-ninth day of September one thousand nine hundred thirty-eight (P. L. 53) entitled "An act relating to institutions of counties cities and institution districts for the care maintenance and treatment of mental patients providing for the transfer of such institutions to the Commonwealth providing for the management and operation or closing and abandonment thereof and the maintenance of mental patients therein including the collection of maintenance in certain cases providing for the re-transfer of certain property to institution districts under certain circumstances conferring and imposing upon the Governor the Department of Welfare the courts of common pleas and counties cities and institution districts certain powers and duties prohibiting cities counties and institution districts from maintaining and operating institutions in whole or in part for the care and treatment of mental patients and repealing inconsistent laws" including institutions of wards boroughs townships and other political subdivisions under the terms thereof and providing for the re-tranfer of certain property to counties cities wards boroughs townships institution districts and other political subdivisions

Referred to the Committee on State Government.

SENATE BILL No. 523.

An Act to amend section six hundred three of the act approved the second day of May one thousand nine hundred twenty-nine (P. L. 1278) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto" by providing for the completion of public monuments.

Referred to the Committee on Counties.

SENATE BILL No. 531

An Act authorizing counties of the second class to enter into contracts with any city within the county for the hospitalization of persons suffering from infectious diseases and to make appropriations therefor

Referred to the Committee on Cities—Second Class.

SENATE BILL No. 540

An Act giving the consent of the Commonwealth of Pennsylvania to the acquisition by the United States of America of a tract of land in Montgomery County Pennsylvania known as the United States Naval Air Station Hatboro Willow Grove Pennsylvania and ceding jurisdiction to the United States

Referred to the Committee on State Government.

SENATE BILL No. 545

An Act giving the consent of the Commonwealth of Pennsylvania to the acquisition by the United States of America of a tract of land in Cumberland County Pennsylvania for a supply depot known as the United States Naval Supply Depot Mechanicsburg Pennsylvania and ceeding jurisdiction to the United States

Referred to the Committee on State Government

SENATE BILL No. 554

An Act to amend sections two five seven ten eleven twelve fifteen seventeen nineteen twenty-one twenty-two twenty-six and thirty-one and to repeal sections nine twenty-four and thirty-six of the act approved the sixth day of August one thousand nine hundred forty-one (P. L. 861) entitled "An act to create a uniform and exclusive system for the administration of parole in this Commonwealth establishing the 'Pennsylvania Board of Parole' conferring and defining its jurisdiction duties powers and functions including the supervision of persons placed upon probation in certain designated cases providing for the method of appointment of its members regulating the appointment removal and discharge of its officers clerks and employes dividing the Commonwealth into administrative districts for purposes of parole fixing the salaries of members of the board and of certain other officers and employes thereof making violation of certain provisions of this act misdemeanors providing penalties therefor and for other cognate purposes and making an appropriation" by reducing the membership of said board further conferring revising and defining its jurisdiction duties powers and functions changing the appointment removal and discharge of certain officers decreasing the salaries of members of the board and fixing the salaries of certain officers and employes

Referred to the Committee on Judiciary Special

SENATE BILL No. 579

An Act to further amend section one thousand one hundred forty-seven of the act approved the first day of May one thousand nine hundred thirty-three (P. L. 103) entitled "An act concerning townships of the second class and amending revising consolidating and changing the law relating thereto" by providing as to certain additional roads streets lanes and alleys which may be accepted as public highways by boards of supervisors of townships of the second class

Referred to the Committee on Townships

SENATE BILL No. 603

An Act authorizing the Department of Property and Supplies to establish, operate and maintain self-sustaining restaurants, as herein defined, in the State Capitol and adjacent buildings, creating a revolving fund for this purpose to be known as The State Restaurant Fund, providing additional duties for the State Treasurer and the Department of Health in connection therewith, and appropriating the necessary funds for these purposes.

Referred to the Committee on State Government.

SENATE BILL No. 608.

An Act to validate and quiet the title to real estate in this Commonwealth heretofore conveyed to a citizen of the United States or a corporation authorized to hold such real estate by any building and loan association whose charter had expired.

Referred to the Committee on Judiciary General.

SENATE BILL No. 623.

An Act to further amend section six hundred three of the act approved the seventeenth day of May one thousand nine hundred and twenty-one (P. L. 789) entitled as amended "An act relating to insurance establishing an insurance department and amending revising and consolidating the law relating to the licensing qualification regulation examination suspension and dissolution of insurance companies Lloyds associations reciprocal and inter-insurance exchanges and certain societies and orders the examination and regulation of fire insurance rating bureaus and the licensing and regulation of insurance agents and brokers the service of legal process upon foreign insurance companies associations or exchanges providing penalties and repealing existing laws" by providing that an attorney-at-law or a licensed real estate broker shall not be required to obtain a license to act as agent for a domestic title insurance company.

Referred to the Committee on Insurance.

SENATE BILL No. 626.

An Act to regulate persons partnerships and corporations engaged in the business of renting motor vehicles authorizing the Public Utility Commission to administer and enforce the provisions of this Act and imposing penalties.

Referred to the Committee on Public Utilities.

SENATE MESSAGE

The Clerk of the Senate, Mr. McGroerty, being introduced, presented the following extracts from the Journal of the Senate:

Senate bills for concurrence Nos. 272, 26, 815, 355, 356, 363, 369 and 594.
House bills returned with amendments Nos. 55, 56 and 134.
House bills returned without amendments Nos. 143, 150, 198, 317, 360, 361, 372, 545,
which were laid on the table.

HOUSE BILLS CONCURRED IN BY SENATE

The Clerk of the Senate being introduced, returned bills from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 143.

An Act validating certain expenditures heretofore made by county commissioners in order to furnish filing cabinets or other office equipment to ration boards

HOUSE BILL No. 150.

An Act to further amend clause (17) of subdivision (4) of subsection (j) of section four of the act approved the fifth day of December one thousand nine hundred thirty-six (1937 P. L. 2897) entitled "An act establishing a system of unemployment compensation to be administered by the Department of Labor and Industry and its existing and newly created agencies with personnel (with certain exceptions) selected on a civil service basis requiring employers to keep records and make reports and certain employers to pay contributions based on payrolls to provide moneys for the payment of compensation to certain unemployed persons providing procedure and administrative details for the determination payment and collection of such contributions and the payment of such compensation providing for cooperation with the Federal Government and its agencies creating certain special funds in the custody of the State Treasurer and prescribing penalties" excluding services of real estate salesmen real estate brokers and unsalaried newspaper correspondents from the definition of "employment"

HOUSE BILL No. 198.

An Act to amend section nine hundred fifteen of the act approved the first day of May one thousand nine hundred thirty-three (P. L. 103) entitled "An act concerning townships of the second class and amending revising consolidating and changing the law relating thereto" continuing the liability of taxpayers after the tax collector has been exonerated

HOUSE BILL No. 317.

An Act to further amend section two of the act approved the fourth day of June one thousand nine hundred and fifteen (P. L. 828) entitled "An act to provide revenue by imposing a State tax upon sales or agreements to sell or memoranda of sales of stock and upon deliveries or transfers of shares or certificates of stock in domestic and foreign corporations copartnerships associations and joint-stock associations providing the manner of collecting such tax and prescribing penalties" by further extending the exemptions from the tax imposed by the said act

HOUSE BILL No. 360.

An Act to further amend the first three paragraphs of section one thousand two hundred one of the act approved the eighteenth day of May one thousand nine hundred eleven (P. L. 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" making wartime emergency provisions for substitute teachers

HOUSE BILL No. 361.

An Act to amend section six hundred fifteen of the act approved the eighteenth day of May one thousand nine hundred eleven (P. L. 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general or local or any parts thereof that are or may be inconsistent therewith" by changing the requirement for approval of repairs of school buildings in districts of the third and fourth class

HOUSE BILL No. 372.

An Act to amend clause eight of section seven hundred and two of the act approved the first day of May one thousand nine hundred and thirty-three (P. L. 103) en-

titled "An act concerning townships of the second class and amending revising consolidating and changing the law relating thereof" by empowering townships of the second class to levy a tax under certain circumstances for the purpose of paying for the removal and disposal of ashes garbage and other refuse material

HOUSE BILL No. 545.

An Act to further amend section four of the act approved the twenty-first day of May one thousand nine hundred thirty-one (P. L. 149) entitled "An act imposing a State tax payable by those herein defined as distributors on liquid fuels used or sold and delivered within the Commonwealth which are ordinarily practically and commercially usable in internal combustion engines for the generation of power providing for the collection and lien of the tax and the distribution and use of the proceeds thereof requiring such distributors to secure permits to file corporate surety bonds and reports and to retain certain records imposing duties on retail dealers common carriers county commissioners and such distributors providing for rewards imposing certain costs on counties conferring powers and imposing duties on certain State officers and departments providing for refunds imposing penalties and making an appropriation" by imposing and continuing the additional emergency tax on liquid fuels for a further limited period of time

With the information that the Senate has passed the same without amendment.

REPORTS FROM COMMITTEES

Mr. REAGAN, from the Committee on Agriculture, reported as committed, Senate Bill No. 571, entitled:

An Act to further amend sections twenty-six and thirty-five of the act, approved the eleventh day of May, one thousand nine hundred twenty-one (P. L. 522), entitled as amended "An act relating to dogs, and the protection of live stock, poultry, and game birds raised in captivity from damage by dogs; providing for the licensing of dogs by the Secretary of Agriculture; providing for the enumeration of dogs by assessors; regulating the keeping of dogs, and authorizing their destruction in certain cases providing for the protection of licensed dogs, and for dogs temporarily imported for trial, show, and breeding purposes; prescribing certain privileges for hunting dogs and dogs owned or used by the Board of Game Commissioners; providing for the assessment of damages done to live stock, poultry, and game birds by dogs, and for live stock killed by, or dying from, rabies and for the illegal killing of licensed dogs, payment of such damages by the Commonwealth; imposing powers and duties on certain State, county, city, borough, town, and township officers and employes, directing the payment of all moneys collected into the State Treasury; and providing penalties," providing for payment by the Commonwealth for the Pasteur treatment against rabies; and fixing the Commonwealth's liability for enforcement of said act

Mr. STONIER, from the Committee on Cities—Second Class, reported as committed, Senate Bill No. 149, entitled:

An Act to amend section two of the act approved the twenty-third day of May one thousand nine hundred seven (P. L. 206) entitled "An act to regulate and improve the civil service of the cities of the second class in the Commonwealth of Pennsylvania making violations of its provisions to be misdemeanor and providing penalties for violations thereof" providing for the appointment of members of the civil service commissions by the Court of common pleas.

Mr. MILLER, from the Committee on Judiciary Special, reported as committed, Senate Bill No. 494, entitled:

An Act to amend Article VI of the act, approved the twenty-fourth day of June, one thousand nine hundred thirty-nine (P. L. 872), entitled "An act to consolidate, amend and revise the penal laws of the Commonwealth," by making it unlawful to throw certain articles upon the land of another and providing penalties

Mr. POWERS, from the Committee on Cities—Second Class reported as committed, Senate Bill No. 532, entitled:

An Act to further amend the last paragraph of section five of the act approved the twelfth day of May, one thousand nine hundred eleven, (P. L. 295), entitled "A supplement to an act, entitled 'An act for the government of cities of the second class' approved the seventh day of March, Anno Domini one thousand nine hundred and one; providing for the levy, collection, and disbursement of taxes and water-rents, or rates, and conferring certain powers and duties in reference thereto upon the city treasurer, the board of water assessors, and the collector of delinquent taxes; and repealing certain acts relating to matters herein provided for," requiring the board of water assessors to furnish information to departments of the city government.

Mr. LYONS, from the Committee on Judiciary Special, reported as committed, Senate Bill No. 554, entitled:

An Act to amend sections two five seven ten eleven twelve fifteen seventeen nineteen twenty-one twenty-two twenty-six and thirty-one and to repeal sections nine twenty-four and thirty-six of the act approved the sixth day of August one thousand nine hundred forty-one (P. L. 861) entitled "An act to create a uniform and exclusive system for the administration of parole in this Commonwealth establishing the 'Pennsylvania Board of Parole' conferring and defining its jurisdiction duties powers and functions including the supervision of persons placed upon probation in certain designated cases providing for the method of appointment of its members regulating the appointment removal and discharge of its officers clerks and employes dividing the Commonwealth into administrative districts for purposes of parole fixing the salaries of members of the board and of certain other officers and employes thereof making violations of certain provisions of this act misdemeanors providing penalties therefor and for other cognate purposes and making an appropriation" by reducing the membership of said board further conferring revising and defining its jurisdiction duties powers and functions changing the appointment removal and discharge of certain officers decreasing the salaries of members of the board and fixing the salaries of certain officers and employes.

Mr. FLEMING, from the Committee on Townships, reported as committed, Senate Bill No. 579, entitled:

An Act to further amend section one thousand one hundred forty-seven of the act approved the first day of May one thousand nine hundred thirty-three (P. L. 103) entitled "An act concerning townships of the second class and amending revising consolidating and changing the law relating thereto" by providing as to certain additional roads streets lanes and alleys which may be accepted as public highways by boards of supervisors of townships of the second class.

Mr. GARBER, from the Committee on Counties, reported as amended, Senate Bill No. 238, entitled:

An Act to amend sections four and six of, and to add section 7.1 to, the act, approved the tenth day of July, one thousand nine hundred thirty-five (P. L. 641), entitled "An act providing for the eradication of mosquitoes; authorizing the establishment of county mosquito extermination commission, after popular referendum, and the appointment of their members by the county commissioners; prescribing the powers and duties of such commissions," providing that the Secretary of Agriculture cooperate

with, and be a member ex-officio of, the county mosquito extermination commission; prescribing powers and duties of the Secretary of Agriculture and said commissions; providing that costs of abating nuisances from breeding of mosquito larvae may be assessed against lands where breeding exists; and providing that said act shall not apply to counties of the first class.

Mr. GOODLING, from the Committee on Counties reported as committed, Senate Bill No. 239, entitled:

An Act to amend section one and two of the act approved the tenth day of July one thousand nine hundred thirty-five (P. L. 641) entitled "An act providing for the eradication of mosquitoes authorizing the establishment of county mosquito extermination commissions after popular referendum and the appointment of their members by the county commissioners prescribing the powers and duties of such commissions" by providing for abolition of existing mosquito extermination commissions after popular referendum.

BILL ON FIRST READING

By unanimous consent the following bill was read the first time.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 571, entitled:

An Act to further amend sections twenty-six and thirty-five of the act approved the eleventh day of May one thousand nine hundred twenty-one (P. L. 522) entitled as amended "An act relating to dogs and the protection of live stock poultry and game birds raised in captivity from damage by dogs providing for the licensing of dogs by the Secretary of Agriculture providing for the enumeration of dogs by assessors regulating the keeping of dogs and authorizing their destruction in certain cases providing for the protection of licensed dogs and for dogs temporarily imported for trial show and breeding purposes prescribing certain privileges for hunting dogs and dogs owned or used by the Board of Game Commissioners providing for the assessment of damages done to live stock poultry and game birds by dogs and for live stock killed by or dying from rabies and for the illegal killing of licensed dogs and the payment of such damages by the Commonwealth imposing duties and powers on certain State county city borough town and township officers and employes directing the payment of all moneys collected into the State Treasury and providing penalties" providing for payment by the Commonwealth for the Pasteur treatment against rabies and fixing the Commonwealth's liability for enforcement of said act.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

REPORT OF COMMITTEE TO INVESTIGATE EXPENDITURES OF HON. WILLIAM A. SHAW OF MONEYS APPROPRIATED TO SEWING PROJECTS COMMITTEE

Mr. BOWER. Mr. Speaker, your committee appointed under House Resolution No. 55, Printer's No. 479, begs to submit the following report:

The report was read by the Clerk as follows:

To the Honorable, the Speaker and the Members of the House of Representatives of the Commonwealth of Pennsylvania.

Pursuant to House Resolution No. 55, adopted April 21, 1943, your committee has investigated the expenditures made by Hon. William A. Shaw as chairman of the committee of the House of Representatives, appointed pursuant to resolution (Serial No. 12) adopted January 7, 1941 to investigate the circumstances surrounding the threatened failure of the Commonwealth to contribute to the W. P. A. Sewing Projects, and begs leave to submit the following report:

Your committee met on April 26th, 28th and 29th, 1943, at which meeting testimony was taken and full information covering the expenses of the Sewing Projects Committee and the application of the moneys appropriated therefor was received.

The members of the Sewing Projects Committee were Messrs. Shaw—Chairman, Scanlon, Reading, Bretherick and Stockham.

The committee held various meetings for the purpose of carrying out its functions, in Philadelphia, Washington and elsewhere, besides numerous meetings in Harrisburg during the period of time the General Assembly was in session. At all of these meetings expenses were incurred by the members attending the meetings.

On February 17, 1941 the committee filed its preliminary report which is printed at length in the appendix of the Legislative Journal for 1941 (Volume 6, pages 6443-4). No other written report was, at any time, made to the General Assembly by this committee. A statement in the nature of a final report was made by Mr. Shaw to the House on July 7, 1941 (Legislative Journal, Volume 4, page 4752).

An appropriation of three thousand dollars ($3000) was made "to the Special Investigating Committee of the House of Representatives, appointed pursuant to House Resolution, Serial No. 12, adopted by the House of Representatives the seventh day of January, one thousand nine hundred forty-one, to reimburse the committee for all reasonable expenses incurred by it in making its investigation and performing its duties in accordance with such resolution." This appropriation act was approved by the Governor on July 31, 1941 (App. Laws p-84, No. 63-A).

The full amount of this appropriation was paid to William A. Shaw, as chairman of the committee on August 7, 1941, with the understanding that an account would be filed with the Auditor General of the Commonwealth, covering the expenditure of the same.

No such accounting has at any time been made.

None of the expenses of any of the four members of the committee, other than Mr. Shaw, incurred in carrying out their duties as members of the committee, have been paid.

The regular session of the General Assembly for 1941 adjourned sine die on July 15, 1941.

Your committee served a certified copy of House Resolution No. 55 of the current session, under which it acts, on William A. Shaw by registered mail, at the same time requesting him to appear before your committee on Wednesday, April 28th at 10:30 A. M.

Mr. Shaw did not appear before your committee in response to its request, but instead, addressed a letter to the Chairman of your committee, enclosing therewith a letter from Paul D'Ortona, addressed to Mr. Shaw. Copies of both of these letters are attached to this report, marked exhibits "A" and "B" respectively, and made parts hereof.

By said letters, Mr. Shaw seeks to account to your committee for the expenditure of three thousand dollars ($3000), appropriated by the Commonwealth for the expenses of the Sewing Projects Committee, by showing payment to Mr. D'Ortona of four hundred fifty dollars ($450.00), on the basis of employment as secretary of the committee, and compensation as such at the rate of fifteen dollars ($15.00) per day for thirty days, covering a period from March 13th to July 30th, 1941 and the retention of the balance by Mr. Shaw as his own compensation, at the rate of fifteen dollars ($15.00) per day for one hundred seventy-two days, covering a period from January 8th to December 20th, 1941. Of these, 70 days were before and 102 days after final adjournment of the General Assembly.

During the period covered by the alleged services of Mr. D'Ortona a secretary of said committee, Mr. D'Ortona

was a member of the House of Representatives of the Commonwealth of Pennsylvania.

The appointment of Mr. D'Ortona as secretary of the committee was made by Mr. Shaw, as chairman, without the knowledge or sanction of the other members of the committee.

Article II, Section 8 of the Constitution provides as follows:

> "The members of the General Assembly shall receive such salary and mileage for regular and special sesisons as shall be fixed by law, and no other compensation whatever, whether for service upon committee or otherwise. No member of either House shall, during the term for which he may have been elected, receive any increase of salary, or mileage, under any law passed during such term."

Your committee, therefore, finds:

That neither William A. Shaw nor Paul D'Ortona, who were both members of the General Assembly during the period of time covered by the services for which per diem compensation is claimed, were entitled to any compensation for any service upon the Sewing Projects Committee, other than the salary and mileage fixed by law for their services as members of the legislature.

That Mr. D'Ortona, not being a member of the committee and not having been properly elected as its secretary, is not entitled to reimbursement for any expenses which he may have incurred in performing any services for the committee at the request of its chairman.

That Mr. Shaw and the other four members of the committee are entitled to reimbursement out of the appropriation made for that purpose for all expenses actually incurred by them before final adjournment of the General Assembly on July 15, 1941, in connection with making the investigation called for by the House Resolution under which they served, upon the presentation of proper vouchers therefor.

That, since the life of a special committee of either House of the General Assembly expires with the adjournment of the session at which it was created, no member of the committee is entitled to reimbursement for any expenses incurred after July 15, 1941.

That the entire sum of three thousand dollars ($3,000), appropriated by the Commonwealth to pay the expenses of the Sewing Projects Committee, has been mishandled by William A. Shaw, and that restitution thereof should be demanded and enforced by the proper administrative agency of the Commonwealth.

Your committee recommends that the matter of recovering these funds, and the proper distribution thereof among the persons entitled thereto, be referred to the Department of Justice to take such action as the Department may deem necessary and proper.

Respectfully Submitted:

ADAM T. BOWER, Chairman
J. N. HOFFMAN
ALBERT F. FOOR
ELLWOOD B. WELSH
DAVID H. WEISS

Exhibit—A

Welfare Committee
William A. Shaw
1100 Sheffield Street
North Side, Pittsburgh

House of Representatives
Harrisburg

Hon. Adam T. Bower,
House of Representatives,
Harrisburg, Penna.

My dear Mr. Bower:

I give you herewith the facts concerning the investigation of the dispute between the Work Projects Administration and the Commonwealth conducted pursuant to the adoption of House Resolution No. 7 of the 1941 Session.

Resolution adopted seventh day of January, 1941 and Committee appointed. Members of the Committee were Messrs, Shaw, Scanlon, Readinger, Bretherick and Stockham.

Because of the seriousness of conditions in the Sewing Projects in Philadelphia it was decided to begin with that city as some of the radical elements there were promoting a "protest march" to Harrisburg.

9 January, 1941—
Meeting in Philadelphia
Present—Messrs. Shaw, Scanlon, Bretherick

10 January, 1941—
Meeting in Philadelphia
Present—Messrs. Shaw, Scanlon, Bretherick

15 January, 1941—
Meeting and conference in Washington, D. C.
Present—Messrs. Shaw and Stockham

14 February, 1941—
Meeting in Philadelphia
Present—Messrs. Shaw, Scanlon, Bretherick, Stockham

21 February, 1941
Meeting in Philadelphia
Present—Messrs. Shaw, Scanlon, Bretherick

The above-noted meetings were the only ones held by the Committee at any time except ones held in Harrisburg on days when the House was in session.

On 19 February, 1941, the Governor signed an agreement continuing the Sewing Projects for a two-month period.

On 17 April, 1941, the Governor signed an agreement for another extension of the Sewing Projects, this one being for one month.

Meanwhile, protests from all Sewing Projects in the Commonwealth had been pouring in and almost from the beginning it had been necessary and advisable to conduct investigations of these complaints.

Because of their private occupations it was not possible for Messrs. Scanlon, Readinger, Bretherick and Stockham to attend such investigations and I had to conduct the majority of them alone.

When House Resolution No. 7 was adopted, no mention of any appropriation was made nor was any such appropriation even considered, but in May when the task of composing the differences between W.P.A. and the Commonwealth had taken so much time and still was not accomplished, it was decided that a Bill covering such expenses should be introduced.

Meanwhile, because of the increasing work connected with the investigations and the impossibility of doing the work alone, I had, after consulting the Committee, asked Hon. Paul D'Ortona, Secretary of the Welfare Committee, to do some of the investigating of complaints.

In a verbal report during May, 1941 to the House, I told of the amount of work done by the Committee and by Mr. D'Ortona.

The dispute between W.P.A. and the Commonwealth was not finally disposed of until about the 20th of December, 1941, instead of within a few weeks as had originally been thought possible.

The Appropriation Bill was introduced in the House on 20 May, 1941. It was signed by the Governor on 31 July, 1941 and the money was not made available until about 9 August, 1941.

At no time, up to and including today, has any member of the Special Committee presented to me the data concerning the payment of the per diem expenses ($15.00) allowed for attendance at meetings not held when the House was in session.

Two days after the meeting in Washington on 15 January, 1941, Mr. Stockham sent a letter to the Chief Clerk of the House asking that he be reimbursed for his expenses on that trip, but was told by the Chief Clerk that no appropriation was available.

During the Special Session of 1942 I asked that the

data be furnished so that the matter might be settled but received none.

During this Session, I again asked for the necessary information and on 29 March, 1943 I went to Harrisburg to meet with these men and none of them showed up for the meeting.

My records show the attendance of the members of the Committee at meetings as follows:

Scanlon—Jan. 9, Jan. 10, Feb. 14, Feb. 21
Bretherick—Jan. 9, Jan. 10, Feb. 14, Feb. 21
Stockham—Jan. 15, Feb. 14
Readinger—Attempted to attend the meeting held 15 January, in Washington but was not able to attend because of a storm.

The number of days spent by me as shown herewith does not include any of the times when I had to leave Harrisburg during the times the House was in session and travel to Washington for conferences with the W.P.A. officials, though this occurred about fifteen times.

The schedule of days spent by Mr. D'Ortona is enclosed, as is his receipt for payment.

Below is schedule of days I spent on the work:

January—8, 9, 10, 11, 14, 15, 16, 17, 18, 20, 21, 23, 24, 25, 29, 30, 31
February—1, 5, 6, 7, 8, 13, 14, 15, 20, 21, 22, 27, 28
March—1, 6, 7, 8, 13, 14, 15, 20, 21, 22, 27, 28, 29
April—3, 4, 5, 11, 12, 18, 19, 25, 26
May—2, 3, 9, 10, 16, 17, 23, 24 31
June—6, 7, 13, 14, 20, 21, 27, 28
July—22, 23, 24, 25, 26, 28, 29, 30, 31
August—1, 2, 4, 6, 7, 8, 9, 11, 12, 13, 14, 15, 16, 18, 19, 20, 21, 22, 23, 25, 26, 27, 28, 29, 30
September—1, 2, 3, 5, 6, 7, 8, 9, 10, 11, 12, 13, 17, 18, 19, 20, 24, 25, 26, 27
October—2, 3, 4, 6, 7, 8, 9, 10, 11, 13, 14, 15, 16, 17, 18, 19, 20, 21,, 22, 23, 24, 25, 27, 28, 29, 30, 31
November—1, 7, 8, 11, 13, 14, 15, 21, 22, 26, 27, 28, 29
December—5, 6, 11, 13, 17, 18, 19, 20

I believe that this letter covers all of the essential matters in connection with the "expenses" phase of the Committee's work, but it does not attempt to cover the vast amount of detail work accomplished.

As for the necessity of the task I suggest that the newspapers published pretty accurate accounts of the entire matter during the first four months of 1941.

Sincerely,

WILLIAM A. SHAW

27 April, 1943.

Exhibit—B

My Dear Mr. Shaw

In response to your request I wish to advise you that I spent 30 days in the work of getting the sewing projects matter settled and have received $450.00 in payment for this work you were giving in August—1941—about the 15th of the month a receipt for payment of this money and this receipt showed the various dates for which this money was payed to me.

Very Truly Yours,

PAUL D'ORTONA

March 22, 1943

March—13, 14, 21, 7. 8, 15
April—11. 12
May—2, 3, 9, 16, 23, 24, 30, 31
June—6, 13, 20, 7, 14, 27, 28
July—21, 22, 23, 24, 25, 28, 29, 30

The SPEAKER. The report will be printed in full in the Journals of the House.

RESOLUTION

Mr. BOWER offered a resolution and asked and obtained unanimous consent for its immediate consideration.

The resolution was twice read, considered and adopted as follows:

In the House of Representatives, May 3, 1943.

Whereas, By the report of the committee of this House appointed to investigate the expenditures by William A. Shaw of the appropriation, made by Act 63-A of the legislative session of 1941, to cover the expenses of a committee which investigated a threatened discontinuance of W.P.A. sewing projects in Pennsylvania, it appears that the moneys so appropriated have been mishandled, and it is recommended that the matter be referred to the Department of Justice for action, therefore be it

Resolved, That the House of Representatives, hereby requests the Department of Justice to take such action as it deems proper in the premises; and that a copy of this resolution, together with a copy of the report hereinbefore referred to, be delivered to the Attorney General of this Commonwealth.

PERMISSION TO ADDRESS HOUSE

Mr. ALSPACH asked and obtained unanimous consent to address the House:

Mr. Speaker, last Wednesday I believe it was I asked for leave of absence for the gentleman from Allegheny, Mr. Shaw. That was the first time I had heard that such a step was necessary in order to deprive this man of his mileage check. I understand that he lives at Pittsburgh and has been receiving twenty-five dollars approximately per week each and every week since the beginning of the session. I understand that he was here the first day and was sworn in, and since that time has been receiving his pay check and his mileage. Mr. Speaker, I think that is a mockery of the processes of this House, a mockery of justice that this man should be allowed to receive twenty-five dollars per week for mileage for not coming and not attending the sessions of this House.

Furthermore I think it is a mockery that this man should receive his pay as a Member of the House for not performing his services.

Furthermore, I understand, Mr. Speaker, that this gentleman is on the payroll of the General State Authority, and I understand that he is receiving twenty-five dollars a day. He is special liaison man between the General State Authority and the W. P. B. at Washington and I believe his onerous duties requires that he spend all his time in Philadelphia at twenty-five dollars a day. I do not know what procedure or what remedy need be taken as far as holding up his final pay check is concerned, but I certainly think that under no circumstances should this House grant or allow to be paid his final pay check which is normally paid to the members in good standing on final adjournment, until and unless he comes clean and faces this committee personally and makes a full explanation and restitution of the moneys which he has allegedly withheld, money which belongs not to you or me but to all the people of the Commonwealth.

I think the attention of the office of the Attorney General should be called to the dual positions that he is holding, and I think it should be called to the attention of the administration likewise that he is holding on to a job with the General State Authority. I don't know what the General State Authority means by keeping him on the payroll. I don't know what special or unusual work he could be performing which would require us

to pay him twenty-five dollars a day, whether it is directly under the payroll of the state or under one of the quasi corporations.

I certainly hope that these remarks of mine are brought to the attention of the Attorney General and of the State Authority or whoever wields the ax over William A. Shaw, and I certainly hope that steps will be taken to withhold final payment of his pay check to this gentleman until he come clean with the Members of this Assembly.

BILL ON FINAL PASSAGE

Mr. CHARLES H. BRUNNER, Jr. Mr. Speaker, earlier in the day House Bill No. 57 was reconsidered and placed in position for final passage on today's calendar. At that time I made a motion that the consideration of the bill be postponed until later on in today's session. I feel there has been sufficient debate on this bill by everybody concerned, and I as sponsor am most anxious to see this measure considered. I am very much interested in it, but on the other hand I believe it has been debated fully on both sides, and unless some one wishes to oppose the passage of the bill on the floor of the House I see no reason why much time should be allowed to be taken before this bill is brought to a final vote. I at this time would like to call up for consideration House Bill No. 57 for final passage.

Agreeably to order,

The House proceeded to the consideration on final passage of House Bill No. 57, as follows:

An Act to amend section three hundred ten of the act approved the twenty-second day of June one thousand nine hundred thirty-seven (P. L. 1987) entitled "An act to preserve and improve the purity of the waters of the Commonwealth for the protection of public health animal and aquatic life and for industrial consumption and recreation empowering and directing the creation of indebtedness or the issuing of non-debt revenue bonds by political sub-divisions to provide works to abate pollution providing protection of water supply providing for the jurisdiction of courts magistrates aldermen and justices of the peace in the enforcement thereof and providing additional remedies for abating pollution of waters imposing certain penalties and repealing certain acts" by including the drainage of silt in the provisions of article three thereof and suspending the enforcement of the act in certain cases

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section three hundred ten of the act approved the twenty-second day of June one thousand nine hundred thirty-seven (P. L. 1987) entitled "An act to preserve and improve the purity of the waters of the Commonwealth for the protection of public health animal and aquatic life and for industrial consumption and recreation empowering and directing the creation of indebtedness or the issuing of non-debt revenue bonds by political subdivisions to provide works to abate pollution providing protection of water supply providing for the jurisdiction of court magistrates aldermen and justices of the peace in the enforcement thereof and providing additional remedies for abating pollution of waters imposing certain penalties and repealing certain acts" is hereby amended to read as follows

Section 310 Acid Mine Drainage [and Silt] The provisions of this article shall not apply to acid mine drainage [and silt] from coal mines until such time as in the opinion of the Sanitary Water Board practical means for the removal of the polluting properties of such drainage shall become known Provided That for the duration of the war no prosecution nor any action to abate the discharge of unclarified mine silt drainage shall be maintained in any case where the United States District Engineer of the district in which mine breaker or washery discharging the same is located shall certify that adequate means to abate such discharge cannot be constructed or erected because of war conditions

Section 2 This act shall become effective immediately upon final enactment

On the question recurring,

Shall the bill pass finally?

Mr. STOCKHAM. Mr. Speaker, there have been many arguments pro and con concerning this measure. I have listened with considerable interest to some of the advances that have been made concerning the conditions in Philadelphia. We heard here on the floor today a statement that the President of the United States noted the stench in the river. We have noted, those of us who have been on these rivers for the past two years, that it is a terrible stench, but after all that does not come from the coal mines, that is Philadelphia sewage.

As to question of the silt, those from up the state who spoke on the side of the coal miner and the mining operations made reference to the fact that the silt was not all coal dirt. I am rather persuaded that the silting up of our rivers comes about from numerous causes that have to do with what we in turn in the defense of our soil stand for soil conservation, and much of the farm lands of the river valleys are washed into the rivers.

The Schuylkill River has a series of dams, and through the years these dams are bound to fill up, and there must of necessity be measures taken to care for the cleansing of the rivers.

There were other remarks made here today that had to do with the draught of vessels in the navigable channels of the Schuylkill in Philadelphia.

Let us face these issues as they may be fairly stated, and in their properly related positions. The channels in the Schuylkill and in the Delaware rivers are dug and maintained by the United States Government. The approaches to the docks and the piers and the slips beyond the lines of the channels maintained by the government must be maintained either by the city or by private interests, and the dock area, the area which has to do with the navigable channels in and around Philadelphia is constantly silting up. They are doing that in other parts of the Delaware, along the navigable channels. The conditions as they may exist in the Schuylkill area are conditions that need the attention of someone, whether it be the Federal government or this Commonwealth. Let us stick to the facts. Much of this information that has been given to us I believe is not relevant. It does not apply to the conditions under which this bill as it is before us is being advanced.

I have no quarrel with anyone, if you please, as to the physical conditions in the Schuylkill Valley. I have no quarrel with anyone as to the need possibly of taking certain measures that shall be necessary for the improvement of conditions against floods, of floods that may be caused by the filling up and the infiltration behind these dams that in turn may cause conditions which will bring about higher levels of floods than it would have otherwise. But please let us stick to the facts, please let us not bring into the picture the sewer problems of Philadelphia. I don't propose attacking Philadelphia on that

score. It is a serious problem with them; it is one that will require a great deal of money on their part or someone's part to clear up, but nevertheless those are the facts, and when we speak of stench, do not let us put the blame for that on the coal miners whom we are accusing of filling up and creating stench in the lower reaches of the Schuylkill River.

Upon this basis and upon this premise I rather feel that the approach we are making to the subject is not altogether a sound one, and that there are other conditions that should be solved rather than putting at the feet of these coal mine operators the fact that all of these millions of tons of silt are coal dirt. If we but look into the Lehigh Valley we see in that Valley a condition of coal silt coming into the river bed. We do not hear the City of Allentown complaining about its inability to get its water supply, and we find in that area that craft are taking out coal from the river bed the same as they are in this river going by this city. If that is true, if there is marketable and merchantable coal in these other rivers then there must be silt that is going into the Schuylkill River that makes it unprofitable to go into the same kind of business with regard to the silt going into the Schuylkill River. Therefore, there should be some method of approaching this problem equitably for all parties concerned.

Mr. CHARLES H. BRUNNER, Jr. Mr. Speaker, I intend to be very brief. I have listened to the gentleman from Bucks, Mr. Stockham. I realized from the time that this bill reached this point for consideration that the gentleman for some reason was opposed to this measure. There may be other remedies available. Other remedies have already been proposed, mainly lawsuits against the coal operators. We have seen in the press of late that suits are proposed now against the coal operators. This is a question of State enforcement. The United States Army Engineers, as I have said before on the floor of this House over a period of two and a half years have made tests of the water going over the dams near the City of Philadelphia, and found that forty-five percent, if I remember correctly, of the contents was coal.

I don't know whether the membership of this House who live perhaps in more remote sections of the State realize what this stuff looks like, what is smells like and what it acts like. However, from a site above the city of Philadelphia sewage works there was obtained a sample of coal silt. It is nothing but a thick black soup. You multiply that by millions and millions of times the amount there is in the Schuylkill River—thirty million ton of that stuff. Is it any wonder that I and others have called this river a trough of Philadelphia? Let us assume our obligations as legislators, let us assume our obligations as representatives of the people; let this state take it just share of the burden and try to help out in the problem that is embarrassing, that is serious and of vital concern to all.

Mr. SALUS. Mr. Speaker, in the first place I resent the statement made by the gentleman from Schuylkill or Bucks or whatever county he is from, that the filth in the Schuylkill river comes from Philadelphia's filth. The sewage in Philadelphia goes mainly into the Delaware River, and much of it is barged down the Delaware River.

The Schuylkill is not used as a depository for the refuse of Philadelphia. I am not interested in whether or not the banks of the Schuylkill are beautiful nor whether the Schuylkill river is not fit to bathe in. Those things we can take care of and we do take care of them, they are not vital. The vital thing involved here is human life. We were told that there were eighty thousand coal miners along the Schuylkill who made their livelihood mining coal, and that any attempt to pass this act would be to deprive them of their livelihood. Every member of this House knows that this is not the fact. The miners are making no complaint. The complaint is coming from the industrial interests who are mining coal, and Philadelphia is one of its main markets. When the time comes that money means more to our Commonwealth than humanity, the lives of the people to a large extent in the city, then we are in a sorrowful condition.

Fundamentally the duty that we owe to all the people in this Commonwealth is to take care of their health, because without health there can be no real substantial Commonwealth, there can be no real honest-to-God soldiers, there can be no real honest-to-God workers. What we are pleading for is one of the elements that was endowed upon other people by God Almighty; it was handed to us in a pure state and is one of the necessities of life. The effort on the part of a few mine owners to save a few dollars is not very laudable. The talk of eighty thousand miners not earning a livelihood we know is not true, but what we in Philadelphia are pleading for is the health and happiness of the two million people, one fifth of the total in the Commonwealth in Pennsylvania. We have been for years endeavoring to give to our city that which the Commonwealth owed us, that which the city owed us and that which God Almighty has said we are entitled to.

On last Saturday there was a meeting in the Mayor's office in the city of Philadelphia. At that meeting I think the chief engineer of the sanitary board of the United States government was there. At that meeting the Mayor of Philadelphia was there. At that meeting Jack Kelly, one of the outstanding Democratic leaders of Philadelphia was there. He is a commissioner of Fairmount Park. At that meeting he did not plead for boat races, he did not plead for swimming pools, he pleaded for the health and the welfare of the people. Mr. Kelly, as everybody knows was raised along the Schuylkill river. Mr. Kelly was at one time the champion oarsman of America. Mr. Kelly is interested in all kinds of sports, but at no time did he plead for the beauty of the Schuylkill river banks nor did he plead that we should have a national regatta on the Schuylkill nor did he speak about beautifying its banks in the city of Philadelphia. Mr. Kelly spoke for the welfare of the inhabitants of the city. This is not a Republican measure, nor is it a Democratic measure; this is a measure involving all the people, Democrats and Republicans and all the people in Philadelphia, and Democrats and Republicans demand that we get fair play.

The time has not come when men for selfish monetary reasons shall gamble with the health and the happiness of our people. I also find out that at times when the National anthem is sung and you see the men get on their feet, when they say "My country 'tis of thee" and listen to the anthem, they feel patriotic, and I believe there is sincerity in their patriotism, but to me in a

matter such as this I think the halo over that spirit of patriotism has some black spots, and those black spots if my vision is right only represent human selfishness. If we are to succeed, if we are to be the nation we think we are, if we are to be the people that we think we are, we ought to go back in our belief and follow some of the religious tenets that we have been taught to follow: "Love thy neighbor as thyself." That is applicable in this case. This is a cry of appeal for the health, happiness and contentment of two million people, and I say to vote against this bill is unpatriotic, selfish and only intended to be for the financial reward of a few people; not for the miners,—they can take care of themselves,—it is the mine owners whom we in Philadelphia support.

Mr. CORDIER. Mr. Speaker, it is not my intent to prolong the debate on this measure. I believe it has been threshed out pro and con, and every Member of this House knows the import of this measure. I rise at this time merely to answer one point raised by the gentleman from Philadelphia, Mr. Salus, and that is the question or the implication that he made, that the miners are not complaining about this legislation. For his information I attended a public hearing about two weeks ago, at which the duly constituted officers of the United Mine Workers of America attended a public hearing and they definitely and very positively opposed this piece of legislation, stating at that time that its passage would result in the throwing out of work of many thousands of miners in the mine fields.

Mr. CULLEN. Mr. Speaker, I happen to be in a unique position on a bill of this kind. I spent twenty-three years in the coal regions, and I worked in the coal mines. I have seen the silt go into the creeks and into the rivers. My attitude toward the miners on all occasions is very sympathetic and I think the miners, if they are really opposed to this bill, are taking the wrong attitude. When I worked in the coal mines I worked for the Philadelphia and Reading Coal and Iron Company. They made provision by barges to take the silt out of the coal they got. In a trip to the coal mines two years ago, I find that they have abandoned all those barges, which means that the operators are not making any sincere effort to take this silt out of the stream.

I say to the miners, and I am sincere about this because I am sympathetic to the miners, but the miners are not going to lose today in my opinion if the operators are compelled to clean the dirt out of the streams. This question of silt in the stream has been going on in Pennsylvania for quite a number of years. The story is put out every time that the miners will be put out of work. That is unadulterated bunk. The matter how this silt is to be taken out of the streams is up to the operator. Anyone who works in the coal mines, and that is particularly true of all the Members of this Legislature, knows that the miner is not going to stop work because he has to spend a couple of days to clean out the stream. I say to you that the operators today are not doing as much to clean out the streams as they did when I was a boy working in the mines, and it is about time that we give a break to the people living along the Schuylkill river. I might also suggest as a practical matter that Philadelphia happens to be a pretty good customer that last winter used two million five hundred thirty thousand tons of anthracite. I would say to the coal miners that good business would dictate that you do not antagonize one of your best customers, and for that reason I think we should vote for this bill.

Mr. SALUS. Mr. Speaker, only one more word. I have been told that a landslide of coal can cause a lot of damage and some deaths. I would like to feel that the Members of this House are ducking under a lot of coal and to those that are not here and have not the courage to vote on this bill, I say to them, look out, there may be a landslide of coal that will come home to you.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—87

Alspach,	Finnerty,	Leonard,	Royer,
Baker,	Goodling,	Levy,	Salus,
Barrett,	Goodwin,	Longo,	Scanlon,
Bentley,	Gorman,	Lovett,	Schuster,
Bentzel,	Grant,	Lyons,	Skale,
Boorse,	Green,	Maxwell,	Sollenberger,
Boory,	Gyger,	Menna,	Swope,
Boyd,	Hall,	Mintess,	Tahl,
Bretherick,	Hamilton,	Modell,	Tate,
Brigerman,	Heatherington,	Mooney,	Thompson,
Brunner, C. H.,	Herman,	Moran,	Tiemann,
Brunner, P. A.,	Hersch,	Murray,	Trent,
Cadwalader,	Hoggard,	O'Brien,	Trout,
Campbell,	Hoopes,	Owens,	Van Allsburg,
Chervenak,	Hunter, B. F.,	Pettit,	Walton,
Chudoff,	Hunter, W. M.,	Polaski,	Weiss,
Cohen,	Huntley,	Powers,	Welsh,
Corrigan,	Imbrie,	Readinger,	Winner,
Costa,	Irvin,	Reese, R. E.,	Wood, L. H.,
Cullen,	Kirley,	Reynolds,	Wood, N.,
Dillon,	Kolankiewicz,	Root,	Wright,
Duffy,	Lee,	Rowley,	Yester,
Elliott,			

NAYS—55

Coleman,	Kowalski,	Munley,	Stank,
Cordier,	Krepps,	Nowak,	Stockham,
Coulson,	Krise,	O'Connor,	Stonier,
Ely,	Lane,	O'Neill,	Taylor,
Flack,	Leydic,	Petrosky,	Thrasher,
Flynn,	Lichtenwalter,	Reese, D. P.,	Wachhaus,
Foor,	Livingstone,	Regan,	Wagner, K. H.,
Garber,	Madigan,	Reilly,	Wagner, P. L.,
Gross,	McClester,	Riley,	Wallin,
Haberlen,	McKinney,	Robertson,	Watkins,
Hare,	McSurdy,	Rose, W. E.,	Worley,
Hewitt,	Miller,	Smith,	Yeakel,
Holmes,	Mock,	Snider,	Fiss,
Kline,	Muir,	Sorg,	Speaker.

Less than the majority required by the Constitution having voted in the affirmative, the question was determined in the negative and the bill falls.

QUESTION OF PERSONAL PRIVILEGE

Mr. SALUS. Mr. Speaker, I rise to a question of personal privilege.

The SPEAKER. The gentleman will state his question of personal privilege.

Mr. SALUS. Mr. Speaker, I want to express my appreciation to those who stayed in the House on Bill No. 57 and had the courage to vote "no." They showed at least that they would not run away under fire, and I appreciate their manly stand.

SENATE MESSAGE

RESOLUTION CONCURRED IN BY SENATE

The Clerk of the Senate being introduced, informed that

the Senate has concurred is the resolution from the House of Representatives, as follows:

In the House of Representatives, May 3, 1943.

Resolved (if the Senate concur), that House Bill No. 155, Printer's No. 453, entitled "An act to further amend section two hundred twenty of the act approved the second day of May one thousand nine hundred twenty-five (P. L. 448) entitled 'An act relating to fish and amending revising consolidating and changing the law relating to fish in the inland waters and the boundary lakes and boundary rivers of the Commonwealth' exempting for the duration of the present war persons in the armed forces from the payment of a fee to the Commonwealth for resident fishing licenses" be recalled from the Governor for the purpose of amendment.

COMMITTEE MEETINGS

There will be meeting of the Committee on

Aeronautics, Tuesday, May 4, at 10:30 a. m. Room 327

Appropriations, Tuesday, May 4, at 10:45 a. m. Room 328

Constitutional Amendments, Tuesday, May 4, at 10:30 a. m. Room 325.

Counties, Tuesday, May 4, after session

Education, Tuesday, May 4, at 9:45 a. m. Room 324

Mines and Mining, Tuesday, May 4, at 10:30 a. m. Room 323

Public Health and Sanitation, Tuesday, May 4, at 10 a. m. Room 522.

Public Utilities, Tuesday, May 4, at 10 a. m. Room 322.

Ways and Means, Tuesday, May 4, at 10:45 a. m. Room 327

ADJOURNMENT

Mr. KREPPS. Mr. Speaker, I move that this House do now adjourn until Tuesday, May 4, 1943, at 11 a. m.

The motion was agreed to, and (at 1 a. m.) the House adjourned.

COMMONWEALTH OF PENNSYLVANIA

Legislative Journal.

Session 1943. 135th of the General Assembly.

Vol. 27. HARRISBURG, PA., TUESDAY, MAY 4, 1943. No. 53.

SENATE

TUESDAY, May 4, 1943.

The Senate met at 3:00 o'clock, p. m., Eastern War Time.

The PRESIDENT (Lieutenant-Governor John C. Bell, Jr.) in the Chair.

PRAYER

The Chaplain, Rev. EDWIN S. WALLACE, D.D., offered the following prayer:

Lord of all being, whose majesty and might we see in the world about us, and whose love we experience every day of our lives, impress our minds and souls with Thy reality, lest we forget that all we are, and all we in our best moments hope to be, depend upon our faith in Thee and in our obedience to Thy righteous laws.

So prone are we to pride ourselves for our attainments that the fact of God being the source and sustainer of our lives and the producer of all that is good in them is forgotten. Now, at this moment, may we return to sanity and humbly pray for forgiveness for our self-glory and give glory to God.

May we begin this part of the day in the fear of the Lord, firmly resolving to honor Him by our every act. By so doing we shall serve our Nation and State with the best we have. Anything less than our best will be to our discredit.

We pray for victory for our Nation at war. We pray for all serving at the front, for all serving loyally at home, for all our civil and military leaders, that God may through them work out His purposes and hasten the coming of peace.

In the name of Him whose name is above every name. Amen.

JOURNAL APPROVED

The PRESIDENT. A quorum of the Senate being present the Clerk will read the Journal of the preceding session.

The Clerk proceeded to read the Journal of the preceding session, when, on motion of Mr. HEYBURN and Mr. SCARLETT, the further reading was dispensed with, and the Journal was approved.

LEAVE OF ABSENCE

Mr. Wade asked and obtained leave of absence for Mr. EDMONDS.

He also asked and obtained leave of absence for Mr. ZIESENHEIM.

COMMUNICATIONS FROM THE GOVERNOR

The Secretary to the Governor being introduced presented communications in writing from His Excellency, the Governor of the Commonwealth, which were read as follows:

APPROVED AND SIGNED SENATE BILL No. 67, PRINTER'S No. 257

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, May 4, 1943.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed Senate Bill No. 67, Printer's No. 257, entitled "An Act to amend the act approved the second day of May one thousand nine hundred twenty-nine (P. L. 1278) entitled 'An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto' establishing the method of appointing promoting reducing in rank suspension furloughing discharging and reinstating members of the police force of counties of the second class creating and defining the powers and duties of a civil service commission imposing certain duties and expenses on such counties and prescribing penalties."

EDWARD MARTIN.

APPROVED AND SIGNED SENATE BILL No. 407, PRINTER'S No. 161

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, May 3, 1943.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed Senate Bill No. 407, Printer's No. 161, entitled "An Act to amend section three of the act approved the seventeenth day of July one thousand nine hundred thirty-five (P. L. 1092) entitled 'An act defining fraternal benefit societies and their status authorizing such societies to create subordinate lodges and to pay benefits to members and their beneficiaries from funds collected and regulating such benefits and collections providing for the organization and incorporation of such societies and for their supervision regulation and examination by the Insurance Commissioner and for the admission of foreign societies designating tables of mortality as a basis for rates of contribution requiring all societies to make annual and other reports and appointing the Insurance Commissioner as attorney for service of process providing penalties for any violations of the act exempting such societies from taxation and certain other societies from its provisions and requiring beneficial associations other than fraternal benefit societies to report to and be supervised by the Insurance Commissioner and repealing existing laws' providing for the waiving of the requirement for the holding of meetings by societies under certain conditions."

EDWARD MARTIN.

APPROVED AND SIGNED SENATE BILL No. 261, PRINTER'S No. 195

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, May 3, 1943.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed Senate Bill No. 261, Printer's No. 195, entitled "An Act to amend section one of the act approved the fifth day of August one thousand nine hundred and forty-one (P. L. 826) entitled 'An act authorizing the Department of Property and Supplies with the approval of the Governor to sell and convey certain plots of land' by correcting the location of the plot of land described in paragraph Fourteen and providing for the sale of certain additional plots of land."

EDWARD MARTIN.

APPROVED AND SIGNED SENATE BILL No. 240, PRINTER'S No. 132

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, May 3, 1943.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed Senate Bill No. 240, Printer's No. 132, entitled "An Act to further amend section eleven of the act approved the thirteenth day of May one thousand nine hundred and twenty-five (P. L. 644) entitled 'An act relating to and regulating the solicitation of moneys and property for charitable religious benevolent humane and patriotic purposes' by exempting alumni or alumnae associations from the provisions of the act in certain cases."

EDWARD MARTIN.

APPROVED AND SIGNED SENATE BILL No. 202, PRINTER'S No. 54

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, May 3, 1943.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed Senate Bill No. 202, Printer's No. 54, entitled "An Act to further amend paragraph (a) of section four of the act approved the first day of June one thousand nine hundred thirty-seven (P. L. 1168) entitled 'An act to protect the right of employes to organize and bargain collectively creating the Pennsylvania Labor Relations Board conferring powers and imposing duties upon the Pennsylvania Labor Relations Board officers of the State government and courts providing for the right of employes to organize and bargain collectively declaring certain labor practices by employers to be unfair further providing that representatives of a majority of the employes be the exclusive representatives of all the employes authorizing the board to conduct hearings and elections and certify as to representatives of employes for purposes of collective bargaining empowering the board to prevent any person from engaging in any unfair labor practice and providing a procedure for such cases including the issuance of a complaint the conducting of a hearing and the making of an order empowering the board to petition a court of common pleas for the enforcement of its order and providing a procedure for such cases providing for the review of an order of the board by a court of common pleas on petition of any person aggrieved by such order and establishing a procedure for such cases providing for an appeal from the common pleas court to the Supreme Court providing the board with investigatory powers including the power to issue subpoenas and the compelling of obedience to them through application to the proper court providing for service of papers and process of the board prescribing certain penalties' by making further changes in the qualifications of members of the Pennsylvania Labor Relations Board."

EDWARD MARTIN.

NOMINATIONS BY THE GOVERNOR

He also presented communications in writing from His Excellency, the Governor of the Commonwealth, which were read as follows, and referred to the Committee on Executive Nominations.

MEMBER OF THE BOARD OF TRUSTEES OF WEST CHESTER STATE TEACHERS' COLLEGE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, May 4, 1943.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate John L. Johnson, 110 South High Street, West Chester, Chester County, for appointment as a member of the Board of Trustees of West Chester State Teachers' College, until the third Tuesday of January, 1945, and until his successor shall have been appointed and qualified, vice Ashmore Clark Johnson, resigned.

EDWARD MARTIN.

MEMBERS OF THE BEAVER, BUCKS AND SCHUYLKILL COUNTIES BOARDS OF ASSISTANCE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, May 4, 1943.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following:

MEMBERS OF THE BEAVER COUNTY BOARD OF ASSISTANCE

T. B. Brownlee (Republican), 1508 Third Avenue, New Brighton, to serve until December 31, 1945. (Reappointment)

John E. Kenny (Democrat), 422-39th Street, Beaver Falls, to serve until December 31, 1944, and until his successor is duly appointed and qualified. (Reappointment)

J. Newman Walker (Republican), 207 Elm Road, Ambridge, to serve until December 31, 1945. (Reappointment)

MEMBERS OF THE BUCKS COUNTY BOARD OF ASSISTANCE

Mrs. Marion G. Hartzel (Republican), Chalfont, to serve until December 31, 1943, and until her successor is duly appointed and qualified. (Reappointment)

J. Latta Jones (Republican), Doylestown, to serve until December 31, 1944, and until his successor is duly appointed and qualified. (Reappointment)

Mrs. Adele Warden Paxson (Republican), Holicong, to serve until December 31, 1945, and until her successor is duly appointed and qualified. (Reappointment)

Harriet Mann (Democrat), Ferndale, to serve until December 31, 1945, and until her successor is duly appointed and qualified, to fill a vacancy.

MEMBER OF THE SCHUYLKILL COUNTY BOARD OF ASSISTANCE

Archie D. Straughn (Republican), Shenandoah, to serve until December 31, 1943, and until his successor is duly appointed and qualified. (Reappointment)

EDWARD MARTIN.

HOUSE MESSAGES

HOUSE BILLS FOR CONCURRENCE

The Clerk of the House of Representatives being introduced presented for concurrence bills of the House, as follows:

House Bill No. 944, entitled:

An Act to further amend the first paragraph of section nine of the act, approved the twelfth day of July, one thousand nine hundred thirteen (P. L. 711), entitled "An act establishing a court for the county of Philadelphia; prescribing its jurisdiction and powers; providing for the service of its writs, process, or warrants by the proper officers of the county or city of Philadelphia; regulating the procedure therein, and appeals therefrom, and providing for the expenses thereof," by providing for the appointment of a director of probation and other employes, and providing for the fixing of their salaries.

Which was committed to the Committee on Judiciary Special.

House Bill No. 958, entitled:

An Act making an appropriation to the State Council for the Blind for use in supplying medical treatment, surgical operations, eyeglasses or other necessary aids or services to needy blind persons or persons with impaired vision.

Which was committed to the Committee on Appropriations.

House Bill No. 1111, entitled:

An Act providing for the payment by the State Treasurer of one-half of the amount of the tax on premiums paid by foreign casualty insurance companies, to the treasurers of the several cities, boroughs, towns and townships and for the payment thereof into police pension funds and in certain cases into the State Employes' Retirement Fund for certain purposes.

Which was committed to the Committee on Judiciary Special.

AMENDMENT TO HOUSE BILL No. 72 RECALLED FROM THE GOVERNOR

He also presented for concurrence bill of the House of Representatives, as follows:

House Bill No. 72, entitled:

An Act to further amend subsection (a) of section four of the act approved the twenty-fourth day of June, one thousand nine hundred thirty-seven (P. L. 2045), entitled "The Support Law," prescribing the effect on other liens against property of an indigent person when a judgment is recovered for care and maintenance thereof, providing for other judgments and local taxes.

Said bill having been recalled from the Governor for amendment, the votes had on final passage and third reading were reconsidered in the House and the bill amended, in which amendments the concurrence of the Senate is requested.

The PRESIDENT. The bill as amended will appear on tomorrow's Calendar.

AMENDMENT TO HOUSE BILL No. 285 RECALLED FROM THE GOVERNOR.

He also presented for concurrence bill of the House of Representatives, as follows:

House Bill No. 285, entitled:

An Act to further amend section one of the act, approved the second day of May, one thousand nine hundred and twenty-nine (P. L. 1518), entitled, as amended, "Elevator Regulation Law," by exempting from the provisions of said act elevators used in the coal mines of this Commonwealth and plants connected therewith.

Said bill having been recalled from the Governor for amendment, the votes had on final passage and third reading were reconsidered in the House and the bill amended, in which amendments the concurrence of the Senate is requested.

The PRESIDENT. The bill as amended will appear on tomorrow's Calendar.

AMENDMENT TO HOUSE BILL No. 421 RECALLED FROM THE GOVERNOR.

He also presented for concurrence bill of the House of Representatives, as follows:

House Bill No. 421, entitled:

An Act to add section ten to the act approved the first day of July one thousand nine hundred thirty-seven (P. L. 2624) entitled "An act authorizing townships of the second class to adopt and enforce zoning ordinances regulating the location construction and use of buildings the size of courts and open spaces the density of population and the use of land" authorizing townships to make appropriations for said purposes.

Said bill having been recalled from the Governor for amendment, the votes had on final passage and third reading were reconsidered in the House and the bill amended, in which amendments the concurrence of the Senate is requested.

The PRESIDENT. The bill as amended will appear on tomorrow's Calendar.

AMENDMENT TO HOUSE BILL No. 487 RECALLED FROM THE GOVERNOR

He also presented for concurrence bill of the House of Representatives, as follows:

House Bill No. 487, entitled:

An Act to amend section three of the act, approved the third day of May, one thousand nine hundred and nine (P. L. 413), entitled "An act relating to the granting of titles by the Commonwealth of Pennsylvania to vacant or unappropriated land, the price to be paid for the same, the conveyance to the State Forestry Reservation Commission, where desirable for forest culture or forest preservation, preventing the granting of warrants for the beds of navigable rivers, and providing for acceptance of returns of surveys without limitation as to excess or surplus," by providing for granting of warrants and rights to certain additional lands.

Said bill having been recalled from the Governor for amendment, the votes had on final passage and third reading were reconsidered in the House and the bill amended, in which amendments the concurrence of the Senate is requested.

The PRESIDENT. The bill as amended will appear on tomorrow's Calendar.

HOUSE CONCURS IN AMENDMENTS TO HOUSE BILL No. 895

He also presented communication from the House of Representatives informing the Senate that the House has concurred in amendments made by the Senate to House Bill No. 895, entitled:

An Act to further reenact and amend the title and the act, approved the twenty-eighth day of March, one thousand nine hundred and twenty-nine (P. L. 86), entitled, as amended, "Grape Law," by extending the provisions to apples and peaches, and permitting the grading, classifying and packing of grapes, potatoes, apples and peaches other than those packed or repacked within this State.

HOUSE CONCURS IN AMENDMENTS TO HOUSE BILL No. 917

He also presented communication from the House of Representatives informing the Senate that the House has concurred in amendments made by the Senate to House Bill No. 917, entitled:

An Act to promote interstate cooperation for the use, conservation, protection and equitable diversion of the water resources in the Delaware River Basin between and among the States of Pennsylvania, New York and New Jersey, for the purpose of meeting prospective needs for domestic and municipal water supply; regulating and limiting the use of the waters of the Delaware River and its tributaries and prescribing rules and standards; requiring permits from, and providing for hearings by, the Water and Power Resources Board and for appeals from its decision; vesting power in the Water and Power Resources Board to vary or modify the rules and standards under certain conditions and to adopt rules and regulations, and further defining its powers and duties; requiring notice to the States of New York and New Jersey of all applications for water diversion; providing for the filing of stipulations by the Attorney General with the United States Supreme Court and obtaining its approval of water diversions.

SENATE BILL No. 502 RETURNED WITH AMENDMENTS

He also returned to the Senate, Senate Bill No. 502, entitled:

An Act authorizing the Department of Property and Supplies to sell and convey a lot or piece of land in Delaware County

with the information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

The PRESIDENT. The bill as amended will appear on tomorrow's Calendar.

RESOLUTION RECALLING FROM THE GOVERNOR HOUSE BILL No. 115

He also presented extract from the Journal of the House of Representatives, which was twice read as follows, considered and agreed to:

In the House of Representatives, May 3, 1943.

Resolved (if the Senate concur), That House Bill No. 115, Printer's No. 70, entitled:

An Act to further amend the act, approved the first day of May, one thousand nine hundred and twenty-nine (P. L. 905), entitled "Vehicle Code," by permitting the use of red signal lights and sound devices on certain additional vehicles; changing the provisions concerning rights of way and providing penalties

be recalled from the Governor for the purpose of amendment.

Ordered, That the Clerk inform the House of Representatives accordingly.

BILLS SIGNED

The PRESIDENT (Lieutenant-Governor John C. Bell, Jr.) announced that the Chief Clerk having reported that the following bills had passed both houses of the General Assembly and the same being correct, the titles were publicly read as follows:

House Bill No. 143, entitled:

An Act validating certain expenditures heretofore made by county commissioners in order to furnish filing cabinets or other office equipment to rationing boards.

House Bill No. 150, entitled:

An Act to further amend clause (17) of subdivision (4) of subsection (j) of section four of the act approved the fifth day of December, one thousand nine hundred thirty-six (1937 P. L. 2897), entitled "Unemployment Compensation Law," excluding services of real estate salesmen and real estate brokers from the definition of "employment."

Senate Bill No. 177, entitled:

An Act to amend section three hundred one of the act, approved the fifth day of December, one thousand nine hundred and thirty-six (1937, P. L. 2897), entitled "An act establishing a system of unemployment compensation to be administered by the Department of Labor and Industry and its existing and newly created agencies with personnel (with certain exceptions) selected on a civil service basis requiring employers to keep records and make reports, and certain employers to pay contributions based on payrolls to provide moneys for the payment of compensation to certain unemployed persons; providing procedure and administrative details for the determination, payment and collection of such contributions and the payment of such compensation; providing for cooperation with the Federal Government and its agencies; creating certain special funds in the custody of the State Treasurer; and prescribing penalties," providing for the payment of contributions by employers in accordance with an experience rating system; and providing for and regulating such experience rating system and the terms and procedure to effectuate the same.

House Bill No. 198, entitled:

An Act to amend section nine hundred fifteen of the act approved the first day of May, one thousand nine hundred thirty-three, (P. L. 1033), "The Second Class Township Law," continuing the liability of taxpayers after the tax collector has been exonerated.

House Bill No. 317, entitled:

An Act to further amend section two of the act, ap-

proved the fourth day of June, one thousand nine hundred and fifteen (P. L. 828), entitled "An act to provide revenue by imposing a State tax upon sales or agreements to sell or memoranda of sales of stock, and upon deliveries or transfers of shares or certificates of stock in domestic and foreign corporations, co-partnership associations, and joint-stock associations; providing the manner of collecting such tax, and prescribing penalties," by further extending the exemptions from the tax imposed by the said act.

House Bill No. 360, entitled:

An Act to further amend the first three paragraphs of section one thousand two hundred one of the act approved the eighteenth day of May, one thousand nine hundred eleven, (P. L. 309), entitled "Public School Code," making wartime emergency provisions for substitute teachers.

House Bill No. 361, entitled:

An Act to amend section six hundred fifteen of the act approved the eighteenth day of May, one thousand nine hundred eleven (P. L. 309), entitled "Public School Code," as last amended by the Act of July eight, one thousand nine hundred forty-one (P. L. 287), by changing the requirement for approval of emergency reconstruction and repairs of school buildings.

House Bill No. 372, entitled:

An Act to amend clause eight of section seven hundred and two of the act, approved the first day of May, one thousand nine hundred and thirty-three (P. L. 103) entitled, "The Second Class Township Law," by empowering townships of the second class to levy a tax, under certain circumstances, for the purpose of paying for the removal and disposal of ashes, garbage and other refuse material.

House Bill No. 545, entitled:

An Act to further amend section four of the act, approved the twenty-first day of May, one thousand nine hundred thirty-one (P. L. 149), entitled, "Liquid Fuels Tax Law," by imposing and continuing the additional emergency tax on liquid fuels for a further limited period of time.

Whereupon,

The PRESIDENT (Lieutenant-Governor John C. Bell, Jr.) in the presence of the Senate signed the same.

REPORTS FROM COMMITTEES

Mr. STEVENSON, from the Committee on Appropriations, reported as committed, House Bill No. 1075, entitled:

An Act making an appropriation to the Department of Property and Supplies for the construction and improvement of buildings and equipment at certain State institutions operating under the Department of Welfare.

Mr. THOMAS, from the Committee on County Government, re-reported as committed, House Bill No. 311, entitled:

An Act authorizing the county commissioners in each county of the second class to appoint a fire marshal and two assistant fire marshals providing for the term of office and compensation of the persons so appointed and prescribing their powers and duties imposing certain additional duties upon county commissioners policemen constables watchmen and other persons authorizing the fire marshal or his assistants to enter upon properties to investigate various fire hazards and to order the removal or abatement of such hazards conferring certain police powers upon the fire marshal and his assistants repealing certain general special and local legislation and prescribing penalties

Mr. CRIDER, from the Committee on State Government, reported as committed, House Bill No. 593, entitled:

An Act to further amend sections one two and three of the act approved the nineteenth day of July one thousand nine hundred thirty-five (P. L. 1356) entitled "An act to regulate the sale and delivery of solid fuel as herein defined providing for appointments of licensed weighmasters prescribing their powers and duties authorizing substitute licensed weighmasters imposing certain duties on the Department of Internal Affairs and providing penalties" by defining the word "purchaser" making the transportation of solid fuel unlawful in certain cases and further regulating the forms used by weighmasters and the disposition thereof.

BILL RE-REFERRED

He also, from the Committee on State Government, reported as committed, House Bill No. 153, entitled:

An Act authorizing the Department of Property and Supplies with the advice and approval of the Pennsylvania Historical Commission to acquire on behalf of the Commonwealth of Pennsylvania certain land upon which is located the site of Fort LeBoeuf in Waterford Borough Erie County or so much thereof as may be necessary as a historical memorial providing for the control management supervision improvement restoration and maintenance thereof authorizing the Pennsylvania Historical Commission in cooperation with other agencies to make and enforce rules and regulations for the preservation and visitation thereof authorizing the Pennsylvania Historical Commission to cooperate with the Daughters of the American Colonists and interested patriotic societies in providing funds for a restoration of Fort LeBoeuf and making an appropriation.

which was re-referred to the Committee on Appropriations.

Mr. WADE, from the Committee on State Government, reported as committed, House Bill No. 489, entitled:

An Act authoring the Department of Property and Supplies, with the approval of the Governor, to purchase a certain property within the area of the eastern approach to the Soldiers' and Sailors' Memorial Bridge in the City of Harrisburg; providing for the development of the said property; and making appropriations.

He also, from the Committee on State Government, reported as committed, House Bill No. 830, entitled:

An Act authorizing the Secretary of Property and Supplies to sell and convey two certain tracts of land in Woodbury Township Blair County Pennsylvania.

Mr. TALLMAN, from the Committee on State Government, reported as committed, House Bill No. 310, entitled:

An Act to amend section two of the act approved the second day of July one thousand nine hundred thirty-seven (P. L. 2772) entitled "An act to require certain records of oil and gas wells drilled in the Commonwealth showing the location of the same and the geologic formations encountered therein and to make copies of such records available upon payment of prescribed fees and providing fees and penalties" creating a special fund in the State Treasury to be known as the Topographic and Geologic Survey Fund providing for the transfer of certain moneys into said fund by the Department of Internal Affairs and making an appropriation thereof.

He also, from the Committee on State Government, re-reported as committed, House Bill No. 254, entitled:

An Act authorizing the Pennsylvania Historical Commission on behalf of the Commonwealth of Pennsylvania to acquire by gift the Harmony Society Graveyard in the Borough of Ambridge Pennsylvania providing for the control management and maintenance thereof authorizing the Commission to make and enforce rules and regulations for the preservation maintenance and visitation thereof.

Mr. FARRELL, from the Committee on Workmen's Compensation, reported as committed, House Bill No. 560, entitled:

An Act to further amend section four hundred two of the act approved the fifth day of December, one thousand nine hundred thirty-six, (P. L. 2897-1937), entitled "An act establishing a system of unemployment compensation to be administered by the Department of Labor and Industry and its existing and newly created agencies with personnel (with certain exceptions) selected on a civil service basis; requiring employers to keep records and make reports, and certain employers to pay contributions based on payrolls to provide moneys for the payment of compensation to certain unemployed persons; providing procedure and administrative details for the determination, payment and collection of such contributions and the payment of such compensation; providing for co-operation with the Federal Government and its agencies; creating certain special funds in the custody of the State Treasurer; and prescribing penalties," to correct an error in previous amendment in connection with provisions covering ineligibility for compensation.

Mr. SCARLETT, from the Committee on Appropriations, reported as committed, House Bill No. 428, entitled:

An Act making an appropriation to the Trustees of the Pennsylvania State College for expenditure by the School of Mineral Industries under the supervision of the Department of Mines for the purpose of developing new uses and markets for slate and slate products.

He also, from the Committee on Appropriations, reported as committed, House Bill No. 446, entitled:

An Act making an appropriation to the Department of Property and Supplies to be used with the advice and cooperation of the Pennsylvania Historical Commission for securing plans and specifications for the complete restoration rebuilding construction improvement and development of the Ephrata Cloisters and for the expenses of necessary archeological investigations relative thereto.

Mr. McCREESH, from the Committee on Municipal Government, reported as amended, House Bill No. 663, entitled:

An Act to further amend Section 2 to amend Sections 3 5 and 7 to add Section 8.1 and to amend Section 11 of the act approved the twenty-first day of June one thousand nine hundred thirty-nine (P. L. 626) entitled "An act providing for and regulating the assessment and valuation of all subjects of taxation in counties of the second class creating and prescribing the powers and duties of a Board of Property Assessment Appeals and Review imposing duties on certain county and city officers abolishing the board for the assessment and revision of taxes in such counties and prescribing penalties" by reducing the number of members of said board further prescribing their powers and duties fixing the qualifications and requiring examinations of employes of the board and further regulating the making of assessments and valuations of real property.

Mr. KEPHART, from the Committee on Judiciary Special, reported as committed, House Bill No. 1111, entitled:

An Act providing for the payment by the State Treasurer of one-half of the amount of the tax on premiums paid by foreign casualty insurance companies to the treasurers of the several cities boroughs towns and townships and for the payment thereof into police pension funds and in certain cases into the State Employes' Retirment Fund for certain purposes.

Mr. LETZLER, from the Committee on Education, reported as amended, House Bill No. 558, entitled:

An Act to further amend section two of the act approved the twenty-ninth day of March one thousand eight hundred ninety-nine (P. L. 21) entitled "An act to establish a board for the examination of accountants to provide for the granting of certificates to accountants and to provide a punishment for the violation of this act" by changing qualifications as to education and fitness necessary before taking examination.

He also, from the Committee on Education, reported as committed, House Bill No. 305, entitled:

An Act providing for the admission of children to and their education and maintenance in and their discharge from the Pennsylvania Soldiers' Orphan School prohibiting discharging children or taking children from said school or children from leaving the same without an order of the Board of Trustees of the Pennsylvania Soldiers' Orphan School and prescribing penalties.

Mr. BOWERS, from the Committee on Education, reported as committed, Senate Bill No. 448, entitled:

An Act to amend clause (d) of section one thousand two hundred sixteen of the act approved the eighteenth day of May, one thousand nine hundred eleven (P. L. 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws, general, special or local, or any parts thereof, that are or may be inconsistent therewith" by further regulating sabbatical leaves for certain school employes.

Mr. RUTH, from the Committee on Education, reported as committed, House Bill No. 135, entitled:

An Act to further amend section one thousand two hundred five A of the act approved the eighteenth day of May one thousand nine hundred eleven (P. L. 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" authorizing temporary increases in compensation of professional employes of school districts and the discontinuance of such temporary increases without the consent of such employes.

He also, from the Committee on Education, reported as committed, House Bill No. 886, entitled:

An Act to amend section one thousand one hundred twenty section one thousand one hundred twenty-eight as amended and section one thousand one hundred thirty-nine of the act approved the eighteenth day of May one thousand nine hundred eleven (P. L. 309) entitled "An

act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" by providing for the appointment of substitute and acting county superintendents of schools substitute assistant county superintendents of schools substitute supervisors of special education and substitute and acting district superintendent of schools.

Mr. JASPAN, from the Committee on Appropriations, reported as committed, House Bill No. 1063, entitled:

An Act making an appropriation to the Board of Finance and Revenue for the payment of certain moral claims against the Commonwealth.

Mr. STIEFEL, from the Committee on Appropriations, reported as committed, House Bill No. 1110, entitled:

An Act making an appropriation to the George Jr Republic Association Grove City Pennsylvania.

Mr. CROWE, from the Committee on Education, reported as committed, House Bill No. 868, entitled:

An Act to amend clause two of section one thousand two hundred and ten of the act, approved the eighteenth day of May, one thousand nine hundred and eleven (P. L. 309), entitled "An act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws, general, special, or local, or any parts thereof, that are or may be inconsistent therewith," by further providing for the minimum salaries and increments of members of the teaching and supervisory staff in school districts of the first class.

He also, from the Committee on Education, reported as committed, House Bill No. 1052, entitled:

An Act to further amend section five hundred eight of the act, approved the eighteenth day of May, one thousand nine hundred eleven (P. L. 309), entitled "An act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws, general, special or local, or any parts thereof, that are or may be inconsistent therewith," by further regulating the incurring, funding, and refunding of indebtedness, temporary and permanent, the retirement of indebtedness, and the borrowing in anticipation of current revenues.

REPORT FROM COMMITTEE ON EXECUTIVE NOMINATIONS

Mr. WATKINS from the Committee on Executive Nominations reported with a favorable recommendation the following nominations, made by His Excellency, the Governor, which were laid over for one day under the rules.

JUSTICE OF THE PEACE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, May 3, 1943.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate F. Eugene Sergeant, Jr., Box No. 57, Langhorne, Bucks County, for appointment as Justice of the Peace in and for the Township of Middletown, Bucks County, until the first Monday in January, 1944, vice Daniel H. Krouse, resigned.

EDWARD MARTIN.

MEMBERS OF BLAIR, CRAWFORD AND DAUPHIN COUNTIES BOARDS OF ASSISTANCE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, May 3, 1943.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following:

MEMBERS OF THE BLAIR COUNTY BOARD OF ASSISTANCE

Orris G. Crist (Democrat), 1204-19th Avenue, Altoona, to serve until December 31, 1945. (Reappointment)

Mrs. Maude Colvin Lotz (Republican), 811 Washington Avenue, Tyrone, to serve until December 31, 1944. (Reappointment)

Mrs. Lucretia Lingenfelter Black (Republican), Claysburg, to serve until December 31, 1945, and until her successor is duly appointed and qualified, vice Mrs. Jennie D. Walter, whose term expired.

MEMBERS OF THE CRAWFORD COUNTY BOARD OF ASSISTANCE

Fred C. Kiebort, Jr. (Republican), Crawford County Trust Company Building, Meadville, to serve until December 31, 1944, and until his successor is duly appointed and qualified. (Reappointment)

Mrs. Gladys Harrison Roeder (Republican), 121 West Walnut Street, Titusville, to serve until December 31, 1943, and until her successor is duly appointed and qualified. (Reappointment)

R. L. Whipple (Republician), Cambridge Springs, to serve until December 31, 1944, and until his successor is duly appointed and qualified. (Reappointment)

MEMBERS OF THE DAUPHIN COUNTY BOARD OF ASSISTANCE

Mrs. Belle K. Kunkel (Republican), 1607 North 2d Street, Harrisburg, to serve until December 31, 1945. (Reappointment)

Walter Zerbe (Republican), Lykens, to serve until December 31, 1945. (Reappointment)

EDWARD MARTIN.

MEMBERS OF JEFFERSON COUNTY BOARD OF ASSISTANCE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, May 3, 1943.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for appointment as members of the Jefferson County Board of Assistance:

H. S. Nelson (Republican), Brockway, to serve until December 31, 1945, and until his successor is duly appointed and qualified, vice O. H. Johnston, whose term expired.

Dilts Gourley (Republican), 504 North Penn Street, Punxsutawney, to serve until December 31, 1945, and until his successor is duly appointed and qualified, vice Ward Dock, deceased.

Mrs. Marian Bullers (Republican), Hazen, to serve until December 31, 1944, and until her successor is duly appointed and qualified, to fill a vacancy.

Potter R. Smiley (Republican), 211 Jenks Street, Punxsutawney, to serve until December 31, 1944, and until his successor is duly appointed and qualified, vice John McClure, whose term expired.

John H. B. Johnson (Republican), 134 Pine Street, Brookville, to serve until December 31, 1943, and until his successor is duly appointed and qualified, vice Harry G. Smail, whose term expired.

George L. Geisler (Democrat), 510 Jackson Street, Reynoldsville, to serve until December 31, 1943, and until his successor is duly appointed and qualified, vice Mrs. Minnie Thompson, whose term expired.

J. Wm. Radaker (Republican), Anita, to serve until December 31, 1943, and until his successor is duly appointed and qualified, vice Frank Stockdale, whose term expired.

EDWARD MARTIN.

MEMBERS OF THE CLARION, UNION AND WASHINGTON COUNTIES BOARDS OF ASSISTANCE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, May 3, 1943.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following:

MEMBER OF THE CLARION COUNTY BOARD OF ASSISTANCE

Dr. Edward A. Wilhelm (Republican), 8th Avenue, Clarion, to serve until December 31, 1944, and until his successor is duly appointed and qualified. (Reappointment)

MEMBERS OF THE UNION COUNTY BOARD OF ASSISTANCE

Alvah D. Campbell (Republican), Allenwood, to serve until December 31, 1944, and until his successor is duly appointed and qualified. (Reappointment)

Hon. Frank L. Dersham (Democrat), 222 Market Street, Lewisburg, to serve until December 31, 1943, and until his successor is duly appointed and qualified. (Reappointment)

Hon. Robert Smith (Republican), R. D., Millmont, to serve until December 31, 1944, and until his successor is duly appointed and qualified. (Reappointment)

Mrs. Laura Von Neida (Republican), Hartley, P. O., Laurelton, to serve until December 31, 1945, and until her successor is duly appointed and qualified. (Reappointment)

Mrs. May Gardner (Republican), R. F. 2, Mifflinburg, to serve until December 31, 1945, and until her successor is duly appointed and qualified, to fill a vacancy.

MEMBERS OF THE WASHINGTON COUNTY BOARD OF ASSISTANCE

George Grimes (Republican), R. D. No. 1, West Brownsville, to serve until December 31, 1944, and until his successor is duly appointed and qualified. (Reappointment)

Mrs. Eva D. Cummins (Republican), Houston, to serve until December 31, 1944, and until her successor is duly appointed and qualified. (Reappointment)

James B. Wray (Republican), R. D., Finleyville, to serve until December 31, 1943, and until his successor is duly appointed and qualified. (Reappointment)

Mrs. Delia Kelly (Democrat), Donora, to serve until December 31, 1945. (Reappointment)

S. E. Murphy (Republican), 208 North Avenue, Washington, to serve until December 31, 1945, and until his successor is duly appointed and qualified, vice Wray G. Zelt, Jr., whose term expired.

W. K. Jones (Republican), 179 North Main Street, Washington, to serve until December 31, 1943, and until his successor is duly appointed and qualified, vice William D. Davies, resigned.

EDWARD MARTIN.

NOMINATIONS BY THE GOVERNOR

NOTARIES PUBLIC

The Secretary to the Governor being introduced, presented in writing from His Excellency, the Governor of the Commonwealth, nominations for appointment as Notaries Public.

CONSIDERATION OF NOTARIES PUBLIC

Mr. WATKINS. Mr. President, I move that the Senate do now proceed to the consideration of nominations for appointment as Notaries Public, sent to the Senate, by His Excellency, the Governor of the Commonwealth, on May 4, 1943.

Mr. LETZLER. Mr. President, I second the motion.

The motion was agreed to.

The nominations were read as follows:

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, May 4, 1943.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for appointment as Notaries Public, for terms of four years to compute from the date of confirmation:

ALLEGHENY COUNTY

Mrs. Catherine B. Becker, Pittsburgh, 526 City-County Bldg.

Miss Gene F. Bridges, Pittsburgh, 1003 Farmers Bank Bldg.

Thos. McCaffrey, Jr., Pittsburgh, 4300 Butler St.

LACKAWANNA COUNTY

John Dano, Scranton.

LUZERNE COUNTY

Mrs. Olive E. Pace, Wilkes-Barre.

MONTGOMERY COUNTY

Perry Greenspan, Abington Twp., 426 Radcliffe Ave., Roslyn.

PHILADELPHIA COUNTY

Miss Kathryn T. Fitzgerald, Phila., Ledger Bldg., 6th and Chestnut Sts.

Miss Betty Koshar, Phila., 316 Walnut St.

Charles M. Mosser, Phila., 905 Real Estate Trust Bldg.

Mrs. Elizabeth R. Thompson, Phila., 12 S. 12th St.

EDWARD MARTIN.

NOMINATIONS FOR NOTARIES PUBLIC

A motion was made by Mr. WATKINS and Mr. LETZLER,

That the Senate do advise and consent to said nominations.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—44

Barr,	DiSilvestro,	Kephart,	Stiefel,
Becker,	Ealy,	Letzler,	Tallman,
Bowers,	Farrell,	Mallery,	Taylor,
Carr,	Gourley,	McCreesh,	Thomas,
Chapman,	Haluska,	McQuiddy,	Tyler,
Coleman,	Heyburn,	Mundy,	Wade,
Cox,	Holland,	Ruth,	Walker,
Crider,	Homsher,	Scarlett,	Watkins,
Crowe,	James,	Shapiro,	Wilson, H. I.,
Deitrick,	Jaspan,	Snowden,	Wilson, T. B.,
Dent,	Jones,	Stevenson,	Woodring,

NAYS—0

Two-thirds of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Governor be informed accordingly.

BILLS ON CONCURRENCE IN HOUSE AMENDMENTS

Agreeably to order,

The Senate resumed the consideration of Senate Bill No. 137, entitled:

An Act to validate and quiet the title of real estate in this Commonwealth held by a foreign corporation unauthorized to transact business in Pennsylvania and heretofore conveyed to a citizen of the United States or a corporation authorized to hold such real estate.

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Will the Senate concur in the same?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—45

Barr,	Ealy,	Kephart,	Stevenson,
Becker,	Farrell,	Letzler,	Stiefel,
Bowers,	Geltz,	Mallery,	Tallman,
Carr,	Gourley,	McCreesh,	Taylor,
Chapman,	Haluska,	McGinnis,	Thomas,
Coleman,	Heyburn,	McQuiddy,	Tyler,
Cox,	Holland,	Mundy,	Wade,
Crider,	Homsher,	Ruth,	Watkins,
Crowe,	James,	Scarlett,	Wilson, H. I.,
Deitrick,	Jaspan,	Shapiro,	Wilson, T. B.,
Dent,	Jones,	Snowden,	Woodring,
DiSilvestro,			

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

Agreeably to order,

The Senate resumed the consideration of Senate Bill No. 211, entitled:

An Act to further amend section nine hundred eight subsection A of section one thousand six and subsection B of section one thousand one hundred nine of the act approved the fifteenth day of May one thousand nine hundred and thirty-three (P. L. 624) entitled "An act relating to the business of banking and to the exercise of fiduciary powers by corporations providing for the organization of corporations with fiduciary powers and of banking corporations with or without fiduciary powers including the conversion of National banks into State banks and for the licensing of private bankers defining the rights powers duties liabilities and immunities of such corporations of existent corporations authorized to engage in a banking business with or without fiduciary powers of private bankers and of the officers directors trustees shareholders attorneys and other employes of all such corporations or private bankers or of affiliated corporations associations or persons restricting the exercise of banking powers by any other corporation association or person and of fiduciary powers by any other corporation conferring powers and imposing duties upon the courts prothonotaries recorders of deeds and certain State departments commissions and officers imposing penalties and repealing certain acts and parts of acts" by further providing for the powers and duties and limitations upon powers of corporations and persons authorized to engage in a banking or fiduciary business or both.

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Will the Senate concur in the same?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—44

Barr,	DiSilvestro,	Jones,	Stevenson,
Becker,	Ealy,	Kephart,	Stiefel,
Bowers,	Farrell,	Letzler,	Tallman,
Carr,	Geltz,	Mallery,	Taylor,
Chapman,	Gourley,	McCreesh,	Thomas,
Coleman,	Haluska,	McGinnis,	Tyler,
Cox,	Heyburn,	McQuiddy,	Wade,
Crider,	Holland,	Mundy,	Watkins,
Crowe,	Homsher,	Ruth,	Wilson, H. I.,
Deitrick,	James,	Scarlett,	Wilson, T. B.,
Dent,	Jaspan,	Snowden,	Woodring,

NAYS—1

Shapiro,

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

Agreeably to order,

The Senate resumed the consideration of Senate Bill No. 313, entitled:

An Act authorizing the Department of Public Instruction to act as agent for the several school districts and vocational school districts in the purchase without bids and distribution among such districts of material supplies and equipment subject to priorities and on which prices have been stabilized to be used in vocational education of workers in war work and validating such action heretofore taken.

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Will the Senate concur in the same?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—45

Barr,	Farrell,	Letzler,	Stiefel,
Becker,	Geltz,	Mallery,	Tallman,
Bowers,	Gourley,	McCreesh,	Taylor,
Carr,	Haluska,	McGinnis,	Thomas,
Coleman,	Heyburn,	McQuiddy,	Tyler,
Cox,	Holland,	Mundy,	Wade,
Crider,	Homsher,	Ruth,	Walker,
Crowe,	James,	Scarlett,	Watkins,
Deitrick,	Jaspan,	Shapiro,	Wilson, H. I.,
Dent,	Jones,	Snowden,	Wilson, T. B.,
DiSilvestro,	Kephart,	Stevenson,	Woodring,
Ealy,			

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

SENATE NON-CONCURS IN HOUSE AMENDMENTS TO SENATE BILL No. 388

Agreeably to order,

The Senate resumed the consideration of Senate Bill No. 388, entitled:

An Act to amend sections three and four of and to add section 6.1 to the act, approved the thirty-first day of July, one thousand nine hundred forty-one (P. L. 644), entitled "An act to authorize housing authorities to undertake the development or administration of projects to provide safe and sanitary dwellings for persons engaged in national defense activities who would not otherwise be able to secure such dwellings within the vicinity thereof; to limit the initiation of the development of such projects until December 31, 1943, to authorize housing authorities to cooperate with or act as agent of the Federal Government in the development and administration of such projects of the Federal Government, to acquire or lease such projects and to sell or lease certain projects to the Federal Government; to authorize public bodies to assist such projects of housing authorities and of the Federal Government to provide safe and sanitary dwellings for persons engaged in national defense activities," by changing the definition of 'Persons engaged in national defense activities' extending the time in which the development of projects may be initiated thereunder and authorizing housing authorities to cooperate with and assist counties, cities, boroughs and incorporated towns.

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Will the Senate concur in the same?

Mr. BARR. Mr. President, I move that the Senate do non-concur in amendments made by the House to Senate Bill No. 388.

Mr. HALUSKA. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—45

Barr,	Farrell,	Letzler,	Stiefel,
Becker,	Geltz,	Mallery,	Tallman,
Bowers,	Gourley,	McCreesh,	Taylor,
Carr,	Haluska,	McGinnis,	Thomas,
Coleman,	Heyburn,	McQuiddy,	Tyler,
Cox,	Holland,	Mundy,	Wade,
Crider,	Homsher,	Ruth,	Walker,
Crowe,	James,	Scarlett,	Watkins,
Deitrick,	Jaspan,	Shapiro,	Wilson, H. I.,
Dent,	Jones,	Snowden,	Wilson, T. B.,
DiSilvestro,	Kephart,	Stevenson,	Woodring,
Ealy,			

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

SENATE NON-CONCURS IN HOUSE AMENDMENTS TO SENATE BILL No. 389

Agreeably to order,

The Senate resumed the consideration of Senate Bill No. 389, entitled:

An Act to amend clause (g) of section three of, and to add section fourteen and one-tenth to, the act approved the twenty-eighth day of May, one thousand nine hundred thirty-seven, (P. L. 955), entitled "An act to promote public health, safety, morals, and welfare by declaring the necessity of creating public bodies, corporate and political, to be known as housing authorities to engage in slum clearance, and to undertake projects, to provide dwelling accommodations for persons in low income; providing for the organization of such housing authorities; defining their powers and duties; providing for the exercise of such powers, including the acquisition of property by purchase, gift or eminent domain, the renting and selling of property, and including borrowing money, issuing bonds, and other obligations, and giving security therefor; prescribing the remedies of obligees of housing authorities; authorizing housing authorities to enter into agreements, including agreements with the United States, the Commonwealth, and political subdivisions and municipalities thereof; defining the application of zoning, sanitary, and building laws and regulations to projects built or maintained by such housing authorities; exempting the property and securities of such housing authorities from taxation; and imposing duties and conferring powers upon the State Board of Housing, and certain other State officers and departments," authorizing housing authorities to cooperate with and assist counties cities boroughs and incorporated towns.

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Will the Senate concur in the same?

Mr. BARR. Mr. President, I move that the Senate do non-concur in amendments made by the House to Senate Bill No. 389.

Mr. HALUSKA. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—45

Barr,	Farrell,	Letzler,	Stiefel,
Becker,	Geltz,	Mallery,	Tallman,
Bowers,	Gourley,	McCreesh,	Taylor,
Carr,	Haluska,	McGinnis,	Thomas,
Coleman,	Heyburn,	McQuiddy,	Tyler,
Cox,	Holland,	Mundy,	Wade,
Crider,	Homsher,	Ruth,	Walker,
Crowe,	James,	Scarlett,	Watkins,
Deitrick,	Jaspan,	Shapiro,	Wilson, H. I.,
Dent,	Jones,	Snowden,	Wilson, T. B.,
DiSilvestro,	Kephart,	Stevenson,	Woodring,
Ealy,			

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

BILLS ON FINAL PASSAGE

Agreeably to order,

The Senate resumed the consideration of House Bill No. 92, as follows:

An Act to amend the act approved the twenty-fourth day of June one thousand nine hundred thirty-nine (P. L. 872) entitled "An act to consolidate amend and revise the penal laws of the Commonwealth" changing and revising sections of said act relating to obstructing an officer in the execution of process fornication and bastardy lotteries firearms receiving stolen property trespass on posted property cheating by fraudulent pretenses principals in the second degree and accessories aiders and abettors and repealing certain sections relating to larceny and certain existing acts

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Sections 314 506 602 628 (k) 817 836 881 954 and 1105 of the act approved the twenty-fourth day of June one thousand nine hundred thirty-nine (P. L. 872) entitled "An act to consolidate amend and revise the penal laws of the Commonwealth" are hereby amended to read as follows

Section 314 Obstructing Officer in the Execution of Process Whoever knowingly wilfully and forcibly obstructs resists or opposes any officer or other person duly authorized in serving or attempting to serve or execute any legal process or order or in making a lawful arrest without warrant or assaults or beats any officer or person duly authorized in serving or executing any such legal process or order or for and because of having served or executed the same or in making a lawful arrest without warrant or rescues another in legal custody or whoever being required by any officer neglects or refuses to assist him in the execution of his office in any criminal case or in the preservation of peace or in apprehending and securing any person for a breach of the peace is guilty of a misdemeanor and on conviction shall be sentenced to imprisonment not exceeding one (1) year or to pay a fine not exceeding five hundred dollars ($500) or both

Section 506 Fornication and Bastardy Whoever commits fornication is guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine not exceeding one hundred dollars ($100) for the use of the institution district where the offense was committed

It shall be sufficient to convict an unmarried woman to show that a child was born of her body

Any man charged by an unmarried woman with being the father of her bastard child shall be the reputed father and if she persists in the charge in the time of her extremity of labor or afterwards in open court the same shall be given in evidence in order to convict such person of fornication Such man being thereof convicted shall be sentenced in addition to the fine aforesaid to pay the expenses incurred at the birth of such child and if such child is born dead or shall die during the continuance of the order for the maintenance of said child to also pay the reasonable funeral expenses thereof and to give security by one or more sureties and in such sum as the court shall direct to the institution district where such child was born to perform such order for the maintenance of the said child as the court shall direct

If a bastard child is begotten out of the State and born within the State or begotten within one of the counties of this State and born in another in the latter case the prosecution of the reputed father may be in the county where the bastard child was born or begotten and like sentence shall be passed as if the child had been born and begotten in that county and in the former case like sentence shall be passed except the fine for fornication

Section 602 Traffic in Lottery Tickets Whoever sells or exposes for sale or causes to be sold or exposed to sale or barters or exchanges or causes or offers to be bartered or exchanged or advertises or causes to be advertised for sale barter or exchange or has in his possession with intent to sell or barter any lottery or numbers ticket or share or part thereof or any lottery or numbers policy or any writing certificate bill token or other device purporting or intending to entitle or represent as entitling the holder or bearer or any other person to any prize to be drawn in any lottery or any part of such prize or any interest therein or in any newspaper magazine or periodical owned or controlled by him publishes or causes to be published any advertisement of any lottery or numbers ticket share policy writing certificate bill taken or device or of any lottery drawing or lottery scheme or any prospectus scheme or other advertisement of any person conducting managing or controlling any lottery or acting as agent therefor is guilty of a misdemeanor and on conviction shall be sentenced to imprisonment by separate and solitary confinement at labor not exceeding one (1) year or to pay a fine not exceeding five hundred dollars ($500) or both

The purchaser of such ticket policy or device shall not be liable to any prosecution or penalty by virtue of this or any other law of the Commonwealth and shall in all respects be a competent witness to prove the offense

Section 628 Uniform Firearms Act

* * * *

(k) Petition to [Common Pleas] Quarter Sessions for Reversal Any applicant aggrieved by the refusal of his application for a license to carry a firearm or for a dealer's license or any person or retail dealers whose license has been revoked may file within thirty (30) days thereafter in the court of quarter sessions of his county a petition against the official who refused his application as defendant alleging therein in brief detail the refusal complained of and praying for reversal thereof Upon service of a copy of the petition upon the defendant returnable within ten (10) days from its date the defendant shall on or before the return day file an answer in which he may allege by way of defense the reason for his refusal and such other reasons as may in the meantime have been discovered Upon application of either party the cause shall be heard without delay The court may either sustain or reverse the action of the defendant If the defendant's action is reversed he shall forthwith issue the license upon payment of the fee A judgment sustaining a refusal to grant a license shall not bar after one (1) year a new application nor shall a judgment in favor of the petitioner prevent the defendant from thereafter revoking or refusing to renew such license for any proper cause which may thereafter occur The court shall have full power to dispose of all costs

Section 817 Receiving Stolen Property Whoever buys has or receives any goods chattels money or securities or any other matter or thing which shall have been stolen or feloniously taken either in this Commonwealth or in any other state or country knowing or having reasonable cause to know the same to have been stolen or feloniously taken is guilty of a felony and on conviction shall be imprisoned not exceeding five (5) years or fined not exceeding one thousand dollars ($1,000) or both

Section 836 Cheating by Fraudulent Pretenses Whoever by any false pretense obtains the signature of any person to any written instrument or obtains from any other person any chattel money or valuable security with intent to cheat and defraud any person of the same or being an officer manager agent employe of or in any way interested in any person by false pretense knowingly and with intent to defraud procures obtains or aids assists or abets in obtaining from any other person any chattels moneys or valuable securities for such person of which he is an officer manager agent employe or in which he is in any way interested is guilty of a felony and on conviction shall be sentenced to pay a fine not exceeding five thousand dollars ($5,000) or undergo imprisonment not exceeding five (5) years or both

If upon the trial of any person indicted for such a [misdemeanor] felony it shall be proved that he obtained the property in question in such manner as to amount in law to larceny he shall not by reason thereof be entitled to be acquitted of such [misdemeanor] felony No person tried for such [misdemeanor] felony shall be liable to be afterwards prosecuted for larceny upon the same facts

Section 881 Fraudulent Entry of Horses in Races

Whoever enters or causes to be entered for competition or competes for any purse prize premium stake or sweepstake offered or given by any agricultural or other society association or person any horse mare or gelding colt or filly under an assumed name or out of its proper class when such [price] prize purse premium stake or sweepstake is to be decided by a contest in running trotting or pacing races is guilty of a misdemeanor and upon conviction thereof shall be sentenced to undergo imprisonment not exceeding six (6) months or to pay a fine not exceeding two hundred dollars ($200) or both

Section 954 Trespass upon Posted Land Whoever wilfully enters upon any land which the owner lessee or occupant has caused to be prominently posted with printed notices that the said land is private property and warning all persons from trespassing thereon under the penalties provided in this section shall upon conviction thereof in a summary proceeding be sentenced to a fine not exceeding ten dollars ($10) together with the costs of prosecution and in default of payment of said fine and costs shall be committed to jail for one (1) day for each dollar of fine imposed

Section 1105 Principals in the Second Degree and Accessories Aiders and Abettors Every principal in the second degree or accessory before the fact to any felony at the common law or under any act of assembly may be indicted tried convicted and if no punishment is provided may be punished in all respects as if he were the principal felon

Every accessory after the fact to any felony at the common law or under any act of Assembly for whom no punishment is provided shall be guilty of a misdemeanor and on conviction be sentenced to pay a fine not exceeding one thousand dollars ($1,000) or to undergo imprisonment with or without labor not exceeding two (2) years or both

Every person who shall counsel aid or abet the commission of any misdemeanor punishable under any act of Assembly for whom no punishment is provided shall be liable to be proceeded against and punished as the principal offender

Section 2 Sections 809 and 810 of said act are hereby repealed

Section 3 The following act is hereby repealed absolutely

The act approved the ninth day of July one thousand nine hundred one (P. L. 612) entitled "An act making it willful trespass to hunt trap and take game birds or game animals upon cultivated lands and providing for the punishment of such trespass"

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—33

Becker,	DiSilvestro,	Letzler,	Taylor,
Bowers,	Ealy,	Mallery,	Thomas,
Carr,	Farrell,	McGinnis,	Tyler,
Coleman,	Geltz,	McQuiddy,	Wade,
Cox,	Gourley,	Ruth,	Walker,
Crider,	Haluska,	Scarlett,	Watkins,
Crowe,	Heyburn,	Stevenson,	Wilson, H. I.,
Deitrick,	Jones,	Tallman,	Wilson, T. B.,
Dent			

NAYS—7

Barr,	Jaspan,	Shapiro,	Woodring,
Holland,	Mundy,	Stiefel,	

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which the concurrence of the House is requested.

Agreeably to order,

The Senate resumed the consideration of House Bill No. 364, as follows:

An Act to amend the title and to further amend sections one two and three of the act approved the twenty-first day of May one thousand nine hundred thirty-seven (P. L. 787) entitled "An act authorizing the compromise or reduction of tax claims on real property purchased by any county city borough town school district or poor district at any sale for the nonpayment of taxes and the reconveyance or private sale of such property" giving each political subdivision having tax or municipal claims against any such real property the right to petition court for a compromise agreement or sale authorized by the act and extending the time for the holding of a hearing thereon

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The title of the act approved the twenty-first day of May one thousand nine hundred thirty-seven (P. L. 787) entitled "An act authorizing the compromise or reduction of tax claims on real property purchased by any county city borough town school district or poor district at any sale for the nonpayment of taxes and the reconveyance or private sale of such property" is hereby amended to read as follows

An Act authorizing subject to approval of the court of common pleas the compromise or reduction of tax and municipal claims on real property purchased by any county city borough town school district or poor district at any sale for the nonpayment of taxes or municipal claims and the reconveyance or private sale of such property

Section 2 Sections one two and three of said act as amended by the act approved the twenty-ninth day of July one thousand nine hundred forty-one (P. L. 600) are hereby further amended to read as follows

Section 1 Be it enacted &c That whenever any real property has been heretofore or shall be hereafter purchased by any county city borough incorporated town school district or poor district to be called herein municipality for nonpayment of taxes or municipal claims under any act of Assembly authorizing such sale the municipality purchasing said property or any taxing authority having an interest therein may subject to the approval of the court of common pleas upon petition agree with the former owner of such property or his heirs devisees or any one or more of them or with anyone entitled to redeem such property to accept in compromise or reduction of the amount of the taxes and municipal claims penalties interest and costs due any sum less than the whole of such amount so due whereupon either the said municipality or the taxing authority having an interest therein or the person with whom such agreement is made may petition the common pleas court for confirmation of said agreement

Section 2 After the period for redemption has passed such municipality may sell at private sale any real property purchased at tax sale or sale for municipal claim and may in effecting such sale accept any sum less than the amount of all the taxes municipal claims penalties and interest due subject to the approval upon petition of the court of common pleas as hereinafter provided

Section 3 Upon presentation of any such petition by any taxing authority having an interest therein or by the other party concerned the court shall fix a day not more than thirty days thereafter for a hearing thereon At least five days' notice of such hearing shall be given to all the taxing authorities having tax or municipal claims against such real estate and notice shall also be given by publication in at least one newspaper of general circulation published in the county setting forth a description of the property the total amount of taxes municipal

claims penalties and interest due and costs and the amount which it is proposed to accept in compromise or redemption or for the sale of said property

Section 3 All acts and parts of acts inconsistent herewith are hereby repealed

Section 4 This act shall become effective immediately upon final enactment

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—45

Barr,	Ealy,	Kephart,	Stiefel,
Becker,	Farrell,	Letzler,	Tallman,
Bowers,	Geltz,	Mallery,	Taylor,
Carr,	Gourley,	McCreesh,	Thomas,
Chapman,	Haluska,	McGinnis,	Tyler,
Coleman,	Heyburn,	McQuiddy,	Wade,
Cox,	Holland,	Mundy,	Walker,
Crider,	Homsher,	Ruth,	Watkins,
Crowe,	James,	Scarlett,	Wilson, H. I.,
Deitrick,	Jaspan,	Shapiro,	Wilson, T. B.,
Dent,	Jones,	Stevenson,	Woodring,
DiSilvestro,			

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate resumed the consideration of House Bill No. 395, as follows:

An Act to amend sections three and clause eighty-eight of section one hundred one of the act approved the twenty-eighth day of May one thousand nine hundred thirty-seven (P. L. 1019) entitled "An act relating to statutory laws prescribing an enacting clause for statutes fixing the effective date and time of statutes hereafter enacted providing for notice of application for local and special legislation for the correction of errors in statutes and for the printing and publication of statutes prescribing rules for the interpretation of statutes defining certain words and phrases when used in statutes and prescribing rules for the construction and operation of amendments reenactments and repeals of statutes" further providing for the position of the enacting clause and the preparation of laws for printing and further defining the phrase "political subdivision"

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Sections three and clause eighty-eight of section one hundred one of the act approved the twenty-eighth day of May one thousand nine hundred thirty-seven (P. L. 1019) entitled "An act relating to statutory laws prescribing an enacting clause for statutes fixing the effective date and time of statutes hereafter enacted providing for notice of application for local and special legislation for the correction of errors in statutes and for the printing and publication of statutes prescribing rules for the interpretation of statutes defining certain words and phrases when used in statutes and prescribing rules for the construction and operation of amendment re-enactments and repeals of statutes" are hereby amended to read as follows

Section 3 Style and Position of Enacting Clause All laws shall begin in the following style "The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows"

Such enacting clause shall be placed immediately after the preamble or the table of contents of the law or if there be [no] neither preamble nor table of contents then immediately after the title.

Section 101 Definitions The following words and phrases when used in any law hereafter enacted unless the context clearly indicates otherwise shall have the meanings ascribed to them in this section

* * * * *

(88) "Political subdivision" any county city borough incorporated town township school district [and poor district] vocational school district and county institution district

Section 2 This act shall become effective immediately upon final enactment

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—45

Barr,	Ealy,	Kephart,	Stiefel,
Becker,	Farrell,	Letzler,	Tallman,
Bowers,	Geltz,	Mallery,	Taylor,
Carr,	Gourley,	McCreesh,	Thomas,
Chapman,	Haluska,	McGinnis,	Tyler,
Coleman,	Heyburn,	McQuiddy,	Wade,
Cox,	Holland,	Mundy,	Walker,
Crider,	Homsher,	Ruth,	Watkins,
Crowe,	James,	Scarlett,	Wilson, H. I.,
Deitrick,	Jaspan,	Shapiro,	Wilson, T. B.,
Dent,	Jones,	Stevenson,	Woodring,
DiSilvestro,			

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which the concurrence of the House is requested.

Agreeably to order,

The Senate resumed the consideration of House Bill No. 451, as follows:

An Act to add section seven and one-tenth to the act approved the sixteenth day of July one thousand nine hundred forty-one (P. L. 400) entitled "An act to protect the debtors obligors or guarantors of debts for which judgments are entered or may be entered and owners of real property affected thereby and others indirectly liable for the payment thereof by prescribing the method of fixing the fair market value of such property sold on execution and limiting the amount collectible thereafter on such judgments" providing for the entry of release satisfaction and discharge of said judgments under certain circumstances

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The act approved the sixteenth day of July one thousand nine hundred forty-one (P. L. 400) entitled "An act to protect the debtors obligors or guarantors of debts for which judgments are entered or may be entered and owners of real property affected thereby and others indirectly liable for the payment thereof by prescribing the method of fixing the fair market value of such property sold on execution and limiting the amount collectible thereafter on such judgments" is hereby amended by adding after section seven thereof a new section to read as follows

Section 7.1 If the plaintiff or plaintiffs shall fail to present such petition to fix the fair market value of the real property sold within six months after the sale of such real property as provided by this act the debtor

obligor guarantor or any other person liable directly or indirectly to the plaintiff or plaintiffs for the payment of the debt or any person or persons interested in any real estate which would except for the provisions of this act be bound by said judgment may present his or their petition to the Court having jurisdiction setting forth the fact of said sale and that no petition has been filed within six months after said sale to fix the fair market value of the property sold whereupon the Court upon proof of service of at least ten days notice of said petition on the plaintiff or plaintiffs or their attorney in said action and being satisfied of such facts shall direct the Prothonotary to mark said judgment satisfied released and discharged

Section 2 The provisions of this act shall become effective immediately upon final enactment

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—45

Barr,	Ealy,	Kephart,	Stiefel,
Becker,	Farrell,	Letzler,	Tallman,
Bowers,	Geltz,	Mallery,	Taylor,
Carr,	Gourley,	McCreesh,	Thomas,
Chapman,	Haluska,	McGinnis,	Tyler,
Coleman,	Heyburn,	McQuiddy,	Wade,
Cox,	Holland,	Mundy,	Walker,
Crider,	Homsher,	Ruth,	Watkins,
Crowe,	James,	Scarlett,	Wilson, H. I.,
Deitrick,	Jaspan,	Shapiro,	Wilson, T. B.,
Dent,	Jones,	Stevenson,	Woodring,
DiSilvestro,			

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which the concurrence of the House is requested.

BILL OVER IN ORDER

Mr. BARR. Mr. President, I ask unanimous consent that Senate Bill No. 461, on final passage, entitled:

An Act to add Section one thousand six hundred fifteen to the act approved the eighteenth day of May, one thousand nine hundred and eleven (P. L. 309), entitled "An act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws, general, special or local, or any parts thereof, that are or may be inconsistent therewith," providing and regulating the release of pupils from the public schools for religious instruction

go over in its order temporarily.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS ON FINAL PASSAGE

Agreeably to order,

The Senate resumed the consideration of House Bill No. 467, as follows:

An Act to add Section one thousand eight and one tenth to the act approved the fourth day of May one thousand nine hundred twenty-seven (P. L. 519) entitled "An act concerning boroughs and revising amending and consolidating the law relating to boroughs" prescribing the procedure to be followed by borough councils and officials in the adoption as a singe ordinance of a consolidation revision or codification of all the ordinances of such borough

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Article ten of the act approved the fourth day of May one thousand nine hundred twenty-seven (P. L. 519) entitled "An act concerning boroughs and revising amending and consolidating the law relating to boroughs" is hereby amended by adding thereto immediately after section one thousand eight a new section to read as follows

Section 1008.1 Adoption of Codification of Ordinances Whenever any borough shall have caused to be prepared a consolidation codification or revision of the general body of borough ordinances the borough council may adopt such consolidation codification or revision as an ordinance of the borough in the same manner that is now prescribed by law for the adoption of borough ordinances except as hereinafter provided

Any such consolidation codification or revision of borough ordinances to be enacted as a single ordinance shall be introduced in the borough council at least thirty days before its final enactment and at least fifteen days before its final enactment notice of the introduction of such consolidation codification or revision specifying its general nature and content shall be given by advertisement in a newspaper of general circulation in said borough or if there be no newspaper of general circulation in said borough then by the posting of at least ten handbills in conspicuous places in the borough

When any such consolidation codification or revision has been enacted as an ordinance in the manner aforesaid it shall not be necessary to publish or advertise the entire text thereof but it shall be sufficient in any such case to publish or advertise the table of contents thereof in the manner provided by law for the publishing or advertising of ordinances Such publication or advertisement shall in addition to setting forth the table of contents specify that the consolidation codification or revision is only a consolidation codification or revision of existing ordinances and shall indicate a place within the borough where a copy thereof may be examined

Section 2 The provisions of this act shall become effective immediately upon final enactment

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—45

Barr,	Ealy,	Kephart,	Stiefel,
Becker,	Farrell,	Letzler,	Tallman,
Bowers,	Geltz,	Mallery,	Taylor,
Carr,	Gourley,	McCreesh,	Thomas,
Chapman,	Haluska,	McGinnis,	Tyler,
Coleman,	Heyburn,	McQuiddy,	Wade,
Cox,	Holland,	Mundy,	Walker,
Crider,	Homsher,	Ruth,	Watkins,
Crowe,	James,	Scarlett,	Wilson, H. I.,
Deitrick,	Jaspan,	Shapiro,	Wilson, T. B.,
Dent,	Jones,	Stevenson,	Woodring,
DiSilvestro,			

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has

passed the same with amendments in which the concurrence of the House is requested.

Agreeably to order,

The Senate resumed the consideration of House Bill No. 536, as follows:

An Act to further amend section four of the act approved the twenty-ninth day of May one thousand nine hundred and thirty-one (P. L. 280) entitled "An act relating to delinquent taxes on seated lands and prescribing interest charges on nonpayment thereof requiring the receivers and collectors of county city borough town township school district and poor district taxes to make a return to the county commissioners of such unpaid taxes and providing for the lien thereof authorizing the county treasurers to collect such taxes and to sell seated lands at public sale for taxes heretofore or hereafter returned as unpaid and authorizing the county commissioners to purchase such lands and resell the same under certain circumstances" providing that all liens in favor of the Commonwealth other than tax liens charged against real estate heretofore or hereafter sold for taxes by the county treasurers are divested by such sales

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section four of the act approved the twenty-ninth day of May one thousand nine hundred and thirty-one (P. L. 280) entitled "An act relating to delinquent taxes on seated lands and prescribing interest charges on nonpayment thereof requiring the receivers and collectors of county city borough town township school district and poor district taxes to make a return to the county commissioners of such unpaid taxes and providing for the lien thereof authorizing the county treasurers to collect such taxes and to sell seated lands at public sale for taxes heretofore or hereafter returned as unpaid and authorizing the county commissioners to purchase such lands and resell the same under certain circumstances" as last amended by the act approved the twentieth day of June one thousand nine hundred and thirty-nine (P. L. 498) is hereby further amended to read as follows

Section 4 All taxes unpaid and so returned and docketed as aforesaid shall be a first lien subject as hereinafter stated on said real estate liable for the payment thereof together with all charges interest expenses and fees added thereto for failure to pay promptly and such liens shall have priority to and be fully paid and satisfied out of the proceeds of any judicial sale of said property before any mortgage obligation claim lien or estate with which said property may have or shall become charged or for which it may become liable save and except only the costs of the sale and of the writ upon which it is made and tax liens in favor of the Commonwealth of Pennsylvania which shall have priority to [such tax] the liens of such taxes so returned and docketed All taxes returned under this or any previous statute supplied hereby shall be first liens until sold as hereinafter provided or unless sooner discharged

Section 2 In all cases where real property has heretofore been sold for taxes by the county treasurer as provided by the said act herein amended all liens which were filed of record against said property in favor of the Commonwealth other than tax liens are hereby declared to have been divested by such sale and it is hereby declared the intent of the Legislature that such liens shall hereafter be void and of no effect against such property

Section 3 All acts and parts of acts inconsistent with the provisions of this act are hereby repealed

Section 4 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to.

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—26

Becker,	Farrell,	Mallery,	Tyler,
Bowers,	Geltz,	Scarlett,	Wade,
Carr,	Heyburn,	Stevenson,	Walker,
Crider,	James,	Tallman,	Wilson, H. I.,
Crowe,	Jones,	Taylor,	Wilson, T. B.,
Deitrick,	Kephart,	Thomas,	Woodward,
Ealy,	Letzler,		

NAYS—17

Barr,	Gourley,	McCreesh,	Ruth,
Coleman,	Haluska,	McGinnis,	Shapiro,
Cox,	Holland,	McQuiddy,	Stiefel,
Dent,	Jaspan,	Mundy,	Woodring,
DiSilvestro,			

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate resumed the consideration of Senate Bill No. 550, as follows:

An Act to further amend sections three and four of the act approved the thirteenth day of May one thousand nine hundred twenty-seven (P. L. 988) entitled "An Act providing for and regulating the State registration of nurses and licensed attendants the annual recording of registration certificates and regulating the profession of nursing and repealing certain existing laws" by changing qualifications for registration

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Sections three and four of the act approved the thirteenth day of May one thousand nine hundred twenty-seven (P. L. 988) entitled "An act providing for and regulating the State registration of nurses and licensed attendants the annual recording of registration certificates and regulating the profession of nursing and repealing certain existing laws" as amended by the act approved the twenty-ninth day of April one thousand nine hundred thirty-five (P. L. 93) are hereby further amended to read as follows

Section 3 No application for original registration as a registered nurse shall be considered unless accompanied by a fee of ten ($10.00) dollars Every applicant to be eligible for examination as a registered nurse must furnish evidence satisfactory to the board that he or she is twenty-[one] years of age or over is a citizen of the United States or one of whose parents is a naturalized citizen of the United States is of good moral character has completed work equal to a standard high school course as evaluated by the Department of Public Instruction and has graduated from a school of nursing which gives at least a two years' course of instruction or has received instruction in different schools of nursing connected with hospitals for periods of time amounting to at least a two years' course as aforesaid and then graduated which school or combination of schools of nursing must be on the approved list issued by the State Board of Examiners for Registration of Nurses as hereinafter provided Provided That a graduate nurse registered in any state of the United States where the requirements for registration in the judgment of the board are at least equal to the requirements of law for such nurses in Pennsylvania may at the discretion of the board be registered without examination upon application in writing on forms provided by the board and upon the payment of a fee of ten ($10.00) dollars

Section 4 No application for original registration as a licensed attendant shall be considered unless accompanied by a fee of five ($5.00) dollars Every applicant for examination as a licensed attendant must furnish evidence satisfactory to the board that he or she is twenty-[one] years of age or over is a citizen of the United States or one of whose parents is a naturalized citizens of the United States is of good moral character has completed the course prescribed by the said board or its equivalent in some institution for the mentally sick in a convalescent home or in any institution of a similar nature not having a school of nursing or has had training which in the opinion of the board warrants the examination of said person for registration as a licensed attendant for the care of the sick

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—45

Barr,	Ealy,	Letzler,	Stiefel,
Becker,	Farrell,	Mallery,	Tallman,
Bowers,	Geltz,	McCreesh,	Taylor,
Carr,	Gourley,	McGinnis,	Thomas,
Chapman,	Haluska,	McQuiddy,	Tyler,
Coleman,	Heyburn,	Mundy,	Wade,
Cox,	Holland,	Ruth,	Walker,
Crider,	James,	Scarlett,	Watkins,
Crowe,	Jaspan,	Shapiro,	Wilson, H. I.,
Deitrick,	Jones,	Snowden,	Wilson, T. B.,
Dent,	Kephart,	Stevenson,	Woodring,
DiSilvestro,			

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate resumed the consideration of Senate Bill No. 566, as follows:

An Act to further amend section one of the act approved the twenty-second day of June one thousand nine hundred thirty-one (P. L. 662) entitled "An act relating to retirement from the Pennsylvania National Guard" by providing that Colonels having certain service shall be placed on retired list as Brigadier Generals

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section one af the act approved the twenty-second day of June one thousand nine hundred thirty-one (P. L. 662) entitled "An act relating to retirement from the Pennsylvania National Guard" as last amended by the act approved the first day of July one thousand nine hundred thirty-seven (P. L. 2649) is hereby further amended to read as follows

Section 1 Grade of Retired Officer or Enlisted Man When any person now retired or who may hereafter be retired from the Pennsylvania National Guard has served in the Pennsylvania National Guard whether as an enlisted man or officer or both for a period of more than forty years he shall upon application made to the Adjutant General be placed upon the retired list as of the next higher grade but not higher than Major-General and if he shall have served in the Pennsylvania National Guard for more than thirty years whether as an enlisted man or officer or both he shall upon application made to the Adjutant General be placed upon the retired list as of the next higher grade but not higher than Colonel Provided however That in considering the period of service aforesaid the military service by such enlisted man or officer whether in the Pennsylvania National Guard engaged in the Federal Service or in the United States Army Navy or Marine Corps in any war or military service in which the United States has participated including the Spanish-American War the Philippine Insurrection the Mexican Border service or the World War or other United States foreign military service shall be included and counted double in calculating the period of service for retirement with increased grade under the provisions of this act Provided further That for the purpose of retirement an officer who has served for more than thirty-nine years and five months shall be deemed to have more than forty years of service Provided further That any person who has served as a Colonel in the Pennsylvania National Guard for a period of at least five years who has commanded a regiment for at least one year and served at least twenty years as a commissioned officer in the National Guard of any State Territory or the District of Columbia or in the United States Army Navy or Marine Corps or any two or more of them shall upon application made to the Adjutant General be placed upon the retired list as of the grade of Brigadier General All retired officers shall be entitled to wear the uniform of their grade as retired officers of the Pennsylvania National Guard on all proper military and semi-military occasions This act shall be construed to include deceased officers and enlisted men heretofore retired who had more than forty years of service if application is made to the Adjutant General by some society post or camp of honorably discharged soldiers that the name of such officer or enlisted man be placed upon the retired list as of the next higher grade but not higher than Major General

Section 2 The provisions of this act shall become effective immediately upon final enactment

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—44

Barr,	DiSilvestro,	Kephart,	Stiefel,
Becker,	Ealy,	Letzler,	Tallman,
Bowers,	Farrell,	Mallery,	Taylor,
Carr	Geltz,	McCreesh,	Thomas,
Chapman,	Gourley,	McGinnis,	Tyler,
Coleman,	Haluska,	McQuiddy,	Wade,
Cox,	Heyburn,	Mundy,	Walker,
Crider,	Holland,	Ruth,	Watkins,
Crowe,	James,	Scarlett,	Wilson H. I.,
Deitrick,	Jaspan,	Snowden,	Wilson T. B.,
Dent,	Jones,	Stevenson,	Woodring,

NAYS—1

Shapiro,

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate resumed the consideration of House Bill No. 675, as follows:

An Act to reenact and further amend section seventeen of the act approved the twenty-ninth day of May one thousand nine hundred thirty-one (P. L. 280) entitled "An act relating to delinquent taxes on seated lands and prescribing interest charges on non-payment thereof requiring the receivers and collectors of county city borough town township school district and poor district taxes to make a return to the county commissioners of such unpaid taxes and providing for the lien thereof authorizing the county treasurers to collect such taxes and to sell seated lands at public sale for taxes heretofore

or hereafter returned as unpaid and authorizing the county commissioners to purchase such lands and resell the same under certain circumstances" making the sale of land purchased at treasurer's sale discretionary providing for the readvertisement of such sales heretofore advertised but not held authorizing the sale of such property on court order and the redemption thereof after such sale free and clear of all mortgages municipal claims and ground rents and validating previous sales

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section seventeen of the act approved the twenty-ninth day of May one thousand nine hundred thirty-one (P. L. 280) entitled "An act relating to delinquent taxes on seated lands and prescribing interest charges on nonpayment thereof requiring the receivers and collectors of county city borough town township school district and poor district taxes to make a return to the county commissioners of such unpaid taxes and providing for the lien thereof authorizing the county treasurers to collect such taxes and to sell seated lands at public sale for taxes heretofore or hereafter returned as unpaid and authorizing the county commissioners to purchase such lands and resell the same under certain circumstances" as amended by the act approved the twentieth day of June one thousand nine hundred thirty-nine (P. L. 498) is hereby reenacted and further amend to read as follows

Section 17 If the owner of any real property his heirs or legal representatives or lien creditor his heirs assigns or legal representatives or other person interested in property so purchased by the county commissioners shall not redeem the same within such period of redemption the county commissioners [shall within six months] may after the expiration of such period sell such lands at public sale or private sale in the manner provided by law for the best price or prices obtainable but they shall not be obliged to sell same Any such lands now owned by the county for which the redemption period has expired [shall] including property heretofore exposed to sale by the county commissioners and for which no bids have been received may be sold as herein provided [within six months] at any time after the effective date of this act but shall not be required to be sold After any such sale or in the case of any redemption the property shall be charged by the assessor in the name of the last purchaser or redeemer and such lands shall again be liable for taxes as other lands

The county commissioners before making sale of real property purchased by them at tax sales shall give at least thirty days' notice once a week for three consecutive weeks of such sales particularly designating the tracts that are to be sold This notice shall be inserted in at least two newspapers published in the county if so many are published in said county if there be only one then in such newspaper published in the county

Such advertisement shall set forth

(a) The purpose of such sale

(b) The time of such sale

(c) The place of such sale

(d) The terms of such sale

(e) A list of seated lands affected and their location and the owner or reputed owner of each

Where any such public sale has been advertised under the provisions of this section prior to this amendment and such sale not having been held the readvertisement of such sale need not be advertised three consecutive weeks nor include a list and description of the lands to be sold but need only be advertised by one insertion in one or two newspapers as aforesaid at least thirty days prior to the sale and include the purpose the time the place and the terms of such sale with a reference to the prior advertisement

The county commissioners may fix an upset price to be realized for any property exposed to sale by them as aforesaid sufficient to pay all costs and all tax claims against the property including tax liens of the Commonwealth tax liens filed in the prothonotary's office of the proper county taxes returned to the county commissioners and entered upon the Tax Return Docket in their office and indexed in the tax lien index in their office all accrued but unfiled taxes assessed and levied against the property and the amount of the municipal claims against the property In case the upset price shall not be bid for the property the county commissioners may postpone the sale and file their petition in the court of common pleas of the proper county setting forth that the property was purchased by them at a county treasurer's sale for unpaid taxes that more than two years has elapsed since the property was sold to them by the county treasurer that neither the owner his heirs or legal representatives or any lien creditor his heirs assigns or legal representatives or other person interested has redeemed the property that they exposed the property to public sale that before exfore exposing the property to public sale they fixed an upset price as above provided and that they were unable to obtain a bid sufficient to pay said upset price Upon the presentation of such petition accompanied with searches showing the state of the record and the ownership of the property and of all municipal claims mortgages and ground rents against the same which were not divested by the county treasurer's sale the court shall grant a rule upon all parties thus shown to be interested to appear and show cause why a decree should not be made that said property be sold freed and cleared of their respective mortgages municipal claims and ground rents If upon a hearing thereafter the court is satisfied that service has been made of said rule upon the parties respondent in the manner provided for the service of writs of scire facias to obtain judgments upon tax and municipal claims and that the facts stated in the petition are true it shall order and decree that said property be sold at a subsequent day to be fixed by the court without further advertisement clear of all mortgages municipal claims and ground rents to the highest bidder at such sale and the proceeds realized therefrom shall be distributed to payment first of the costs of sale second the tax liens of the Commonwealth if any third taxes due the various taxing districts in proportion to their respective interests fourth municipal claims due on such property and fifth mortgage and other liens in order of their priority The purchaser at such sale or any owner who redeems as hereinafter provided shall take and forever thereafter have an absolute title to the property sold free and discharged of all tax and municipal claims liens mortgages charges and estate of whatsoever kind Provided however That any owner of the property so sold may within ten days after the date of the said sale redeem the property so sold upon payment of the bid price and the costs of sale and a penalty of ten per centum (10%) of the bid price which penalty shall be distributed as a part of the proceeds of the sale

After such sale the county commissioners shall make and deliver a deed being acknowledged before an officer authorized to acknowledge deeds [Such] Where the sale is made without securing an order of court as aforesaid such deed shall pass such title as the county commissioners have a right to convey but where the sale is made after securing an order as aforesaid such deed shall pass title free clear and discharged of all tax and municipal claims liens mortgages charges and estates of whatsoever kind.

All public or private sales of any such lands heretofore made by any county commissioners shall be valid and binding on the county and all deeds and conveyances given by the county for any such lands are hereby ratified confirmed and validated and the purchasers thereof and their respective heirs successors and assigns shall hold and may convey such titles and estates indefeasibly as to any rights of the county therein notwithstanding the fact that the time within which such sales were by law required to be made had expired when such sales were made

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—44

Barr,	DiSilvestro,	Kephart,	Tallman,
Becker,	Ealy,	Letzler,	Taylor,
Bowers,	Farrell,	Mallery,	Thomas,
Carr,	Geltz,	McCreesh,	Tyler,
Chapman,	Gourley,	McGinnis,	Wade,
Coleman,	Haluska,	McQuiddy,	Walker,
Cox,	Heyburn,	Mundy,	Watkins,
Crider,	Holland,	Ruth,	Wilson, H. I.,
Crowe,	James,	Scarlett,	Wilson, T. B.,
Deitrick,	Jaspan,	Stevenson,	Woodring,
Dent,	Jones,	Stiefel,	Woodward,

NAYS—1

Shapiro,

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which the concurrence of the House is requested.

BILLS ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 5, as follows:

An Act making an appropriaiton to The Glen Mills Schools situate in Delaware County Pennsylvania

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same that the sum of Three hundred and nine thousand seven hundred and twenty-six dollars ($309,726.00) or so much thereof as may be necessary be and the same is hereby specifically appropriated to The Glen Mills Schools situate in Delaware County Pennsylvania for the two fiscal years beginning the first day of June A D 1943 for the purpose of maintenance

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—45

Barr,	Ealy,	Letzler,	Tallman,
Becker,	Farrell,	Mallery,	Taylor,
Bowers,	Geltz,	McCreesh,	Thomas,
Carr,	Gourley,	McGinnis,	Tyler,
Chapman,	Haluska,	McQuiddy,	Wade,
Coleman,	Heyburn,	Mundy,	Walker,
Cox,	Holland,	Ruth,	Watkins,
Crider,	James,	Scarlett,	Wilson, H. I.,
Crowe,	Jaspan,	Shapiro,	Wilson, T. B.,
Deitrick,	Jones,	Stevenson,	Woodring,
Dent,	Kephart,	Stiefel,	Woodward,
DiSilvestro,			

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 81, as follows:

An Act making an appropriation to the Elwyn Training School at Elwyn in the County of Delaware Commonwealth of Pennsylvania and prescribing certain conditions upon which the appropriation will be available to the school

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 An appropriation is hereby made to the Elwyn Training School of Elwyn in the County of Delaware Commonwealth of Pennsylvania for the maintenance of six hundred (600) wards of the State at four hundred and fifteen dollars ($415) per capita per annum and the sum of four hundred and ninety-eight thousand dollars ($498,000) or so much thereof as may be necessary is hereby specifically appropriated to the said institution for the purpose stated to cover the two fiscal years beginning June first one thousand nine hundred and forty-three

Section 2 The appropriation made by section one of this act is made on the condition that each and every mental defective admitted to the Elwyn Training School after the effective date of this act as a ward of the Commonwealth

1 Shall be selected by the Department of Welfare from a list submitted from time to time to the department by the board of directors of the school

2 Shall have been previously investigated by the Department of Revenue for the purpose of determining the extent if any such mental defective or those legally liable for his or her support may be financially able to pay the cost of the maintenance of such person in the school

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—45

Barr,	Ealy,	Letzler,	Tallman,
Becker,	Farrell,	Mallery,	Taylor,
Bowers,	Geltz,	McCreesh,	Thomas,
Carr,	Gourley,	McGinnis,	Tyler,
Chapman,	Haluska,	McQuiddy,	Wade,
Coleman,	Heyburn,	Mundy,	Walker,
Cox,	Holland,	Ruth,	Watkins,
Crider,	James,	Scarlett,	Wilson, H. I.,
Crowe,	Jaspan,	Shapiro,	Wilson, T. B.,
Deitrick,	Jones,	Stevenson,	Woodring,
Dent,	Kephart,	Stiefel,	Woodward,
DiSilvestro,			

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 106, as follows:

An Act making an appropriation to the Trustees of the Hahnemann Medical College and Hospital of Philadelphia Pennsylvania

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The sum of one hundred sixty-five thousand dollars ($165,000) or as much thereof as may be necessary is hereby specifically appropriated to the Trustees of the Hahnemann Medical College and Hospital of Philadelphia

Pennsylvania for the two fiscal years beginning June first one thousand nine hundred forty-three for the purpose of maintenance of a school of medicine

And said bill having been read at length the third time, and agreed to.

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—45

Barr,	Ealy,	Letzler,	Tallman,
Becker,	Farrell,	Mallery,	Taylor,
Bowers,	Geltz,	McCreesh,	Thomas,
Carr,	Gourley,	McGinnis,	Tyler,
Chapman,	Haluska,	McQuiddy,	Wade,
Coleman,	Heyburn,	Mundy,	Walker,
Cox,	Holland,	Ruth,	Watkins,
Crider,	James,	Scarlett,	Wilson, H. I.,
Crowe,	Jaspan,	Shapiro,	Wilson, T. B.,
Deitrick,	Jones,	Stevenson,	Woodring,
Dent,	Kephart,	Stiefel,	Woodward,
DiSilvestro,			

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which the concurrence of the House is requested.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 110, as follows:

An Act to authorize counties cities boroughs incorporated towns townships school districts poor districts and county institution districts to file tax and municipal claims not filed within the time specified by law and to file suggestions of nonpayment and averments of default or to sue out writs of scire facias on certain tax or municipal claims and to revive judgments where the lien of such claims or the judgments thereon have been lost and providing for the reinstatement of the liens of such claims and judgments

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Whenever any county city borough incorporated town township school district poor district or county institution district has heretofore failed to file in the office of the prothonotary of the county any tax claim or municipal claim assessed against any property within the time limit required by law for such filing whereby the lien of such tax or municipal claim is lost or has heretofore filed in the office of the prothonotary of the proper county any tax or municipal claim and the county city borough incorporated town township school district poor district or county institution district has not within the period of five years after the date on which any such claim was filed sued out a writ of scire facias to reduce the same to judgment or has not done so in time or in the case of a tax or municipal claim has not within said period of five years filed a suggestion of nonpayment and an averment of default or whenever any writ of scire facias has been issued to reduce any such claim to judgment and by reason of defense or any other court proceedings or by reason of failure to file a praecipe on time judgment has not been entered within the period of five years after the date on which such writ was issued or whenever any such tax or municipal claim has been reduced to judgment and the county city borough incorporated town township school district poor district or county institution district has not within the period of five years after the date on which such judgment was entered or within five years after the date on which such judgment was last revived filed a suggestion of nonpayment and an averment of default or sued out a writ of scire facias to revive the same then in any such case any such county city borough incorporated town township school district poor district or county institution district may within one year after the effective date of this act file such tax or municipal claim or issue or reissue its praecipe for a writ of scire facias on any such tax or municipal claim and proceed to judgment in the manner provided by law to obtain judgments upon tax or municipal claims or in case a writ of scire facias has been issued but the same has not been reduced to judgment within five years from the date of issuance issue its praecipe for an alias writ of scire facias on any such tax or municipal claim and proceed to judgment in the manner provided by law to obtain judgments upon tax or municipal claims or in the case of a tax or municipal claim where no judgment has been entered file a suggestion of nonpayment and an averment of default or in case judgment has been entered on a tax or municipal claim either file a suggestion of nonpayment and an averment of default or issue its praecipe for a writ of scire facias on any such judgment and proceed to judgment in the manner provided by law to obtain judgments of revival and such claim or judgment so entered or reviewed shall be a valid claim or judgment and be a lien upon the real estate upon which it was assessed or upon which it was a lien at the time the claim was filed or the judgment was entered and said claim or judgment may be revived or further revived and collected as other claims or judgments upon tax or municipal claims are revived and collected Provided however That the lien of any such claim or judgment shall not attach or reattach against any real estate transferred to any purchaser before such claim is filed or during the time when the lien of any such tax or municipal claim or judgment was lost nor shall the lien of any such claim or judgment impair or affect the priority of the lien of any mortgage or other lien which gained priority because of the failure of the county city borough incorporated town township school district poor district or county institution district to file such claim or to sue out the writ of scire facias or file a suggestion of nonpayment and an averment of default within the five year period or was entered of record during the time the lien of such tax or municipal claim or judgment was lost nor shall any such lien so revived impair or affect the priority of the lien of any mortgage or other lien which was entered prior to the tax or municipal claim or which gained priority during the time such lien was not revived

Section 2 This act shall become effective immediately upon its final enactment

And said bill having been read at length the third time, and agreed to.

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—44

Barr,	DiSilvestro,	Kephart,	Tallman,
Becker,	Ealy,	Letzler,	Taylor,
Bowers,	Farrell	Mallery,	Thomas,
Carr,	Geltz,	McCreesh,	Tyler,
Chapman,	Gourley,	McGinnis,	Wade,
Coleman,	Haluska,	McQuiddy,	Walker,
Cox,	Heyburn,	Mundy,	Watkins,
Crider,	Holland,	Ruth,	Wilson, H. I.,
Crowe,	James,	Scarlett,	Wilson, T. B.
Deitrick,	Jaspan,	Stevenson,	Woodring,
Dent,	Jones,	Stiefel,	Woodward,

NAYS—1

Shapiro,

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 171, as follows:

An Act to further amend the act approved the second day of May one thousand nine hundred twenty-nine (P. L. 1278) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto" further clarifying the term "deceased service persons" changing the provisions for the burial of deceased service persons and their widows and for markers and headstones on their graves and prescribing additional duties for veterans' grave registrars

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Sections four hundred twenty-one four hundred twenty-two and four hundred twenty-three of the act approved the second day of May one thousand nine hundred twenty-nine (P. L. 1278) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto" as last amended by the act approved the twelfth day of July one thousand nine hundred thirty-five (P. L. 683) are hereby further amended to read as follows

Section 421 ["Deceased Service Men" Defined] Definitions The term "deceased service [men] persons" as used in this act shall be defined and construed to mean and include [any soldier sailor marine yeoman (f) of either service or member of the enlisted nurse corps having a legal residence within any county within this Commonwealth who has died or shall hereafter die anywhere within or without the United States while in the service of the United States in the military naval or other branch of the combative forces of said United States during any war or campaign in which the United States has been or shall hereafter be engaged or where a state or condition of war has existed or shall hereafter exist in which the United States was or shall be a participant according to the records of the War or Naval Departments of the Federal Government or of any soldier sailor marine yeoman (f) of either service or member of the enlisted nurse corps who served or who shall hereafter serve in any such combative force of the United States during any war or campaign in which the United States has been or shall hereafter be engaged or who has served or shall hereafter serve in any such combative force of the United States where a state or condition of war existed or shall hereafter exist in which the United States was or shall be a participant according to the records of the War or Naval Departments of the Federal government whose separation from such active service was honorable whether by discharge or otherwise who has died or may hereafter die in any county of this Commonwealth or]

(i) Any deceased person who at the time of his or her death was serving (whether or not in a combat zone) in the Army Navy Marine Corps or Coast Guard during any war in which the United States has been is now or shall hereafter be engaged or who at the time of his or her death was serving in a zone where a campaign or state or condition of war then existed in which the United States was is or shall be a participant The existence of a campaign or state or condition of war and the participation of the United States therein as well as the fact that the deceased person served in a zone where such campaign or state or condition of war existed shall in each case be established by the records of the War or Naval Departments of the Federal Government or

(2) Any deceased person who had so served at any time during his or her life and whose separation from such service was honorable whether by discharge or otherwise or who at the time of his or her death was continuing in such service after the cessation of the war campaign or state or condition of war during or in which he or she served or

(3) Any deceased person who was in active service in the militia of the State of Pennsylvania under and in pursuance of any proclamation issued by the Governor during the C[illegible] War and not duly mustered into the service of the United States and has been honorably discharged or relieved from such service [and who shall have a legal residence in any county of this Commonwealth and shall hereafter die either within or without the county of his legal residence]

The term "legal residence" as used in this act shall be construed as synonymous with "domicile" and is hereby defined as actual residence coupled with intention that it shall be permanent or a residence presently fixed with no definite intention of changing it or of returning to a former residence at some future period Legal residence is to be determined by abode of person and his or her intention to abandon his or her former domicile and establish a new one The legal residence of a deceased service person shall be prima facie in the county where he or she made his or her abode at the time of his or her death

Section 422 Sum to be Spent The county commissioners [of the county of this State within which a deceased service man as hereinabove defined had a legal residence at the date of his death or the county commissioners of the county where a deceased service man died in case he or she had no legal residence in any county of this Commonwealth upon notice in writing by any organization of veterans that the body is unclaimed by relatives or friends and who upon investigation shall find such condition to exist are hereby authorized and directed to contribute the sum of seventy-five dollars ($75) toward the funeral expenses of such deceased service man] of each county are hereby authorized and directed to contribute the sum of seventy-five dollars ($75) towards the funeral expenses of each deceased service person in the cases enumerated below where in each case application therefor is made within one year after the date of his or her death and where the total expenses of the funeral does not exceed four hundred dollars ($400) Provided That in the case of any deceased service person who died while in the service application need not be made within one year after the date of his or her death but may be made at any time thereafter Payments shall be made under the following circumstances

(1) Where the deceased service person at the time of his or her death had his or her legal residence in the county whether or not he or she died in the county and whether or not he or she was buried in the county It is hereby declared to be the intent of the General Assembly that every deceased service person having a legal residence in this Commonwealth at the time of his or her death shall be entitled to the benefits of this section regardless of where he or she may have died or where he or she may be buried and that the liability therefor shall be on the county where such deceased service person shall have had his or her legal residence at the time of his or her death

(2) Where the deceased service person died and was buried in the county but at the time of his or her death did not have a legal residence within this Commonwealth if the county commissioners of the county where he or she died shall be notified in writing by any organization of veterans that the body is unclaimed by relatives or friends and upon investigation shall find such condition to exist

(3) When a deceased service [man] person has died while a member of the Pennsylvania Soldiers' and Sailors' Home at Erie Pennsylvania and such home incurs all funeral expenses and buries the soldier in a cemetery in the City of Erie Pennsylvania or the home furnishes clothing casket and shipping case and ships the body to the county from which he was admitted to the home the county from which he was admitted shall reimburse and pay to the Pennsylvania Soldiers' and Sailors' Home the

amount of seventy-five dollars ($75.00) or so much thereof as was actually expended by such home [Provided however That such county commissioners shall not contribute any moneys toward the funeral expenses of such deceased service man where the total expenses of his or her funeral shall exceed four hundred dollars ($400.00) nor unless application for the payment of such moneys shall be made within one year after the date of the death of such deceased service man]

Section 423 Burial of Widows of Deceased Service [Men] Persons [The] Upon due application and proof the county commissioners of each county are hereby authorized and directed to contribute the sum of seventy-five dollars ($75.00) from the county funds towards the funeral expenses of any widow of any male deceased service [man upon due application and proof] person who at the time of her death had a legal residence in the county whether or not she died in the county and whether or not she was buried in the county Provided however That the county commissioners shall not contribute any moneys toward the funeral expenses of any such widow of a deceased service [man] person who had remarried after the death of such deceased service person nor where the total expense of any such funeral shall exceed four hundred dollars ($400.00) nor unless application for the payment of such moneys shall be made within one year after the date of the death of such widow of a deceased service [man] person

Section 2 Section four hundred twenty-six of said act as last amended by the act approved the twelfth day of June one thousand nine hundred thirty-nine (P. L. 339) is hereby further amended to read as follows

Section 426 Markers for Graves Headstones The county commissioners of the several counties of this State shall from time to time as is considered expedient by the commissioners procure appropriate markers for the [grave of each and every deceased service man buried within the limits of any city borough township or district] graves of deceased service persons Such markers shall be of cast bronze which term shall mean a proper composition of the following metals in the following proportions Copper eighty-five per centum tin five per centum zinc five per centum and lead five per centum Provided however That no board of commissioners shall be required to discard any markers of other materials already purchased by such commissioners whether or not already installed but no new markers shall in the future be purchased of metal other than cast bronze as herein defined except that during periods of national emergency so proclaimed by the President of the United States when all available metal is required for war materials suitable non-metal substitutes for cast bronze may be used

[Upon the petition of any five reputable freeholders of the city borough township or district where any such deceased service man is buried a marker shall be placed upon the grave of such deceased service man for the purpose of permanently marking and designating such grave for memorial purposes] The county commissioners of each county are hereby authorized and directed to place a marker upon the grave of each deceased service person who at the time of his or her death had his or her legal residence in the county whether or not he or she died in the county and whether or not he or she was buried in the county and upon the grave of each deceased service person buried in the county who at the time of his or her death did not have a legal residence within this Commonwealth When such deceased service [man] Person shall have been a veteran of any war or campaign for which the Government of the United States issued discharge buttons the markers designated for their graves shall include a facsimile of said discharge button [The county commissioners may upon the petition of any five reputable freeholders of the city borough township or district within the county of which any deceased service man may have been a resident place such marker upon his or her grave when he or she is buried without the limits of said county]

It shall also be the duty of the county commissioners of each county in this State upon or at any time subsequent to the death of any deceased service [man who shall be buried within their counties on the application which application in all cases shall be on forms prescribed by the Department of Military Affairs of any relative or on the application of any friends of such deceased service man if such application by friends has been approved by any organization of veterans of any war in which the United States was engaged and provided that there be no objection by the nearest relative] person who at the time of his or her death had his or her legal residence in the county on application as hereinafter provided to cause a headstone or bronze memorial tablet to be placed at the head of or on the grave of each such deceased service [man] person containing his or her name and the rank and organization to which he or she belonged or in which he or she served in letters raised or cut in at least three-sixteenth of an inch deep on such headstone to be of either marble or granite and to be placed or set in a concrete base at least three feet deep or if a headstone has been provided for such grave by the United States Government the county commissioners shall provide such concrete base therefor [and the expense for the same shall be paid out of the funds of the county in which such deceased service man died or shall have had his legal residence] or if lettering only on an existing memorial is desired by the family the county commissioners shall provide such lettering Application therefor shall in each case be made on forms prescribed by the Department of Military Affairs and may be made by any relative of the deceased service person or by a friend provided in the latter case there is no objection by the nearest relative and the application is approved by an organization of veterans of any war in which the United States has been is now or shall hereafter be engaged The expense in each case shall be borne by the county in which the deceased service person had his or her legal residence at the time of his or her death whether or not he or she died in the county and whether or not he or she was buried in the county Provided however That the expense shall not exceed the sum of fifty dollars ($50.00) for each headstone or concrete base or lettering or bronze [marker] memorial tablet and the county commissioners of each county acting under this section shall draw a warrant on the treasurer of their county for the payment of said expense in favor of the party or parties furnishing such headstone or concrete base or lettering or bronze [marker] memorial tablet No such payment or payments shall be made unless the application therefor shall be approved before the commencement of the project by the county commissioners [Such application shall be accompanied by a death certificate if procurable]

Any person who shall wilfully maliciously carelessly or indifferently destroy mutilate remove or deface any grave marker or headstone placed or erected under the provisions of this act shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine of not less than one hundred dollars ($100.00) nor more than five hundred dollars ($500.00) or suffer imprisonment for not more than two years or both in the discretion of the court [In counties of the eighth class the county commissioners shall procure appropriate markers for the grave of each war veteran whose last legal residence was in the said county and who is buried outside the Commonwealth but within any state immediately adjacent to the Commonwealth and it shall be the duty of the commissioners of counties of the eighth class at any time subsequent to the death of any deceased Pennsylvania war veterans whose last legal residence was in such county and who is buried without the limits of the Commonwealth but within any state immediately adjacent thereto on the application of any relative or friend of such deceased service man and upon the approval of any veterans' organization and when no objection is made by the nearest relative of such deceased service man to erect or place on the grave of such deceased service man the headstone or memorial tablet described in this section]

Section 3 Subdivision (b) of article five of said act is hereby amended by adding at the end thereof a new section to read as follows

Section 429 Proof of Service Et Cetera In each case

where application is made for a contribution towards the funeral expenses of a deceased service person or the widow of a deceased service person or for a headstone or concrete base or lettering or bronze memorial tablet the county commissioners shall before expending any money therefor require proof of the following facts

(1) The service of the deceased service person which entitles him or his widow to the benefits of this act which proof shall be by the production of an honorable discharge or other official record showing service during any war in which the United States is or was engaged or by the records of the War or Naval Departments of the Federal Government or by copies thereof filed in the Department of Military Affairs showing the existence of a campaign or state or condition of war the participation of the United States therein and the service of the deceased service person in a zone where such campaign or state or condition of war existed

(2) The death of the deceased service person

(3) In the case of the burial of the widow of a deceased service person the death of such widow and the fact that she was married to the deceased service person at the time of his death and that she has not since remarried The proofs required by clauses one and two of this section shall also be required in such cases

(4) Except in cases where persons not having a legal residence within this Commonwealth are entitled to any of the benefits of this act the legal residence within the county of the deceased service person or of the widow of a deceased service person as the case may be

Death shall in all cases be proved by death certificate where the same is procurable otherwise by affidavit of one or more persons personally acquainted with the deceased and the fact of his or her death or by proof of the record of death kept by the attending physician or the record of burial kept by the undertaker by whom he or she was buried or by the church burial association or cemetery company maintaining the graveyard burial ground or cemetery in which he or she was buried

Where any proof required by this section has been furnished to the county commissioners no further proof of the same facts shall be required in order to obtain any other benefit under the provisions of this act

Section 4 The last two paragraphs of section four hundred thirty-nine of said act as last amended by the act approved the ninth day of June one thousand nine hundred forty-one (P. L. 100) is hereby further amended to read as follows

Section 439 [Duties of Grave Registrar and] Compilation of War Records

* * * *

For the purpose of locating the burial places of persons who have served in the military or naval service or other branches of the combative forces of the United States during any war in which the United States was engaged the Grand Army of the Republic the United Spanish War Veterans the Veterans of Foreign Wars of the United States the American Legion and the Disabled American Veterans [of the World War] through their local camps posts and branches in this State are authorized without expense to the county to collect the required data and prepare and file with the county commissioners certificate embodying the information provided for in this section For the purpose of carrying into effect the provisions of this section the county commissioners shall appoint a veterans' grave registrar who shall receive such compensation as the salary board may fix in counties where such boards exist otherwise by the county commissioners

It shall also be the duty of the veterans' grave registrar to

(1) Assist the county commissioners in administering the provisions of this act relating to the burial of deceased service persons and their widows and to furnishing markers and placing headstones on their graves

(3) Assist war veterans and their families in securing their rights as such in matters relating to their person property and care of family under any of the laws of this Commonwealth and of the United States and for such services the grave registrar shall be entitled to his expenses incurred therein and additional compensation and both expenses and compensation shall be subject to the approval of the salary board or county commissioners as the case may be

Section 5 The provisions of this act shall become effective ten days after its final enactment

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—45

Barr,	Ealy,	Letzler,	Tallman,
Becker,	Farrell,	Mallery,	Taylor,
Bowers,	Geltz,	McCreesh,	Thomas,
Carr,	Gourley,	McGinnis,	Tyler,
Chapman,	Haluska,	McQuiddy,	Wade,
Coleman,	Heyburn,	Mundy,	Walker,
Cox,	Holland,	Ruth,	Watkins,
Crider,	James,	Scarlett,	Wilson, H. I.,
Crowe,	Jaspan,	Shapiro,	Wilson, T. B.,
Deitrick,	Jones,	Stevenson,	Woodring,
Dent,	Kephart,	Stiefel,	Woodward,
DiSilvestro,			

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which the concurrence of the House is requested.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 173, as follows:

An Act to amend the act approved the eleventh day of June one thousand nine hundred thirty-five (P. L. 326) entitled "An act relating to counties of the first class defining deceased service persons providing for contributions by the county to the funeral expenses for such persons and their widows providing for the erection and care of markers headstones and flags and for the compilation of war records" further clarifying the term "deceased service persons" and changing the provisions for the burial of deceased service persons and their widows and for markers and headstones on their graves

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Sections one two three and five of the act approved the eleventh day of June one thousand nine hundred thirty-five (P. L. 326) entitled "An act relating to counties of the first class defining deceased service persons providing for contributions by the county to the funeral expenses for such persons and their widows providing for the erection and care of markers headstones and flags and for the compilation of war records" are hereby amended to read as follows

Section 1 Be it enacted &c [That "Deceased Service Persons" Defined] Definition The term "deceased service persons" as used in this act shall be defined and construed to mean and include [any soldier sailor marine yeoman (f) of either service or member of the enlisted nurse corps having a legal residence within any county within this Commonwealth who has died or shall hereafter die anywhere within or without the United States while in the service of the United States in the military

naval or other branch of the combative forces of said United States during any war or campaign in which the United States has been or shall hereafter be engaged or where a state or condition of war has existed or shall hereafter exist in which the United States was or shall be a participant according to the records of the War or Naval Departments of the Federal Government or of any soldier sailor marine yeoman (f) of either service or member of the enlisted nurse corps who served or who shall hereafter serve in any such combative force of the United States during any war or campaign in which the United States has been or shall hereafter be engaged or who has served or shall hereafter serve in any such combative force of the United States where a state or condition of war existed or shall hereafter exist in which the United States was or shall be a participant according to the records of the War or Naval Departments of the Federal Government whose separation from such active service was honorable whether by discharge or otherwise who has died or may hereafter die in any county of this Commonwealth or]

(1) Any deceased person who at the time of his or her death was serving (whether or not in a combat zone) in the Army Navy Marine Corps or Coast Guard during any war in which the United States has been is now or shall hereafter be engaged or who at the time of his or her death was serving in a zone where a campaign or state or condition of war then existed in which the United States was is or shall be a participant The existence of a campaign or state or condition of war and the participation of the United States therein as well as the fact that the deceased person served in a zone where such campaign or state or condition of war existed shall in each case be established by the records of the War or Naval Departments of the Federal Government or

(2) Any deceased person who had so served at any time during his or her life and whose separation from such service was honorable whether by discharge or otherwise or who at the time of his or her death was continuing in such service after the cessation of the war campaign or state or condition of war during or in which he or she served or

(3) Any deceased person who was in active service in the militia of the State of Pennsylvania under and in pursuance of any proclamation issued by the Governor during the Civil War and not duly mustered into the service of the United States and has been honorably discharged or relieved from such service [and who shall have a legal residence in any county of this Commonwealth and shall hereafter die either within or without the county of his legal residence]

The term "legal residence" as used in this act shall be construed as synonymous with "domicile" and is hereby defined as actual residence coupled with intention that it shall be permanent or a residence presently fixed with no definite intention of changing it or of returning to a former residence at some future period Legal residence is to be determined by abode of person and his or her intention to abandon his or her former domicile and establish a new one The legal residence of a deceased service person shall be prima facie in the county where he or she made his or her abode at the time of his or her death

Section 2 Sum to Be Spent The county commissioners of any county of the first class of this State [within which a deceased service person as hereinabove defined had a legal residence at the date of his death or the county commissioners of such county within which a deceased service person died in case he or she had no legal residence in any county of this Commonwealth upon notice in writing by any organization of veterans that the body is unclaimed by relatives or friends and who upon investigation shall find such condition to exist are hereby authorized and directed to contribute the sum of seventy-five dollars ($75.00) toward the funeral expenses of such deceased service person] are hereby authorized and directed to contribute the sum of seventy-five dollars ($75.00) towards the funeral expenses of each deceased service person in the cases enumerated below where in each case application therefor is made within one year after the date of his or her death and where the total expenses of the funeral does not exceed four hundred dollars ($400.00) Provided That in the case of any deceased service person who died while in the service application need not be made within one year after the date of his or her death but may be made at any time thereafter if the reason for the delay is satisfactory to the county commissioners Payment shall be made under the following circumstances

(1) Where the deceased service person at the time of his or her death had his or her legal residence in the county whether or not he or she died in the county and whether or not he or she was buried in the county It is hereby declared to be the intent of the General Assembly that every deceased service person having a lgal residence in any county of the first class in this Commonwealth at the time of his or her death shall be entitled to the benefits of this section regardless of where he or she may have died or where he or she may be buried and that the liability therefore shall be on the county where such deceased service person shall have had his or her legal residence at the time of his or her death

(2) Where the deceased service person died and was buried in the county but at the time of his death did not have a legal residence within this Commonwealth if the county commissioners of the county where he died shall be notified in writing by any organization of veterans that the body is unclaimed by relatives or friends and upon investigation shall find such condition to exist

(3) When a deceased service person has died while a member of the Pennsylvania Soldiers' and Sailors Home at Erie Pennsylvania and such home incurs all funeral expenses and buries such person in a cemetery in the city of Erie Pennsylvania or the home furnishes clothing casket and shipping case and ships the body to the county from which he was admitted to the home the county from which he was admitted shall reimburse and pay to the Pennsylvania Soldiers' and Sailors' Home the amount of seventy-five dollars ($75.00) or so much thereof as was actually expended by such home [Provided however That such county commissioners shall not contribute any moneys toward the funeral expenses of such deceased service person where the total expenses of his or her funeral shall exceed four hundred dollars ($400.00) nor unless application for the payment of such moneys shall be made within one year after the date of the death of such deceased service man]

Section 3 Burial of Widows of Deceased Service Persons [The] Upon due application and proof the county commissioners of such county are hereby authorized and directed to contribute the sum of seventy-five dollars ($75.00) from the county funds towards the funeral expenses of any widow of any male deceased service [man upon due application and proof] person who at the time of her death had a legal residence in the county whether or not she died in the county and whether or not she was buried in the county Provided however That the county commissioners shall not contribute any moneys toward the funeral expenses of any such widow of a deceased service person who had remarried after the death of such deceased service person nor where the total expense of any such funeral shall exceed four hundred dollars ($400.00) nor unless application for the payment of such moneys shall be made within one year after the date of the death of such widow of a deceased service person

Section 5 Markers for Graves Headstones The county commissioners of any such county of this State shall from time to time as is considered expedient by the commissioners procure appropriate markers for the [grave of each and every deceased service person buried within the limits of such county] graves of deceased service persons Such markers shall be of cast bronze which term shall mean a proper composition of the following metals in the following proportions Copper eighty-five per centum tin five per centum zinc five per centum and lead five per centum Provided however That no board of commissioners shall be required to discard any mark-

ers of other materials already purchased by such commissioners whether or not already installed but no new markers shall in the future be purchased of metal other than cast bronze as herein defined except that during periods of national emergency so proclaimed by the President of the United States when all available metal is required for war materials suitable non-metal substitutes for cast bronze may be used

[Upon the petition of any five reputable freeholders of the county a marker shall be placed upon the grave of such deceased service person for the purpose of permanently marking and designating such grave for memorial purposes] The county commissioners of each county of the first class are hereby authorized and directed to place a marker upon the grave of each deceased service person who at the time of his or her death had his or her legal residence in the county whether or not he or she died in the county and whether or not he or she was buried in the county and upon the grave of each deceased service person buried in the county who at the time of his or her death did not have a legal residence within this Commonwealth When such deceased service person shall have been a veteran of any war for which the Government of the United States issued discharge buttons the markers designated for their graves shall include a facsimile of said discharge button [The county commissioners may upon the petition of any five reputable freeholders of the county of which any deceased service person may have been a resident place such marker upon his or her grave when he or she is buried without the limits of said county]

It shall also be the duty of the county commissioners of such county upon or at any time subsequent to the death of any deceased service person who [shall be buried within their counties on the application which application in all cases shall be on forms prescribed by the Department of Military Affairs of any relative or on the application of any friends of such deceased service person if such application by friends has been approved by any organization of veterans of any war in which the United States was engaged and provided that there be no objection by the nearest relative] at the time of his or her death had his or her legal residence in the county on application as hereinafter provided to cause a headstone or bronze memorial tablet to be placed at the head of or on the grave of each such deceased service person containing his or her name and the rank and organization to which he or she belonged or in which he or she served in letters raised or cut in at least three-sixteenths of an inch deep on such headstones to be of either marble or granite and to be placed or set in a concrete base at least three feet deep or if a headstone has been provided for such grave by the United States Government the county commissioners shall provide such concrete base therefor [and the expense for the same shall be paid out of the funds of the county in which such deceased service man died or shall have had his legal residence] or if lettering only on an existing memorial is desired by the family the county commissioners shall provide such lettering Application therefor shall in each case be made on forms prescribed by the Department of Military Affairs and may be made by any relative of the deceased service person or by a friend provided in the latter case there is no objection by the nearest relative and the application is approved by an organization of veterans of any war in which the United States has been is now or shall hereafter be engaged The expense in each case shall be borne by the county in which the deceased service person had his or her legal residence at the time of his or her death whether or not he or she died in the county and whether or not he or she was buried in the county Provided however That the expense shall not exceed the sum of fifty dollars ($50) for each headstone or concrete base or lettering or bronze [marker] memorial tablet and the county commissioners of each such county acting under this section shall draw a warrant on the treasurer of their county for the payment of said expense in favor of the party or parties furnishing such headstone or concrete base or lettering or bronze [marker] memorial tablet No such payment or payments shall be made unless the application therefor shall be approved before the commencement of the project by the county commissioners [Such application shall be accompanied by a death certificate if procurable]

Section 2 Said act is hereby amended by adding immediately after section five thereof a new section to read as follows

Section 5.1 Proof of Service Et Cetera In each case where application is made for a contribution towards the funeral expenses of a deceased service person or the widow of a deceased service person or for a headstone or concrete base or lettering or bronze memorial tablet the county commissioners shall before expending any money therefor require proof of the following facts

(1) The service of the decreased service person which entitles him or his widow to the benefits of this act which proof shall be by the production of an honorable discharge or other official record showing service during any war in which the United States is or was engaged or by the records of the War or Naval Departments of the Federal Government or by copies thereof filed in the Department of Military Affairs showing the existence of a campaign or state or condition of war the participation of the United States therein and the service of the deceased service person in a zone where such campaign or state or condition of war existed

(2) The death of the deceased service person

(3) In the case of the burial of the widow of a deceased service person the death of such widow and the fact that she was married to the deceased service person at the time of his death and that she has not since remarried The proofs required by clause (1) and (2) of this section shall also be required in such cases

(4) Except in cases where persons not having a legal residence within this Commonwealth are entitled to any of the benefits of this act the legal residence within the county of the deceased service person or of the widow of a deceased service person as the case may be

Death shall in all cases be proved by death certificate where the same is procurable otherwise by affidavit of one or more persons personally acquainted with the deceased and the fact of his or her death or by proof of the record of death kept by the attending physician or the record of burial kept by the undertaker by whom he or she was buried or by the church burial association or cemetery company maintaining the graveyard burial ground or cemetery in which he or she was buried

Where any proof required by this section has been furnished to the county commissioners no further proof of the same facts shall be required in order to obtain any other benefit under the provisions of this act

Section 3 The last paragraph of section eight of said act is hereby amended to read as follows

Section 8 Compilation of War Records

* * * * *

For the purpose of locating the burial places of deceased service persons the Grand Army of the Republic the United Spanish War Veterans the Veterans of Foreign Wars of the United States the American Legion and the Disabled American Veterans [of the World War] through their local camps posts and branches in this State are authorized without expense to the county to collect the required data and prepare and file with the county commissioners certificates embodying the information provided for in this section For the purpose of carrying into effect the provisions of this section the county commissioners shall appoint a veterans' grave registrar who shall receive such compensation as the salary board may fix

Section 4 The provisions of this act shall become effective ten days after its final enactment

And said bill having been read at length the third time, and agreed to.

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—45

Barr,	Ealy,	Letzler,	Tallman,
Becker,	Farrell,	Mallery,	Taylor,
Bowers,	Geltz,	McCreesh,	Thomas,
Carr,	Gourley,	McGinnis,	Tyler,
Chapman,	Haluska,	McQuiddy,	Wade
Coleman,	Heyburn,	Mundy,	Walker,
Cox,	Holland,	Ruth,	Watkins,
Crider	James,	Scarlett,	Wilson, H. I.,
Crowe,	Jaspan,	Shapiro,	Wilson, T. B.,
Deitrick,	Jones,	Stevenson,	Woodring.
Dent,	Kephart,	Stiefel,	Woodward,
DiSilvestro,			

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which the concurrence of the House is requested.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 179, as follows:

An Act making an appropriation to the Johnson Industrial School of Scranton Pennsylvania

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The sum of thirty-five thousand dollars ($35,000) is hereby specifically appropriated to the Johnson Industrial School of Scranton Pennsylvania for the two fiscal years beginning June first one thousand nine hundred and forty-three for the purpose of maintenance and the purchase of supplies and equipment to be paid according to law

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—45

Barr,	Ealy,	Letzler,	Tallman,
Becker,	Farrell,	Mallery,	Taylor,
Bowers,	Geltz,	McCreesh,	Thomas,
Carr,	Gourley,	McGinnis,	Tyler,
Chapman,	Haluska,	McQuiddy,	Wade.
Coleman,	Heyburn,	Mundy,	Walker,
Cox,	Holland,	Ruth,	Watkins,
Crider,	James,	Scarlett,	Wilson, H. I.,
Crowe,	Jaspan,	Shapiro,	Wilson, T. B.,
Deitrick,	Jones,	Stevenson,	Woodring.
Dent,	Kephart,	Stiefel,	Woodward,
DiSilvestro,			

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which the concurrence of the House is requested.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 191, as follows:

An Act making an appropriation to the Pennsylvania State College for expenditure by the School of Mineral Industries thereof under the Supervision of the Department of Mines for the purpose of developing new uses and markets for anthracite and bituminous coal

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The sum of sixty thousand dollars ($60,000) or so much thereof as may be necessary is hereby appropriated to the Pennsylvania State College for the two fiscal years beginning June first one thousand nine hundred and forty-three for expenditure by the School of Mineral Industries under the supervision of the Department of Mines for the purpose of carrying on research and investigation to discover by-products of anthracite and bituminous coal and uses therefor of developing new scientific chemical industrial domestic and other uses and new and extended markets for anthracite coal and its products and for employing engineers chemists technical experts assistants clerks stenographers and other employes and purchasing such machinery supplies equipment apparatus and other things necessary in the furtherance of the aforesaid research and investigation

Section 2 The moneys herein appropriated shall be available and expended only to the extent that a sum equal to fifty per centum of the amount to be expended by the Commonwealth has been procured and made available by the members of the anthracite and bituminous coal industry

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—45

Barr,	Ealy,	Letzler,	Tallman,
Becker,	Farrell,	Mallery,	Taylor,
Bowers,	Geltz,	McCreesh,	Thomas,
Carr,	Gourley,	McGinnis,	Tyler,
Chapman,	Haluska,	McQuiddy,	Wade,
Coleman,	Heyburn,	Mundy,	Walker,
Cox	Holland,	Ruth,	Watkins,
Crider,	James,	Scarlett,	Wilson, H. I.,
Crowe,	Jaspan,	Shapiro,	Wilson, T. B.,
Deitrick,	Jones,	Stevenson,	Woodring.
Dent,	Kephart,	Stiefel,	Woodward,
DiSilvestro,			

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which the concurrence of the House is requested.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 277, as follows:

An Act making an appropriation for the purpose of maintaining the public roads and improving and replacing bridges thereon through the Cornplanter Indian Reservation in Elk Township Warren County Pennsylvania

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The sum of one thousand five hundred dol-

lars ($1,500) or as much thereof as may be necessary is hereby specifically appropriated for the two fiscal years beginning June first one thousand nine hundred forty-three to be paid to the treasurer of Elk Township Warren County Pennsylvania for the purpose of improving and maintaining in good repair the public roads and highways passing through the Cornplanter Indian Reservation in said township and for the purpose of improving and replacing bridges and their abutments on such roads and highways Said money shall be paid on warrant drawn on the State Treasurer by the Auditor General and shall be disbursed under the direction of the supervisors of Elk Township

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—45

Barr,	Ealy,	Letzler,	Tallman,
Becker,	Farrell,	Mallery,	Taylor,
Bowers,	Geltz,	McCreesh,	Thomas,
Carr,	Gourley,	McGinnis,	Tyler,
Chapman,	Haluska,	McQuiddy,	Wade,
Coleman,	Heyburn,	Mundy,	Walker,
Cox,	Holland,	Ruth,	Watkins,
Crider,	James,	Scarlett,	Wilson, H. I.,
Crowe,	Jaspan,	Shapiro,	Wilson, T. B.,
Deitrick,	Jones,	Stevenson,	Woodring,
Dent,	Kephart,	Stiefel,	Woodward,
DiSilvestro,			

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 278, as follows:

An Act making an appropriation for the maintenance repair and improvement of the Port of Philadelphia

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The sum of two hundred thousand dollars ($200,000) or so much thereof as may be necessary is hereby specifically appropriated to the Department of Wharves Docks and Ferries of the City of Philadelphia for the maintenance repair and improvement of the Port of Philadelphia including the purchase of new units for the dredging plant and for the purchase or condemnation of sites upon which to erect piers bulkheads or other harbor structures

The moneys so appropriated shall only be expended as authorized and directed by the Council of the City of Philadelphia and shall be drawn from the State Treasury upon warrants drawn by the Auditor General upon requisition by the Director of the Department of Wharves Docks and Ferries of said city

And said bill having been read at length the third time, and agreed to

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—45

Barr,	Ealy,	Letzler,	Tallman,
Becker,	Farrell,	Mallery,	Taylor,
Bowers,	Geltz,	McCreesh,	Thomas,
Carr,	Gourley,	McGinnis,	Tyler,
Chapman,	Haluska,	McQuiddy,	Wade,
Coleman,	Heyburn,	Mundy,	Walker,
Cox,	Holland,	Ruth,	Watkins,
Crider,	James,	Scarlett,	Wilson, H. I.,
Crowe,	Jaspan,	Shapiro,	Wilson, T. B.,
Deitrick,	Jones,	Stevenson,	Woodring,
Dent,	Kephart,	Stiefel,	Woodward,
DiSilvestro,			

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 307, as follows:

An Act making an appropriation to the Department of Forests and Waters to be used for the acquisition of land within the limits of the "Bucktail State Park" and prescribing the uses to be made of such land

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The amount of ten thousand dollars ($10,000) or so much thereof as may be necessary is hereby specifically appropriated to the Department of Forests and Waters to be used for the acquisition of land within the limits of the "Bucktail State Park" as defined by the provisions of the act approved the second day of June one thousand nine hundred thirty-three (P. L. 1415) entitled "An act dedicating and setting aside certain lands in Cameron and Clinton Counties as a public park and pleasure-ground to be known as 'Bucktail State Park' and imposing certain powers and duties in connection therewith upon the Department of Forests and Waters and the Department of Justice of the Commonwealth" No funds may be expended for the purchase of land under the authority of this act until the title to such land shall be approved by the Attorney General of the Commonwealth The land acquired under the authority of this act shall be controlled supervised and utilized in accordance with the provisions of the aforesaid act approved the second day of June one thousand nine hundred thirty-three (P. L. 1415)

Section 2 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—45

Barr,	Ealy,	Letzler,	Tallman,
Becker,	Farrell,	Mallery,	Taylor,
Bowers,	Geltz,	McCreesh,	Thomas,
Carr,	Gourley,	McGinnis,	Tyler,
Chapman,	Haluska,	McQuiddy,	Wade,
Coleman,	Heyburn,	Mundy,	Walker,
Cox,	Holland,	Ruth,	Watkins,
Crider,	James,	Scarlett,	Wilson, H. I.,
Crowe,	Jaspan,	Shapiro,	Wilson, T. B.,
Deitrick,	Jones,	Stevenson,	Woodward,
Dent,	Kephart,	Stiefel,	Woodring,
DiSilvestro,			

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 316, as follows:

An Act to add section six hundred ninety-nine and seven-tenths to the act approved the twenty-fourth day of June one thousand nine hundred thirty-nine (P. L. 872) entitled "An act to consolidate amend and revise the penal laws of the Commonwealth" making it unlawful to capture take or have in one's possession lobsters under a certain size

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Article six of the act approved the twenty-fourth day of June one thousand nine hundred thirty-nine (P. L. 872) entitled "An act to consolidate amend and revise the penal laws of the Commonwealth" is hereby amended by adding at the end thereof a new section to read as follows

Section 699.7 Undersized Lobsters Whoever captures takes or has in his possession any lobster measuring less than three and one-eighth inches (3⅛") from the rear of the eye socket along a line parallel to the center line of the body shell (carapace) to the rear end of the body shell (carapace) shall upon conviction thereof in a summary proceeding be sentenced to pay a fine not exceeding fifty dollars ($50) and in default of the payment of such fine and costs shall be sentenced to imprisonment not exceeding thirty (30) days

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—45

Barr,	Ealy,	Letzler,	Tallman,
Becker,	Farrell,	Mallery,	Taylor,
Bowers,	Geltz,	McCreesh,	Thomas,
Carr,	Gourley,	McGinnis,	Tyler,
Chapman,	Haluska,	McQuiddy,	Wade,
Coleman,	Heyburn,	Mundy,	Walker,
Cox,	Holland,	Ruth,	Watkins,
Crider,	James,	Scarlett,	Wilson, H. I.,
Crowe,	Jaspan,	Snowden,	Wilson, T. B.,
Deitrick,	Jones,	Stevenson,	Woodring,
Dent,	Kephart,	Stiefel,	Woodward,
DiSilvestro,			

NAYS—1

Shapiro,

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 327, as follows:

An Act making an appropriation to the several fire companies of the City of Harrisburg Pennsylvania

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The sum of five thousand dollars ($5,000) or as much thereof as may be necessary is hereby specifically appropriated for the several fire companies of the city of Harrisburg Pennsylvania as compensation for protection from and extinguishment of any fire or fires that may occur in or on the Capitol buildings or grounds for the two fiscal years beginning June first one thousand nine hundred and forty-three Said sum to be distributed among said companies in equal amounts

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—46

Barr,	Ealy,	Mallery,	Tallman,
Becker,	Farrell,	McCreesh,	Taylor,
Bowers,	Geltz,	McGinnis,	Thomas,
Carr,	Gourley,	McQuiddy,	Tyler,
Chapman,	Haluska,	Mundy,	Wade,
Coleman,	Heyburn,	Ruth,	Walker,
Cox,	Holland,	Scarlett,	Watkins,
Crider,	James,	Shapiro,	Wilson, H. I.,
Crowe,	Jaspan,	Snowden,	Wilson, T. B.,
Deitrick,	Jones,	Stevenson,	Woodring,
Dent,	Kephart,	Stiefel,	Woodward,
DiSilvestro,	Letzler,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 398, as follows:

An Act enabling city county poor institution district ward school borough and township tax collectors their executors and administrators if they are deceased or either surety or sureties to collect taxes for the payment of which they have become personally liable without having collected the same by the expiration of the authority of their respective warrants or by the expiration of their terms of office extending the time for the collection of the same and validating collections and proceedings for collections made or commenced without previous authority

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 In all cases in which the period of limitation of the warrants of the duplicates of the county poor institution district road city township ward school and borough tax collectors have expired or will expire during the years one thousand nine hundred forty-three and one thousand nine hundred forty-four and in cases where the power and authority of the said tax collectors have heretofore expired or shall expire during the years one thousand nine hundred forty-three and one thousand nine hundred forty-four by virtue of the expiration of their terms of office and said tax collector or collectors have or shall become personally liable for the taxes contained in said duplicates and warrants or any part thereof by reason of the personal payment or otherwise by said tax collector or collectors of the said taxes or any part thereof without having recovered or collected the same from the person or persons against whom they have been levied and assessed or without having recovered or collected the same from the person or persons owning the property against which the said taxes have been assessed and levied the said duplicates and warrants and the power and authority of the said tax collectors in all such cases are hereby revived and extended as of the effective date of this act and the said tax collector or collectors their executors and administrators if they are de-

ceased or either surety or sureties are hereby empowered to proceed and collect said taxes from all such persons who have not paid them residing in said district within which said taxes are assessed as well as from all persons who may remove or have removed from said city ward township or townships or boroughs and have neglected to pay the taxes aforesad assessed with the like effect as if said warrant or warrants had not expired or the term of office of said tax collector had not expired

Section 2 The collection heretofore of any tax and all proceedings by distress or otherwise for the collection of any tax heretofore commenced are hereby ratified confirmed and made valid notwithstanding the fact that at the time of such collection or the commencement of such proceedings the period of limitation of the warrants of the duplicates of the tax collector had expired or the power and authority of the tax collector had expired by virtue of the expiration of his term of office and such duplicates and warrants and the power and authority of the tax collector had not at such time been revived and extended with like effect as though the same had in fact been so revived and extended

Section 3 The provisions of this act shall not apply to warrants issued prior to the year one thousand eight hundred and ninety-four and nothing in this act shall release any bondsman or security This act shall not apply to cities having special laws on this subject No collector or the sureties thereof who take advantage of this act shall be permitted to plead the statute of limitations in any action brought to recover the amount of any duplicate or warrant so extended or renewed No statute of limitations shall prevent the collection of any tax for which the warrants and powers and authorities of the said tax collectors have been so as aforesaid extended renewed and revived

Section 4 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—45

Barr,	Ealy,	Letzler,	Tallman,
Becker,	Farrell,	Mallery,	Taylor,
Bowers,	Geltz,	McCreesh,	Thomas,
Carr,	Gourley,	McGinnis,	Tyler,
Chapman,	Haluska,	McQuiddy,	Wade,
Coleman,	Heyburn,	Mundy,	Walker,
Cox,	Holland,	Ruth,	Watkins,
Crider,	James,	Scarlett,	Wilson, H. I.,
Crowe,	Jaspan,	Snowden,	Wilson, T. B.,
Deitrick,	Jones,	Stevenson,	Woodring,
Dent,	Kephart,	Stiefel,	Woodward,
DiSilvestro,			

NAYS—1

Shapiro,

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 415, as follows:

An Act making an appropriation to the Department of Property and Supplies for the acquisition of lands and the erection of new buildings and service systems and the alteration and extension of existing buildings and service systems for the use of the Soldiers' Orphan School at Scotland Pennsylvania

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The sum of one hundred thousand dollars ($100,000) or so much thereof as may be necessary is hereby specifically appropriated to the Department of Property and Supplies for the acquisition of additional land for the Soldiers' Orphan School at Scotland and for the construction of new buildings the addition to and alteration of present buildings the construction of a new sewage system and water and electric light lines and the alteration and extension of existing sewage systems and water and electric light lines for use and occupancy by the said Soldiers' Orphon School.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—46

Barr,	Ealy,	Mallery,	Tallman,
Becker,	Farrell,	McCreesh,	Taylor,
Bowers,	Geltz,	McGinnis,	Thomas,
Carr,	Gourley,	McQuiddy,	Tyler,
Chapman,	Haluska,	Mundy,	Wade,
Coleman,	Heyburn,	Ruth,	Walker,
Cox,	Holland,	Scarlett,	Watkins,
Crider,	James,	Shapiro,	Wilson, H. I.,
Crowe,	Jaspan,	Snowden,	Wilson, T. B.,
Deitrick,	Jones,	Stevenson,	Woodring,
Dent,	Kephart,	Stiefel,	Woodward,
DiSilvestro,	Letzler,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 445, as follows:

An Act making an appropriation to the Pennsylvania Historical Commission for the preservation restoration and rebuilding of certain structures at the Ephrata Cloisters

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 In order to check deterioration correct critical structural conditions which threaten the safety of buildings and to guard against further loss of important historical original features at the Ephrata Cloisters at Ephrata Lancaster County Pennsylvania the sum of thirty-five thousand dollars ($35,000) or so much thereof as may be necessary is hereby specifically appropriated to the Pennsylvania Historical Commission to be used for the preservation external restoration and rebuilding of the historic structures and other features of the said Ephrata Cloisters including the payment of wages of skilled craftsmen and other workmen the purchase of materials and equipment and the payment of professional fees for architectural supervision

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—46

Barr,	Ealy,	Mallery,	Tallman,
Becker,	Farrell,	McCreesh,	Taylor,
Bowers,	Geltz,	McGinnis,	Thomas,
Carr,	Gourley,	McQuiddy,	Tyler,
Chapman,	Haluska,	Mundy,	Wade,
Coleman,	Heyburn,	Ruth,	Walker,
Cox,	Holland,	Scarlett,	Watkins,
Crider,	James,	Shapiro,	Wilson, H. I.,
Crowe,	Jaspan,	Snowden,	Wilson, T. B.,
Deitrick,	Jones,	Stevenson,	Woodring,
Dent,	Kephart,	Stiefel,	Woodward,
DiSilvestro,	Letzler,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 468, as follows:

An Act to further amend sections three hundred seven and five hundred one of the act approved the eleventh day of July one thousand nine hundred twenty-three (P. L. 998) entitled "An act for the prevention and treatment of mental diseases mental defect epilepsy and inebriety regulating the admission and commitment of mental patients to hospitals for mental diseases and institutions for mental defectives and epileptics governing the transfer discharge interstate rendition and deportation of mental patients providing for the payment by individuals counties or the Commonwealth of the cost of the admission care and discharge of mental patients and imposing penalties" imposing certain costs on the institution district

The General Assembly of the Commonwealt' of Pennsylvania hereby enacts as follows

Section 1 Section three hundred seven and five hundred one of the act approved the eleventh day of July one thousand nine hundred twenty-three (P. L. 998) entitled "An act for the prevention and treatment of mental diseases mental defect epilepsy and inebriety regulating the admission and commitment of mental patients to hospitals for mental diseases and institutions for mental defectives and epileptics governing the transfer discharge interstate rendition and deportation of mental patients providing for the payment by individuals counties or the Commonwealth of the cost of the admission care and discharge of mental patients and imposing penalties" as last amended by the act approved the eleventh day of October one thousand nine hundred thirty-eight (P. L. 63) is hereby further amended to read as follows

Section 307 The guardian committee or any relative or friend of a person thought to be mentally ill may make application to the court of common pleas or other court of record of the county wherein such person resides or is or to any judge thereof for an order for the commitment of such persons to a hospital for mental diseases for observation diagnosis and treatment Such application shall be accompanied by the sworn certificate of two qualified physicians setting forth upon a form prescribed by the department that such person is in such a condition as to require observation in a hospital for mental diseases and giving the information called for by said form Thereupon or in his own discretion without such application the court or judge if satisfied that the condition of such person is such as to make his commitment desirable for his best interests shall commit him for such period and under such limitations as the court or judge may direct to the institution indicated in the application or to such other like institution as the court or judge may designate Provided That such court or judge at the time of commitment by order shall impose liability for the payment of the cost of care and maintenance of such patient on his estate or on the persons liable under existing laws for his support or on the Commonwealth

The superintendent or other person in charge of the institution to which the said person is committed shall before the expiration of the period of commitment of the patient make written report of said patient's mental condition to the court or judge making the commitment Thereupon the court or judge if satisfied that the patient is not mentally ill shall order his discharge and that the cost of his [transportation commitment] care and treatment be paid by the person so committed by the applicant for his commitment or by the Commonwealth and that the cost of his transportation and commitment be paid by the person committed by the applicant for his commitment or by the proper institution district in which such person is resident as the court or judge shall deem just and proper otherwise the court or judge shall make such order for the further disposition of the patient as may to him seem proper

Section 501 Whenever any patient who is mentally ill mentally defective epileptic or inebriate is admitted to any mental hospital whether by order of a court or judge or in any other manner authorized by the provisions of this act the cost of such admission or commitment shall be deemed to include the expenses of removing such patient to the hospital the fees of physicians or commissioners and all other necessary expenses however incurred Such costs shall be chargeable to the estate of such patient or to the person liable for his support Provided That if such estate or person is unable to pay the same the [Commonwealth] proper institution district in which such person is resident shall be liable for such costs

If the patient is committed by order of court the court or judge shall determine at the time of commitment the liability for such costs and shall assess the same as shall seem to him just and proper

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—45

Barr,	Ealy,	Letzler,	Tallman,
Becker,	Farrell,	Mallery,	Taylor,
Bowers,	Geltz,	McCreesh,	Thomas,
Carr,	Gourley,	McGinnis,	Tyler,
Chapman,	Haluska,	McQuiddy,	Wade,
Coleman,	Heyburn,	Mundy,	Walker,
Cox,	Holland,	Ruth,	Watkins,
Crider,	James,	Scarlett,	Wilson, H. I.,
Crowe,	Jaspan,	Snowden,	Wilson, T. B.,
Deitrick,	Jones,	Stevenson,	Woodring,
Dent,	Kephart,	Stiefel,	Woodward,
DiSilvestro,			

NAYS—1

Shapiro,

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

REQUEST THAT BILL GO OVER IN ORDER

Mr. HEYBURN. Mr. President, I ask unanimous consent that Senate Bill No. 471, on third reading, entitled:

An Act limiting the time within which suits or actions, hereafter begun, shall be brought for damages to surface land and property resulting from the mining of coal and operations in connection therewith

go over in its order.

The PRESIDENT. Is there objection?

Mr. COLEMAN. Mr. President, I object to the request that Senat Bill No. 471 go over in order. This bill represents one of the recommendations of the Anthracite Subsidence Commission, and a number of people living in the affected area, the mine cave region in the anthracite coal territory, are interested.

This bill has been on the Calendar since April 21. It contains provisions that have been studied at some length. A delay of another day will be fatal to the bill, because as I understand it, we are going to adjourn this week, and if it is the intent of the gentleman to bring about the death of this bill, let us do it on the floor of the Senate.

Mr. HEYBURN. Mr. President, for the information of the gentleman from Lackawanna, one of the sponsors of this bill, Senator Watkins is not at the moment on the floor of the Senate, and that is the reason for the request that this bill go over in order.

Mr. SHAPIRO. Mr. President, I should like to inform the gentleman from Lackawanna, Senator Coleman, that the citizens of that community can not be very much interested in the passage of this bill. All this does is to aid the mine owners, as I read the bill, as it puts a statute of limitations on the time within which suits can be brought, which protects the mine owners and not the citizens.

Mr. COLEMAN. Mr. President, I think the gentleman from Philadelphia is in error. This is a bill which would permit people in the anthracite area to institute proceedings against mine owners, within a period of six years after surface land damage occurs. Under the existing law that must be done within six years after mining, so that a mining company that has gone out of existence twenty years ago can not be penalized for the damage done the property.

Mr. President, I would like to ask the gentleman from Delaware if he would amend his motion so that this bill may go over in its order temporarily, until the return of one of the sponsors.

Mr. HEYBURN. I have no objection, Mr. President.

BILL OVER IN ORDER

Mr. COLEMAN. Mr. President, I ask unanimous consent that Senate Bill No. 471 on third reading go over in its order, temporarily.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 491, as follows:

An Act making an appropriation to the Department of Highways out of the Motor License Fund for the purpose of rebuilding county bridges carried away or destroyed by fire flood or other casualty and of carrying out the provisions of existing laws relating thereto

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The sum of forty thousand dollars ($40,000) or so much thereof as may be necessary is hereby specifically appropriated out of the Motor License Fund to the Department of Highways for expenditure by said department until the first day of June one thousand nine hundred and forty-five for the purpose of rebuilding county bridges carried away or destroyed by fire flood or other casualty and to carry into effect the provisions of existing laws relating thereto

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—46

Barr,	Ealy,	Mallery,	Tallman,
Becker,	Farrell,	McCreesh,	Taylor,
Bowers,	Geltz,	McGinnis,	Thomas,
Carr,	Gourley,	McQuiddy,	Tyler,
Chapman,	Haluska,	Mundy,	Wade,
Coleman,	Heyburn,	Ruth,	Walker,
Cox,	Holland,	Scarlett,	Watkins,
Crider,	James,	Shapiro,	Wilson, H. I.,
Crowe,	Jaspan,	Snowden,	Wilson, T. B.,
Deitrick,	Jones,	Stevenson,	Woodring,
Dent	Kephart,	Stiefel,	Woodward,
DiSilvestro,	Letzler,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 493, as follows:

An Act making an appropriation to the Department of Forests and Waters for the use of the Pennsylvania State Park and Harbor Commission of Erie and for the joint use of the Federal Government and the Department of Forests and Waters of the Commonwealth of Pennsylvania

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The sum of one hundred eighty thousand dollars ($180,000.00) or as much thereof as may be necessary is hereby specifically appropriated to the Department of Forests and Waters for the protection of the State Park and State Highway on Presque Isle Peninsula at Erie by construction of bulkheads and jetties and repairs to steel jetties with such materials and design as determined or approved by engineers under the jurisdiction of the Department of Forests and Waters or as generally recommended in the report of the cooperative study between the Department of Forests and Waters of the Commonwealth of Pennsylvania and the Corps of Engineers of the United States War Department

Section 2 The said sum or one hundred eighty thousand dollars ($180,000.00) appropriated in section one hereof shall be expended for purposes and in amounts as follows

Fifteen hundred dollars ($1,500.00) or as much thereof as may be necessary to repair jetty number eight near Second Beach of Presque Isle Peninsula

One hundred seventy-eight thousand five hundred dollars ($178,500.00) or so much thereof as may be necessary to defray one-half the cost of constructing a groin or jetty at Beach No 2 and a rubble groin or jetty and a rubble mound bulkhead at the root of the Peninsula from the south end of U S 1920 rubble mound wall southwestwardly to the Kelso Groin near the junction of the main land and the Presque Isle Peninsula

Any part of the one hundred eighty thousand dollars ($180,000.00) remaining after the actual costs of the above work has first been paid for as outlined in paragraphs

two and three of this section may be used in protecting the park and highway east of park jetty No 1

Section 3 The sum of one hundred eighty thousand dollars ($180,000.00) appropriated herein or as much thereof as may be necessary for the purposes stated in section two hereof shall be paid to the United States Government or its proper agency at such time as Federal funds for the Federal Government's share of the work are made available The Commonwealth funds shall be paid at the time and in the manner that funds of the Commonwealth are by law and custom placed at the disposal of Federal agencies for the construction of joint projects and shall be expended by said agencies of the United States Government in accordance with laws rules and regulations governing the execution of joint enterprises by the United States Government and the Commonwealth of Pennsylvania

Section 4 The Commonwealth appropriation of one hundred eighty thousand dollars ($180,000.00) shall be made available at such times as Federal funds are provided and made available for the Federal share of the proposed work

Section 5 This act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to and the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—46

Barr,	Ealy,	Mallery,	Tallman,
Becker,	Farrell,	McCreesh,	Taylor,
Bowers,	Geltz,	McGinnis,	Thomas,
Carr,	Gourley,	McQuiddy,	Tyler,
Chapman,	Haluska,	Mundy,	Wade,
Coleman,	Heyburn,	Ruth,	Walker,
Cox,	Holland,	Scarlett,	Watkins,
Crider,	James,	Shapiro,	Wilson, H. I.,
Crowe,	Jaspan,	Snowden,	Wilson, T. B.,
Deitrick,	Jones,	Stevenson,	Woodring,
Dent,	Kephart,	Stiefel,	Woodward,
DiSilvestro,	Letzler,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which the concurrence of the House is requested.

BILL OVER IN ORDER

Mr. WALKER. Mr. President, I ask unanimous consent that House Bill No. 509, on third reading, entitled:

An Act to amend section three hundred and six of the act approved the twenty-fourth day of June, one thousand nine hundred and thirty-seven, (P. L. 2017), entitled "An act creating in each county (except of the first class) as a separate corporation, and in each city of the first and second class as a part of the city government, an institution district for the care and maintenance of certain indigent persons and children; prescribing the powers and duties of county commissioners, county treasurers, city departments of public welfare, the State Department of welfare and the State Department of Public Assistance in respect thereto; abolishing certain poor districts and terminating the terms of directors, overseers, guardians and managers of the poor and poor district auditors, and providing for the temporary employment of certain of them; providing for the transfer, vesting, sale and disposition of the property of poor districts and the payment of their obligations; imposing certain existing obligations on institution districts and on the Commonwealth; regulating the affairs of poor districts until abolished; revising, amending, changing and consolidating the law relating to the care of the poor; and repealing existing laws," providing for fixing the number and compensation of employes of institution districts and conferring powers and imposing duties on county officers

go over in its order, temporarily.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. SHAPIRO. Mr. President, while this bill goes over temporarily, I suggest to the members of the Senate that they read page three of the bill and there they will find that this bill provides that county commissioners may remove all necessary employes; in the preparation of the amendment to the act, it was so amended as to give to the commissioners the power to remove all necessary employes.

BILLS ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 511, as follows:

An Act to further amend the act approved the fourth day of June one thousand nine hundred and thirty-seven (P. L. 1625) entitled "An act providing for the creation maintenance and operation of a county employes' retirement system in counties of the third class and imposing certain charges on counties" extending and further regulating such retirement systems

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Sections one and eight of the act approved the fourth day of June one thousand nine hundred and thirty-seven (P. L. 1625) entitled "An act providing for the creation maintenance and operation of a county employes' retirement system in counties of the third class and imposing certain charges on counties" as amended by the act approved the fifth day of August one thousand nine hundred forty-one (P. L. 840) are hereby further amended to read as follows

Section 1 Be it enacted &c That the following words and phrases as used in this act shall be construed to have the following meanings

"Board" the county retirement board created by this act

"County Employe" any person whether elected or appointed who is employed by the county by the county institution district or its predecessor the county poor board by the county prison authorities by the county house of detention authorities or by the county retirement system whose salary or compensation is paid in regular periodic installments [No person who is employed on a per diem basis less than two hundred working days per year shall be eligible to membership in the retirement system] but shall not include any person who is employed on a per diem basis

"Fund" the county employes' retirement fund created by this act

"Accumulated Deductions" the total of the amounts deducted from the salary of a contributor and paid into the fund created by this act and standing to the credit of the members' annuity reserve account together with the regular interest thereon

"Contributor" any person who has accumulated deductions in the fund created by this act standing to the credit of the members' annuity reserve account

"Beneficiary" any person in receipt of a retirement allowance under this act

"Prior Service" all service as a county employe served not later than December thirty-first preceding the year the retirement system shall be established in any county

"Original Member" a member who was [at any time a county employe prior to the first Monday of January of the year the retirement system is established in any county] a county employe on the date of establishment of the retirement system in said county

"New Member" a member who shall have become a [county employe subsequent to date the retirement system is established in any county] member of the retirement system after the establishment of the retirement system in said county

"Superannuation Retirement Age" as applied to a contributor means sixty years of age or upwards

"Final Salary" the average annual salary received by contributor for the five years of service immediately preceding retirement or in the event a member has not served five years the total salary received divided by the number of years served

"Regular Interest" interest at the rate of three and one-half per centum compounded annually

"County Annuity" payments for life or during disability derived from contributions made by the county

"Member's Annuity" payments for life or during disability derived from contributions made by the contributor

"Retirement Allowance" the county annunity plus the member's annuity

Section 8 Compulsory Membership Each county officer may and each county employe shall be required to become a member of the retirement system established by this act at such date as may be specified in the resolution establishing the retirement system and thereafter when first becoming a county employe Those becoming members who have been at any time county employes prior to the first Monday of January of the year the retirement system is established shall be known as original members and those becoming members after said date as new members [Provided however That if any person who becomes a county employe subsequent to the first Monday of January of the year the retirement fund was established shall have been at any time theretofore a county employe he shall receive credit for the service prior to the first Monday of January of the year the system was established and shall be known as an original member]

Section 2 Section ten of said act is hereby amended to read as follows

Section 10 Service Allowance In computing the length of service of a contributor for retirement purposes full credit shall be given to each original member for each year of service rendered to the county prior to January first of the year the retirement system was established This shall include the services of a county official whose compensation was in the form of fees collected by his office and shall also include the services of employes paid directly by such county official out of such fees As soon as practicable the retirement board shall issue to each original member a certificate certifying the aggregate length of his service prior to January first of the year the retirement system was established Such certificate shall be final and conclusive as to his prior service unless thereafter modified by the board upon application of the member The time during which a member is absent from service without pay shall not be counted in computing the service of a contributor unless allowed by the county commissioners and approved by the board

Section 3 Sections thirteen and fifteen of said act as amended by the act approved the fifth day of August one thousand nine hundred forty-one (P. L. 840) are hereby further amended to read as follows

Section 13 Involuntary Retirement Allowances Should a contributor be discontinued from service not voluntarily or an elected county officer complete his term of office and discontinue service after having completed ten years of total service but before reaching superannuation retirement age he shall be paid as he may elect as follows (a) The full amount of the accumulated deduction standing to his credit in the members' annuity reserve account or (b) a member's annuity of equivalent actuarial value to his accumlated deductions standing to his credit in the members' annuity reserve account and in addition a county annuity having a value equal to the present value of a county annuity beginning at superannuation retirement age but based on the period of service up to the date of discontinuance from service and not on the period of service required to reach superannuation retirement age The same options shall be available to beneficiaries in case of involuntary retirement as provided herein in the case of superannuation retirement

Section 15 Payment of Balances Where Disability Annuitant Dies Should a person receiving a disability retirement allowance die before receiving total [member's annuity] payments equal to the amount standing to his credit in the member's annuity reserve account at the time of retirement there shall be paid to his estate or beneficiary the difference between such credit and the total [member's annuity] payments received

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—45

Barr,	Ealy,	Letzler,	Tallman,
Becker,	Farrell,	Mallery,	Taylor,
Bowers,	Geltz,	McCreesh,	Thomas,
Carr,	Gourley,	McGinnis,	Tyler,
Chapman,	Haluska,	McQuiddy,	Wade,
Coleman,	Heyburn,	Mundy,	Walker,
Cox,	Holland,	Ruth,	Watkins,
Crider,	James,	Scarlett,	Wilson, H. I.,
Crowe,	Jaspan,	Snowden,	Wilson, T. B.,
Deitrick,	Jones,	Stevenson,	Woodring,
Dent,	Kephart,	Stiefel	Woodward,
DiSilvestro,			

NAYS—1

Shapiro,

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 514, as follows:

An Act to amend the act approved the fifth day of August one thousand nine hundred forty-one (P. L. 803) entitled "An act providing for the creation maintenance and operation of a county employes retirement system in counties of the fifth class imposing certain charges on counties and prescribing penalties" further regulating such retirement systems

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Sections one eight ten eleven thirteen and fifteen of the act approved the fifth day of August one thousand nine hundred forty-one (P. L. 803) entitled "An act providing for the creation maintenance and operation of a county employes retirement system in counties of the fifth class imposing certain charges on counties and prescribing penalties" are hereby amended to read as follows

Section 1 The following words and pharses as used in this act unless a different meaning is plainly required by the context shall be construed to have the following meanings

"Board" the county retirement board created by this act

"County Employe" [an officer or employe of the county whose salary or compensation is paid on a yearly

or monthly basis and also any officer or employe regularly employed whose compensation is] any person whether elected or appointed who is employed by the county the county institution district in the county prison or in any other institution maintained by the county from county moneys or who is employed by any county or State official and paid by such official from moneys appropriated by the county for such purpose whose salary or compensation is paid in regular periodic installments but shall not include any person paid on a per diem basis

In all cases of doubt the board shall determine whether a person is an employe within the meaning of this act and its decision shall be final

"Fund" the county employes retirement fund created by this act

"Accumulated Deductions" the total of the amounts deducted from the salary of a contributor and paid into the fund created by this act and standing to the credit of the members' annuity reserve account together with the regular interest thereon

"Contributor" any person who has accumulated deductions in the fund created by this act standing to the credit of the members' annuity reserve account

"Beneficiary" any person in receipt of a retirement allowance under this act

"Prior Service" all service as a county employe served not later than December thirty-first preceding the year the retirement system shall be established in said county

"Original Member" a member who was [at any time a county employe prior to January first of the year the retirement system is established in said county] a county employe on the date of establishment of the retirement system in said county

"New Member" a member who shall have become a member of the retirement system [subsequent to the date the retirement system is established] after the date of establishment of the retirement system in said county

"Superannuation Retirement Age" as applied to a contributor means sixty years of age or upwards

"Final Salary" the average annual salary received by a contributor for the five years of service immediately preceding retirement or in the event a member has not served five years the total salary received divided by the number of years served

"Regular Interest" interest at the rate of three and one-half per centum compounded annually

"County Annuity" payments for life or during disability derived from contributions made by the county and the interest earnings thereof

"Member's Annuity" payments for life or during disability derived from contributions made by the contributor and the interest earnings thereof

"Retirement Allowance" the county annuity plus the member's annuity

Section 8 Compulsory Membership Each county officer may and each county employe shall be required to become a member of the retirement system established under the provisions of this act at such date as may be specified in the resolution establishing the retirement system and thereafter when first becoming a county employe Those becoming members [who have been at any time county employes prior to the first Monday of January of the year the retirement system is established] on the date of establishment of the retirement system shall be known as original members and those becoming members after said date as new members [Provided however That if any person who becomes a county employe subsequent to the first Monday of January of the year the retirement fund was established shall have been at any time theretofore a county employe he shall receive credit for the service prior to the first Monday of January of the year the system was established and shall be known as an original member]

Section 10 Service Allowance In computing the length of service of a contributor for retirement purposes full credit shall be given to each original member for each year of service rendered to the county prior to January first of the year the retirement system was established This shall include the service of a county official whose compensation was in the form of fees collected by his office and shall also include the services of employes paid directly by such county official out of such fees As soon as practicable the retirement board shall issue to each original member a certificate certifying the aggregate length of his service prior to January first of the year the retirement system was established Such certificate shall be final and conclusive as to his prior service unless thereafter modified by the board upon application of the member The time during which a member is absent from service without pay shall not be counted in computing the service of a contributor unless allowed by the county commissioners and approved by the board

Section 11 Superannuation Retirement Allowance Any contributor who has reached superannuation retirement age may retire for superannuation by filing with the board a written statement duly signed by the contributor setting forth at what time he desires to be retired Said application shall retire said contributor at the time so specified

On retirement for superannuation a beneficiary shall receive a retirement allowance which shall consist of (a) a member's annuity which shall be the actuarial equivalent of his accumulated deductions standing to his credit in the member's annuity reserve account and (b) a county annuity equal to one one-hundred-twentieth (1-120) of his final salary multiplied by [the number of years he has been a contributor] each year of total service and in addition thereto in the case of an original member one one-hundred-twentieth (1-120) of his final salary multiplied by each year or prior service but the total county annuity shall never exceed fifty per centum of the final salary

Section 13 Involuntary Retirement Allowances Should a contributor be discontinued from service not voluntarily or an elected county officer complete his term of office and discontinue service after having completed ten years of total service but before reaching superannuation retirement age he shall be paid as he may elect as follows (a) The full amount of the accumulated deductions standing to his credit in the members' annuity reserve account or (b) a member's annuity of equivalent actuarial value to his accumulated deductions standing to his credit in the members' annuity reserve account and in addition a county annuity having a value equal to the present value of a county annuity beginning at superannuation retirement age as provided in this act with respect to county annuities for superannuation retirement The same options shall be available to beneficiaries in case of involuntary retirement as provided herein in the case of superannuation retirement

Section 15 Payment of Balances Where Disability Annuitant Dies Should a person receiving a disability retirement allowance die before receiving total [member's annuity] payments equal to the amount standing to his credit in the member's annuity reserve account at the time of retirement there shall be paid to his estate or beneficiary the difference between such credit and the total [member's annuity] payments received

Section 2 Said act is hereby amended by adding between sections seventeen and eighteen therof three new sections to read as follows

Section 17.1 No Simultaneous Payments of Salary and Retirement Allowance Should a person receiving a superannuation retirement allowance or an involuntary retirement allowance or a total disability retirement allowance be reemployed by the county the retirement allowance of such person shall immediately cease Such person shall thereupon be reinstated as a contributor and there shall be restored to his credit as accumulated deductions the actuarial value of his member's annuity computed as of the date of his re-employment

Section 17.2 Validation of Certain Contributions All employes of the county institution district the county prison or any other institution maintained by the county and all employes of any county or State official paid by such official from moneys appropriated by the county for such purpose who heretofore made contributions to

the retirement fund by payroll deductions intending thereby to become members of the retirement system and contributors to the retirement fund are hereby declared to be regular and valid members and contributors as of the time of their first contribution with the same rights and privileges as any other county employes who became members and contributors in the retirement system

Section 17.3 Admission to Retirement System of Those Who have Heretofore Failed to Join Any county officer who did not become a member of the retirement system when it was first established if he then held office and has since then continuously held office or whose term of office began after the establishment of the retirement system and who did not become a member of the retirement system when his term of office began shall be permitted to become a member of the retiremnt system at any time and receive a retirement allowance based upon service as a county employe rendered after such date of membership Provided however That if membership is consummated within one year of the effective date of this amendment or within one year from the beginning of such term of office and such sums as would have been deducted from his salary had he become a member at the time of the establishment of the retirement system or of the commencement of such term of office shall have been paid into the retirement system he shall thereupon become entitled to all the rights and privileges in the retirement system as would have been vested in him had he become a member and contributor at the time the retirement system was established or his term of office began

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—45

Barr,	Ealy,	Letzler,	Tallman,
Becker,	Farrell,	Mallery,	Taylor,
Bowers,	Geltz,	McCreesh,	Thomas,
Carr,	Gourley,	McGinnis,	Tyler,
Chapman,	Haluska,	McQuiddy,	Wade,
Coleman,	Heyburn,	Mundy,	Walker,
Cox,	Holland,	Ruth,	Watkins,
Crider,	James,	Scarlett,	Wilson, H. I.,
Crowe,	Jaspan,	Snowden,	Wilson, T. B.,
Deitrick,	Jones,	Stevenson,	Woodring.
Dent,	Kephart,	Stiefel,	Woodward,
DiSilvestro,			

NAYS—1

Shapiro,

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

BILL OVER IN ORDER

Mr. HEYBURN. Mr. President, I ask unanimous consent that House Bill No. 516, on third reading, entitled:

An Act to provide protection to estates interests funds and property rights of minors mental and incompetents and absentees secured or to be secured by individual surety or sureties in courts of record or proceedings therein by specifying the requirements of such suretyship the qualifications of such sureties and imposing liens upon the collateral realty involved as well as providing for the revival thereof for execution thereon and for the release discharge or satisfaction thereof

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILL RECOMMITTED

Mr. HEYBURN. Mr. President, I move that Senate Bill No. 517, on third reading, entitled:

An Act to further amend section ten of the act, approved the twenty-ninth day of May, one thousand eight hundred and eighty-five (P. L. 29) entitled "An act to provide for the incorporation and regulation of natural gas companies," providing that natural gas companies shall have the right of eminent domain for the storage of natural gas and manufactured fuel gas beneath the surface of any lands situate within the territory of production, pipe lines, or of supply of such corporation

be recommitted to the Committee on Corporations for the purpose of further study.

Mr. DEITRICK. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

Mr. BARR. Mr. President, I desire to interrogate the Majority Floor Leader.

The PRESIDENT. Will the gentleman from Delaware permit himself to be interrogated?

Mr. HEYBURN. Yes, Mr. President.

Mr. BARR. Mr. President, if this bill is sent back to committee for further study, the bill automatically will die; am I right?

Mr. HEYBURN. Pretty nearly, for this session.

Mr. BARR. Will the gentleman from Delaware tell me the reason for killing this bill?

Mr. HEYBURN. There was serious objection to it in the Republican Caucus.

Mr. BARR. Mr. President, can the gentleman from Delaware tell me if that objection came from members of the Republican Caucus from the western part of Pennsylvania?

Mr. HEYBURN. The objection was wide spread, Mr. President.

Mr. BARR. I do not think, other than gentlemen from western Pennsylvania, any of them know anything about natural gas.

Mr. HEYBURN. Mr. President, down in the Caucus most of the natural gas experts seemed to come from northern Pennsylvania, Senator Thomas B. Wilson, Senator Chapman, all gas experts.

Mr. BARR. There was some objection, Mr. President, last week, I remember, against this bill by the oil industry of Pennsylvania. That objection has now been taken care of in the bill, as it is amended, and in the form in which it is now before the Senate.

We in western Pennsylvania who use natural gas are much concerned about this bill. This past winter we know that natural gas was a lifesaver to us in Western Pennsylvania, with the transportation problem as it was. I know that on two different days one of the largest gas companies in Western Pennsylvania had to take from its pool 79,000,000 cubic feet, at one time, and on another day 76,000,000 cubic feet, in order to maintain factories, mills and the homes of Western Pennsylvania.

This bill simply does one thing, Mr. President. In setting up these pools of natural gas over abandoned gas mine areas we ran into a situation where there may be fifteen farms involved and some gentleman that has no conscience may live in the middle of the district and may

try to hold up the whole district by demanding from the gas company some outrageous price.

I think to send this bill back to committee is a crime and I think the people of Western Pennsylvania will so tell you when they go to the polls at the next election.

POINT OF ORDER

Mr. SHAPIRO. Mr. President, I rise on a point of order.

The PRESIDENT. The gentleman from Philadelphia will proceed.

Mr. SHAPIRO. Mr. President, if copies of this bill are not on the desks of the Senators, a motion can not be made. According to my records the bill is not up from the printer; a copy of the bill is not on my desk.

Mr. THOMAS B. WILSON. Mr. President, I submit that the point of order of the gentleman from Philadelphia is not well taken. It is only when we are debating the merits of a bill and voting on a bill that copies of the bill must be on the desks of the Senators.

Mr. SHAPIRO. Mr. President, you can not recommit a bill to committee when copies of the bill are not on the desks of the Senators.

Mr. THOMAS B. WILSON. I differ with the gentleman from Philadelphia.

Mr. SHAPIRO. That is one of the reasons the Senate has a presiding officer. Will the Chair rule?

Mr. THOMAS B. WILSON. The bill is on the Calendar, Mr. President.

POINT OF ORDER WITHDRAWN

Mr. SHAPIRO. Mr. President, I withdraw my point of order so that the gentleman from McKean may speak. I did not mean to preclude him from speaking.

Mr. THOMAS B. WILSON. What this bill does, Mr. President, is to give utility companies the right to take the properties of small owners of land by eminent domain. What it means is this, that if a gas company, which has geologists and engineers, finds from their geologist that a certain property that a man has owned—maybe his father and grandfather have owned it, if he finds there is gas under that property and it is profitable to own it, they let him pay taxes and pick up the stones and plow the ground until it gets profitable to take it, and then the public utility takes it away from him.

Now, Mr. President, may I say this: in Northwestern Pennsylvania there are thousands of properties that people are paying rent on, that they own or have inherited, or perhaps a man had bought a farm, and they are all hoping that some day there will be gas under the property and this bill lets them hold it until a public utility wants it and then they take it away from them under the right of eminent domain.

I have opposed this bill since the time it was introduced. Some of the people back of it are my close intimate friends, some of the people back of this bill come from my district and are people to whom I have to give some attention politically if I am to come back to the Senate as a result of the election next year. I do not care, Mr. President, who is back of it, but the fact of the matter is I say that it is immoral to give a public utility the right to deny a small property owner his property when they find that it is profitable for them to have it.

I want to make it clear to the Senate that I think it is perfectly proper for these people—and it is in the ordinary course of the development of their business—to bring gas into Pennsylvania, and the natural tank for gas is the ground, the gas sand, but there is not any system known in Pennsylvania by which you can take a piece of land by eminent domain and file in the prothonotary's office a map and say, "we take this part of the land that is between 1,603 feet and 1,645 feet and the rest of it we leave with this other man, the surface, the first sand, the second sand, but we take the sand that is from 1,603 feet to 1,645 feet."

Mr. President, there is not any such system of eminent domain that has ever been known any place in the United States. There is no state in the Nation, so far as I have ever heard, that gives to a public utility the right to take a poor man's property by eminent domain.

May I say this to the members of the Senate, there are any number of properties held in Northwestern Pennsylvania on which people are paying rent, and if the geologists of one of these big companies shows that it is profitable to take a particular parcel of property, they go into the prothonotary's office and file a paper and say they take it by eminent domain, and from that minute the property belongs to the public utility; there is only one thing remaining to the owner of that land that is, how much he is going to get for it. I would like to ask any one here how he is going to show there is any value in it, how he is going to show that it amounts to anything; he has no engineer, he has no geologist to tell him that the trend is towards his property. The only thing he can show is that some one paid him fifty dollars a year for rental. I think this is one of the most immoral bills which has ever been before the Legislature of Pennsylvania in any session.

Mr. President, as I have said in Caucus and as I have said on the floor of this Senate, it may be that in the election next year my district may have a lucid interval and will send someone else here in my place, but I want to say now—if I am not here—I want to say to the members of the Senate of Pennsylvania that the proposition of giving the right of eminent domain to a corporation for any other purpose but transportation is wrong.

They have the right by eminent domain to lay pipe lines, they have the right by eminent domain so that they can move their goods but when they look around and their greedy eyes light on somebody's property that is going to make them money, and they file a paper with the prothonotary and say, "this is our property; you can have all the stones, you can cultivate the land and pay the taxes for a hundred years, but when it begins to pay a cent then it belongs to the public utility," and I say that is immoral.

I never heard of such a proposition as allowing a public utility to take land by eminent domain, and there is no such law in Pennsylvania, except for transportation.

May I say another thing to the members of the Senate? They say, they are only going to take exhausted land, but I say to the members of the Senate that nobody but God knows whether the gas has gone out of the sand; there are twenty sands there, and nobody but God knows whether that is exhausted territory or not.

I say to you that if there is land that has no gas under it, a public utility or a gas company would have no difficulty in renting that for $50, $75 or $100 a year from

that farmer, because all they would do would be to put a well in the corner of his property that would not bother him and put gas a thousand, fifteen hundred or eighteen hundred feet under the surface, and he would not be hurt.

If they wanted to get this piece of land for a reservoir they could purchase the land. That is what the coal companies have to do, and that is what the oil companies are doing; if anybody in our country wants a piece of land, he has to buy it. We have not given the big oil companies the right to say "we want this land, therefore we will take it for a reservoir to furnish our customers with oil."

There is not anything in this bill that has a particle of merit, except the very respectable and honorable name of the sponsor of the bill; otherwise, there is not a thing to it which merits the attention of this Senate.

Mr. DENT. I find myself in a funny position. I find now that the arguments that I usually use for the small home owner and small land holder are being used in opposition to this bill and I have to take the side of the big utilities, but I think I can do so gracefully, because what some men seem to forget is that we we are in the middle of a war. I do not usually go in for flag waving, but I happen to live out in a district where gas is a very vital element and a necessity in the continuance of the proper prosecution of the war.

I want to say to you that this bill does not do any of the things my good friend from McKean, Senator Wilson, says it will do, because they can not take any gas from any land except the gas that they put in there. When they use these gas lands for a reservoir the gas that goes in there is metered, which is done at the present time, because that is the only way that they know what their reservoir pool amounts to, and the only gas that they can take out of there is the gas that they put in.

The reason for the passage of this bill at this particular time is that there is a shortage of natural gas being produced in the gas producing counties, so essential to the war effort, and we are pumping into Pennsylvania at this time millions of cubic feet of gas from out-of-state fields. You can not build tanks to reservoir gas, you have got to put it back down into the ground from whence it came, and the only thing they are using and the only thing this bill allows is the use of wells that have been pumped dry, particularly in Western Pennsylvania, as reservoirs for gas brought in from out of the state for the war effort. They do not need it at any other time, they have sufficient lands of their own, but the necessity for this bill has been caused by the war effort. If they want to restrict it only for the duration of the war, if that would satisfy the objections of the other side, I would be glad to go along with that. I want to say to you that out in Western Pennsylvania they had a coal strike—in fact they had it all over the country—and everybody was raising a hullabaloo about the damage that was being done to the war effort. You are going on a gas strike today when you do not allow storage of natural and manufactured gas for next winter's use.

Many persons at home have tried to change from coal consumption to gas consumption in their domestic furnaces, and also some of the industrial furnaces but the proper governmental agency has restricted the use of natural gas simply because we can not store enough of it during the summer months to take care of consumption in the winter months.

All that this bill does is to give the right of eminent domain when some farmer or some land holder refuses to allow the gas to be pumped into his ground; it does not take any of the surface whatsoever; it does not take any of the surface to reservoir any of this gas.

Just recently, I believe it was April 13, we passed a bill giving eminent domain to oil companies to put their own pipe lines all over creation if they want to; they are allowed to cut right through the middle of a man's barn if they so desire, and put down their pipe lines. That is eminent domain which permits destruction of private property and private privileges but that, of course was given to the oil companies. I voted for that because I thought that it was a necessary proposition. I also think this is a necessary proposition for the prosecution of the war and I, therefore, believe that the time has come that we should vote on this bill here on the floor. If you are opposed, vote "no," but do not hide behind what you call caucus action, because I tell you that if you have come to that type of government then there is no longer any necessity for electing individuals to come to Harrisburg, the thing to do then would be to elect a party and let it send a couple of representatives down here to pass upon legislation. You are wasting the money of our taxpayers if the individuals concerned in a matter are not to be considered.

If an individual member of the Senate has to subjugate his desires and will to the desires of the caucus, if the caucus must rule on each and every matter before the Senate, then no longer is he an individual member of the Senate the title does not mean anything, the office does not mean anything, and I say to you if that is what you are doing then you do not reflect the desires of the membership, and a vote ought to be taken on the bill.

Mr. THOMAS B. WILSON. Mr. President, I want to say that I am a great admirer of the Senator who has just spoken, but I am afraid I have more admiration for him now, when he is able to keep his face straight after making the statements he just did. It certainly is refreshing to hear a Senator from the Democratic side advocating the taking of a small man's property and describing this stubborn cuss who owns a piece of property he had acquired, or his father had owned, as so unreasonable and so stubborn that he would not give it up to a public utility without being paid for it. It certainly is refreshing to hear the gentleman from Westmoreland, Senator Dent, speaking disparagingly and sarcastically of the owner of a property who was so stubborn and self-willed that he would not give up his property to a public utility which did not want to buy the property but wanted to take it by eminent domain.

The Senator from Westmoreland should have studied this thing more thoroughly, because if he says this is to help the war effort he is mistaken. This is a scientific development of the gas business—it is not because of the war. Gas companies all over the United States very properly are going to make reservoirs of the gas sands under the ground and they are going to pump gas from states where it is plentiful and where there is no sale for it and pump it into states where there is sale for it and where they can pump it into the ground, and with that I am in entire accord, I am glad to see them do it, as it will give them a surplus in the winter months, when they have use for the gas. It does another thing which the

gentleman from Westmoreland evidently did not think of, it takes a little well that produces a few hundred feet or a few thousand feet of gas and lets a gas company pump that well summer and winter. In other words, when summer time comes they can not sell the gas from this small well and they shut it down. This system of forming reservoirs has the advantage of saving natural resources by allowing them to continually pump these small wells and put the gas into the reservoirs, and with that, as a man born on a gas lease property and living on one all my life, I say I am in entire accord, but I am not in accord with the thought that these people should take it by eminent domain when they have plenty of money with which to buy it. There are tremendous numbers of these resrvoirs and this is not something they are putting in for the war.

West Virginia is full of them, all the states are full of them, this is the modern scientific way of handling gas, and it will be handled during the war and just as long as they can pump this gas in, but I do say to you that if these gas companies want the property of anybody within their sphere as a place where they want to make reservoirs, let them do what the railroad companies do, and what the coal companies do, let them put their money in there, let them put their hands in their pockets and take the money out and pay the farmer for his land.

I certainly am very much intersted in the Senator from Westmoreland defending the public utility against the small land owner and saying "gobble him up, give him what you want to give him, because he is not worth considering anyway, the utility is the only one of any account.

Mr. DENT. I can not help the expression on my face. I was tempted to tell a story, Mr. President, but I will not—I will tell it privately to the Senator later, a story concerning expressions on a man's face. However, whatever expressions may show on my face were given to me by my mother and my God and they are there permanently.

The sentiments that I express are usually my own. At no time during my remarks—and if necessary I will have them read back to the Senator—have I in any way referred to small land owners sarcastically; I do not do that because, you see, I happen to be that type of citizen, I am a small land owner; I am not fighting or pleading for any of the large utilities, other than in the sense of the necessity of action.

I said, and I repeat, the necessity for this bill has been occasioned by the war effort. I know because I, too, was raised on a gas lease; I, too, know that it is a scientific development of the gas fields to reservoir their gas in old pumped out wells. However, I also know, because of the huge demand today for this gas, that there is an increased use for the so-called reservoir system and I know that some certain land holders are holding up an entire field; an entire gas field may be held up by one person who denies the right of the use of his land for reservoiring gas.

That is the only thing I was trying to refer to when I said some person may stubbornly refuse to grant that right, that person is not only withholding the right under his own land, because once gas has started down into the fields no one but God knows where it will go, it may go to the extreme end of the gas field, and and perhaps a hundred yards of that gas field may tap into some farmer's land, although thousands of acres may belong to his neighbor, and yet that one person can withhold the reservoiring of millions and millions of cubic feet of gas, and that gas, I say, and repeat again and again, is essential to the war effort.

I do not care if you take this right away a day after the war is over, but I do say that this is important to the people of Western Pennsylvania, the workshop of the entire nation in the production of war goods, and it is just as important to do this or something similar to this in order to increase facilities for the storing of gas as it is to settle the coal strike.

Mr. WATKINS. Mr. President, coming from a coal county, I know very little about gas, but I do know that every since the gentleman from Westmoreland, Senator Dent, became a coal operator, his trend has been toward big business.

As an example of the same kind of an act to help the war effort I may refer to a situation in the coal fields, where a coal operator may own two tracts of land, not contiguous, and between those two tracts of land is another piece of land owned by an individual, there happens to be no coal at all on the land between the two tracts of coal land, but the shaft, in order to get to the coal, is on one piece of land, and in order for the travelway to get from one tract to the other it is necessary to pass through this middle tract of land.

It is just as important for the war effort that we have the greatest production of coal possible, as it is that we have reservoirs for gas, so perhaps it would be wise to include in this bill that a coal company should have the right of eminent domain and be able to insist that this man who owns this middle piece of land sell or give his land, let the coal company take it by eminent domain, regardless of the fact that that man may not desire to sell it or regardless of the fact that it means a big income to him as a land owner, by reason of the tonnage price that is generally paid for each ton of coal that passes over it as a travelway.

I think there is no question about this case; I think it is a case of the big gas companies trying, if possible, to get this right of eminent domain in order to take over the little man's land who is stubborn and decides he is going to own his own property and let no corporation tell him when it is going to take his land away from him.

Mr. CARR. Mr. President, I hesitate very much to prolong the debate on this important question, but coming from the gas region of western Pennsylvania, and knowing a little bit about the business, I feel constrained to tell just a few things I know about this proposition.

The first thing I want to say is that when this bill was introduced I went home and I talked to a gentleman who is in the gas business in our community, a man who has made several millions of dollars out of it. I said, "Mr. Phillips, we have a bill on the Calendar down in the Senate that proposes to give the right of eminent domain to gas companies, to permit them to take properties that might be used for storing gas underground, and it is now proposed to amend the bill so that it will cover only exhausted territory; what do you think of this?" Mr. Phillips' answer was, "That would be very, very susceptible to great abuse."

Mr. President, when that word comes from a man who

is engaged in the gas business and who, naturally, would be expected to be looking after his own interests, I may say to you that it seems to me there is something very shady about this proposition.

In the second place, my knowledge of the gas business has taught me that there are several different sands in which gas may be found. You may drill down to one sand and there you may find nothing; you may go a little deeper and still find nothing; you may go on deeper into another sand and strike a well that will produce millions of feet of gas per day. No one on earth knows anything about what lies in these various strata of the rock formations and sand formations of the earth, until after they have been penetrated at any particular spot. You may penetrate one of those sands a hundred feet away from a well that is producing and get nothing; you may penetrate one of those sands a hundred feet away from a well that has been called a dry hole and get a real gusher. Under those circumstances no man can tell when land will be productive of gas.

Another thing about this that has been stated here, no one can say how far this gas is going to penetrate, and I say to you no man can know how far out he is going to have to reach in taking in properties of other people in order to protect his own interests.

Another thing let me say, gentlemen, is this, that in Western Pennsylvania at the present time there have been many gas wells drilled, wells that are capable of producing millions of feet of gas, and because the gas companies will not buy that gas it is still kept in the ground, and those wells must be plugged and the man who paid for drilling it can get nothing out of it. They say they are keeping that there for future use.

If the condition exists that has been stated here, that there is a shortage of gas which interferes with the war effort, and if I had the voice of a Caruso, I would now sing the Star Spangled Banner but I am not going to do that. If this gas is still retained there and can be sold, what use is there of bringing gas in from somewhere outside the state of Pennsylvania and storing it away?

We have been told that the reason for this is that a gas company will be able to get leases on all surrounding properties excepting the one of the mean little fellow in the middle. This mean little fellow has been played up very strongly as being the one stubborn juror, and all that sort of thing, but as a matter of fact that man has a right to protect his property, he has a right to claim as his own that which has come down to him or that which he has bought with his own money.

In connection with this proposition of taking only exhausted land, I may say to you men that there was a way whereby these people could have retained that which they once had, the right to use that property; they might have paid to the owner of that land a little rental for it and he would have been glad to let them do the thing they want to do now.

They tell us too that this man in the center, this little mean fellow, who is going to hold up all human progress by insisting on his right to own that which is his own, is going to drill a well down there and take out gas someone else has produced, someone else has put in there under his property.

No man in the world can tell you who put that gas in there, because, they do not mark it in any way, they do not identify it in any way, they simply stick it in there, and just like all other natural gas, when it comes out it will be gas, a hydro-carbon product, and it will be the same kind of gas that might have been in there naturally in the first place.

Taking all these argument and adding them all up, they simply add up to the one fact that someone wants to get something by means of a law that he could not get by means of any moral law or any other law that we know anything about.

These, I think, are reasons why I am justified for sticking up in this case for the men and women whom I believe to be the owners of these farms, and in this case I believe them to be the underdogs.

Mr. BARR. Mr. President, the gentleman from Schuylkill, Senator Watkins, was talking about something else. The wells that we are talking about are located far underground but the right of eminent domain he speaks of in connection with coal operators would be something entirely different.

I was much surprised to hear the statement of the gentleman from Butler, Senator Carr, who says he comes from that part of the country and knows whereof he speaks. The gentleman from Butler apparently does not know that you can not put a pool in a place where there is active gas, because the rock and the sand separate, and in any of those pools gas will only go in where the sands have been dried out.

I also want to ask the gentleman from Butler how he is going to protect a gas company which has one of those pools from this bad fellow we are talking about, this farm or land owner, from pumping into that pool.

I am very consistent, and you do not need to say that I am up here protecting the gas companies, because I think some of my colleagues from Western Pennsylvania know I belong to that tribe that started or instituted some of the gas rate proceedings against some of those companies and we are going through with it because we have taken an appeal from the decision of the Utility Commission to a higher court and we are still fighting for a reduction.

The gentleman from McKean, Senator Wilson, had some arguments and I can not answer them correctly right now because the bill is not before us, but when the bill is up for action tonight I hope the gentleman from McKean is here, as I will have a few words to say about his argument.

Mr. SHAPIRO. Mr. President, I am not one of those whose blood pressure goes up when the question of doing something for a utility arises. I am going to vote against this bill, and I am going to vote against it because I do not believe that these utilities should have the right of eminent domain. In looking at the record here and listening to some of these arguments, Mr. President, I greatly suspect that there is more back of this bill than appears on the surface. Maybe some other fuel companies are interested in seeing that this fuel should not be stored. I do not care about that, but it strikes me as peculiar that the same people who are objecting to giving eminent domain to these companies have not yet answered why Senate Bill No. 478 passed this Senate by a vote of 41 to 1, my vote being the only negative. That bill gives to oil companies the right of eminent domain—and the gentleman from McKean, Senator Wilson, may shake his head as often as he wants—but that bill gives to oil

companies the right to take private property by eminent domain.

I voted against that bill because I had an experience with an oil situation this last summer, and if this bill had been a law then, that oil company would have taken the land and my fee would have been ten per cent of the amount that they paid, but I put my opinion on the matter above my personal experience.

I still say, with the confusion that legitimately exists here in the Senate, with the inability to determine what you mean, whether you think gas and public utilities of this type should be publicly or privately owned—you must approach it from another angle, for we have seen all matters having to do with public utility given into the hands of public utilities—they are started off with special privileges and they must be given special privileges or they can not function. My quarrel with the utility law will never be on that score, because in my opinion that is necessary for the carrying out of the functions for which they were created, and there is no reason why anybody should get high blood pressure in this day and age because a public utility comes in and asks for a special privilege in connection with performance of the duties for which it was created.

There is a great deal of reason why we should object when public utilities attempt to get privileges beyond the necessities of their incorporated purposes and the purposes for which they were created. I am opposed to this bill, much as I would like to help my colleagues.

I think, just as they say, that the time for government by Caucus has not yet arrived but the time for treating matters of public import is here more than ever now, and it is important that this proposition should be treated like any other.

There is no necessity for eminent domain, in my opinion, because if those people in that district need this situation so much then there ought to be no reason why they can not get together reasonably and provide a means under that ground for storing the gas at a reasonable price.

If two parties are in an emergency situation, each knowing that they need the other, and they can not get together by agreement, then I am not in favor of making one party get together at the expense of the other by a law and, therefore, I shall vote against this bill.

Mr. McGINNIS. Mr. President, it seems to me that this question resolves itself down to this: if this bill passes let it do the most good for the most people. What is eminent domain? From arguments here this afternoon you would think this was the first eminent domain bill that ever passed. What does eminent domain mean? It means this, that when public interest demands something and ought to have it, private property must give way, with just compensation, certainly. Every farmer in Pennsylvania under this bill can go into the courts of Pennsylvania have his rights and his values protected to the last dollar.

It is admitted, on the other side, that this is the scientific, this is the modern way of storing gas, and who could be harmed if millions and millions of feet of gas that are needed by human souls, in homes and factories in Pennsylvania are so stored where is the harm coming to us; how are we going to be harmed and hurt by this gas that is used in many of our factories of western Pennsylvania, where they are manfacturing war goods, and in many a home for cooking purposes, and in many a home that is heated by gas, and why some poor farmer, innocent or stubborn, as he was called here, should stop a movement like that, when he is going to be paid for it—eminent domain pays every dollar of value that he can prove, and that is all he should get, and he gets it under this bill, and for us to sit here in Pennsylvania, in the Legislature, in the Senate, and simply because some farmer does not like it and is stubborn, as has been said here, to think that he can stop progress in Western Pennsylvania especially in war time, shows how little we are really thinking about winning this war and about our service to the common people of Pennsylvania.

Mr. THOMAS B. WILSON. Mr. President, I am a little ashamed to speak again on this subject but I must do so because of some things that have been said here which must be answered.

In the first place the gentleman from Philadelphia, Senator Shapiro, is not at his best when he intimates that private interests back of some of the men who are speaking may effect their judgment.

I want to say to the gentleman from Philadelphia, Senator Shapiro, that in opposing this bill I am opposing every interest I have in the world, political, personal, financial and everything else. My district is full of gas companies, my communities favor them, political leaders have asked me to vote for this, and yesterday afternoon one of the political leaders of Pennsylvania told me that the oil men were going to meet yesterday afternoon and notified me they were for this bill, and every oil man in my county, and it is full of them, told me that they were for it and asked me to vote for it—and I would not vote for it. This afternoon the secretary of the Northwestern Pennsylvania Oil Producer's Association called me up and told me what his situation was, that there had been pressure brought on him. I told him I was not going to vote for it and I want the gentleman from Philadelphia, Senator Shapiro, to know that there is nobody back in the eel grass over my shoulder looking at me, because I have been opposed to this from the start, and if anyone says anything about Caucus action, the Republican members of the Senate will bear me out that there was no one controlling or surrounding the Senator from McKean or surrounding the Republican Caucus or routing them up on this bill, and every Republican member will bear me out, because if I had kept quiet and done what was politically and financially wise for me to do, I would have gone along with this bill.

I want to say to the gentleman from Philadelphia, Senator Shapiro, that he does not comprehend what the oil bill was and what this bill is. The oil companies which were given the right of eminent domain were given it for transportation, and for transportation alone; the gas companies have it for transportation, and for transportation alone, and we have never given it to any one else for any other purpose except transportation.

Every one here is in favor of gas companies bringing gas into Pennsylvania and storing it in the gas sands. That is where we keep our oil and that is where the gas ought to be. The only difference between me and the gentlemen on the other side is that I want the gas companies to pay for it and they advocate something which, while it does not reach it, approaches a desire to steal it from the man who owns the property.

Mr. WATKINS. Mr. President, I have nothing to add excepting, as to the remarks of the gentleman from Allegheny, Senator Barr, I might say I am rather surprised today to find the Chairman of the Democratic County Committee of Allegheny County and the Secretary of the County Committee of Allegheny County both gas men but, be that as it may, giving him full credit for his knowledge of the gas business, I want to assure him that anthracite coal is not mined on the surface of the ground—you have to go down fifteen hundred or two thousand feet—and the land I was talking about was the travelways, fifteen hundred feet below the ground, carry the cars from one seam of coal to another.

I might say to both the gas and oil people here that maybe all our troubles would be solved if everyone would stick to anthracite coal.

Mr. COLEMAN. Mr. President, I would like to sum up this debate in one terse pithy sentence, by making the observation that if all of the wind used in the speeches on this particular bill were placed in a reservoir and sealed there would be no necessity for any action, because the gas problem would be solved.

Mr. JASPAN. Mr. President, may I correct my friend from Lackawanna, Senator Coleman, by saying that instead of wind he should say the gas was sealed up.

Mr. SHAPIRO. I do not want to speak further on the bill, but I do want to make a statement to my friend from McKean, Senator Wilson, and say that I did not intend to indicate—and if I did I want to correct it—that there is any particular individual back of Mr. Wilson or anybody else here. We all know that we get pressure opinions, let me put it that way, from groups and various interests, and I said I can sense in this and other bills that there may be reflected interest—maybe one industry does not want another industry to get what it wants for itself—but I did not mean to indicate anything improper and if I did I want to correct the impression that the gentleman from McKean, Senator Wilson, or anyone else voting on this particular bill, is voting because some individual wants him to vote that way.

And the question recurring,

Will the Senate agree to the motion?

The yeas and nays were required by Mr. DENT and were as follows, viz:

YEAS—33

Becker,	Farrell,	Mallery,	Thomas,
Bowers,	Geltz,	Ruth,	Tyler,
Carr,	Heyburn,	Scarlett,	Wade,
Chapman,	Homsher,	Shapiro,	Walker,
Crider,	James,	Snowden,	Watkins,
Crowe,	Jaspan,	Stevenson,	Wilson, H. I.,
Deitrick,	Jones,	Tallman,	Wilson, T. B.,
DiSilvestro,	Letzler,	Taylor,	Woodward,
Ealy,			

NAYS—13

Barr,	Gourley,	McCreesh,	Mundy,
Coleman,	Haluska,	McGinnis,	Stiefel,
Cox,	Holland,	McQuiddy,	Woodring,
Dent,			

So the question was determined in the affirmative.

REPORTS FROM COMMITTEES

Mr. HEYBURN. Mr. President, I move that the Senate do now return to the order of business of reports of committees.

Mr. WOODWARD. Mr. President, I second the motion.

The motion was agreed to.

Mr. WOODWARD, from the Committee on State Government, reported as committed, House Bill No. 839, entitled:

An Act authorizing the Commonwealth to negotiate temporary emergency loans to defray the current and other expenses of the State government during the two fiscal years, beginning the first day of June, one thousand nine hundred forty-three, evidenced by tax anticipation notes, secured by any payable from current revenues levied, assessed, collectible and accruing during such two fiscal years; defining the powers and duties of the Governor, the Auditor General and the State Treasurer in relation thereto; providing for the payment of interest on the payment of such loans, and making an appropriation.

He also, from the Committee on State Government, reported as committed, House Bill No. 936, entitled:

An Act to further amend the first paragraph of section five hundred three of the act, approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 343), entitled "An act relating to the finances of the State government; providing for the settlement, assessment, collection; and liens of taxes, bonus, and all other accounts due the Commonwealth, the collection and recovery of fees and other money or property due or belonging to the Commonwealth, or any agency thereof, including escheated property and the proceeds of its sale, the custody and disbursement or other disposition of funds and securities belonging to or in the possession of the Commonwealth, and the settlement of claims against the Commonwealth, the resettlement of accounts and appeals to the courts, refunds of moneys erroneously paid to the Commonwealth, auditing the accounts of the Commonwealth and all agencies thereof; of all public officers collecting moneys payable to the Commonwealth, or any agency thereof, and all receipts of appropriations from the Commonwealth and imposing penalties; affecting every department, board, commission, and officer of the State government, every political subdivision of the State, and certain officers of such subdivisions, every person, association, and corporation required to pay, assess, or collect taxes, or to make returns or reports under the laws imposing taxes for State purposes, or to pay license fees or other moneys to the Commonwealth, or any agency thereof, every State depository and every debtor or creditor of the Commonwealth," by requiring cash payment of certain refunds due from the Commonwealth, and making an appropriation to the Board of Finance and Revenue for such purposes.

Mr. WALKER, from the Committee on State Government, reported as committed, House Bill No. 1074, entitled:

An Act authorizing the Department of Property and Supplies with the approval of the Governor and the Board of Trustees of Allentown State Hospital to acquire a certain tract of land for the use of said hospital and making an appropriation therefor.

He also, from the Committee on State Government, reported as committed, House Bill No. 1088, entitled:

An Act to amend sections one and two of the act, approved the seventh day of August, one thousand nine hundred forty-one (P. L. 887), entitled "An act authorizing the Department of Property and Supplies, with the approval of the Governor and the Department of Welfare, to acquire certain land adjacent to and for the use of the Scranton State Hospital, providing for the improvement and use thereof, authorizing the City of Scranton to pay the costs of such improvements in whole or in part, and making an appropriation," further providing

as to the improvement and use of the land acquired under authority of said act.

Mr. FARRELL, from the Committee on Public Health, reported as committed, House Bill No. 721, entitled:

An Act to amend Section 6 of the Act approved the third day of June one thousand nine hundred and fifteen (P. L. 954) entitled "An act to protect the public health and safety: By regulating the erection, alteration, repair, use, occupancy, maintenance, sanitation, and condemnation of dwellings, two-family dwellings, rooming-houses, and tenements; by regulating the use, maintenance, and sanitation of the ground surrounding the same, the adjoining buildings, and all vacant land, in cities of the first class; providing for their inspection, the abatement of nuisances, the vacating of uninhabitable houses, and the filing of liens; creating a division of Housing and Sanitation; and providing penalties for violations of the provisions thereof, and repealing all laws inconsistent therewith" by providing for certain exceptions to the applicability of the provisions of that section.

Mr. TALLMAN, from the Committee on State Government, re-reported as committed, Senate Bill No. 138, entitled:

An Act to amend sections six hundred four, six hundred five and six hundred seven, and to further amend section two thousand four hundred seven of the act, approved the ninth day of April, one thousand nine hundred and twenty-nine (P. L. 177), entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments, boards, commissions and officers thereof, including the boards of trustees of State Normal Schools, or Teachers Colleges; abolishing, creating, reorganizing or authorizing the reorganization of certain administrative departments, boards, and commissions; defining the powers and duties of the Governor and other executive and administrative officers, and of the several administrative departments, boards, commissions, and officers; fixing the salaries of the Governor, Lieutenant-Governor, and certain other executive and administrative officers; providing for the appointment of certain administrative officers, and of all deputies and other assistants and employes in certain departments, boards, and commissions; and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments, boards and commissions shall be determined," by further defining the duties of the Department of Internal Affairs

recalled from the Governor.

POINT OF INFORMATION

Mr. DENT. Mr. President, I rise on a point of information.

The PRESIDENT. The gentleman from Westmoreland may proceed.

Mr. DENT. Mr. President, I thought I understood that the bill just reported from committee was a Senate bill; is that right.

Mr. PRESIDENT. It was.

Mr. DENT. I wish, Mr. President, when a bill is reported from committee, it could be explained whether the bill being reported is on second reading or whether it was returned from the Governor, or whether it is a House bill, because as I understand it we are quitting some time this week, and I would not like to see the Calendar cluttered up with Senate bills when it would be impossible to pass them before adjournment.

Mr. TALLMAN. Mr. President, in answer to the inquiry of the gentleman from Westmoreland, Senate Bill No. 138, which I just reported from the Committee on State Government, is a Senate bill which was recalled from the Governor and which previously has passed both Houses.

RECESS

Mr. HEYBURN. Mr. President, I move that the Senate do now take a recess until 9:00 o'clock p. m.

Mr. TALLMAN. Mr. President, I second the motion.

The motion was agreed to.

AFTER RECESS

The PRESIDENT. The time of recess having elapsed the Senate will be in order.

BILLS ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 526, as follows:

An Act making an appropriation to the Pennsylvania Department of Highways

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The sum of ten thousand dollars ($10,000) is hereby appropriated to the Department of Highways of the Commonwealth of Pennsylvania for the two fiscal years beginning the first day of June one thousand nine hundred and forty-three for the payment of salaries wages materials and other incidentals for the construction improvement grading and planting of roads paths and parking areas within the Daniel Boone Homestead property belonging to and adjoining property of the Pennsylvania Historical Commission and for other incidental and contingent expenses

Section 2 This act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—40

Becker,	Ealy,	Letzler,	Stiefel,
Bowers,	Farrell,	Mallery,	Tallman,
Chapman,	Geltz,	McCreesh,	Taylor,
Coleman,	Haluska,	McGinnis,	Thomas,
Cox,	Heyburn,	McQuiddy,	Tyler,
Crider,	Holland,	Ruth,	Wade,
Crowe,	Homsher,	Scarlett,	Walker,
Deitrick,	James,	Shapiro,	Watkins,
Dent,	Jaspan,	Snowden,	Woodring,
DiSilvestro,	Kephart,	Stevenson,	Woodward,

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 531, as follows:

An Act making an appropriation to the Pennsylvania State College to advance the tobacco interest of this Commonwealth

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The sum of ten thousand dollars ($10,000) is hereby specifically appropriated to the Pennsylvania State College for the purpose of advancing the interests of tobacco growers in this Commonwealth by experimental work with a view of improving existing types of tobacco and shade grown wrappers and other nicotine bearing plants of overcoming diseases destructive to tobacco and other nicotine plants of perfecting processes of curing fermentation sweating and packing of tobacco and of securing and using correct types of fertilizers

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—40

Becker,	Ealy,	Letzler,	Stiefel,
Bowers,	Farrell,	Mallery,	Tallman,
Chapman,	Geltz,	McCreesh,	Taylor,
Coleman,	Haluska,	McGinnis,	Thomas,
Cox,	Heyburn,	McQuiddy,	Tyler,
Crider,	Holland,	Ruth,	Wade,
Crowe,	Homsher,	Scarlett,	Walker,
Deitrick,	James,	Shapiro,	Watkins,
Dent,	Jaspan,	Snowden,	Woodring,
DiSilvestro,	Kephart,	Stevenson,	Woodward,

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 532, as follows:

An Act making an appropriation for aid to free public non-sectarian county libraries and for the purchase and transportation of books

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The sum of sixty thousand dollars ($60,000) or so much thereof as may be necessary is hereby specifically appropriated to the Department of Public Instruction for the two fiscal years beginning June first one thousand nine hundred and forty-three for aid to free public non-sectarian county libraries and for the purchase and transportation of books to be used for demonstration and circulation purposes to carry into effect the provisions of the act approved the twenty-third day of June one thousand nine hundred and thirty-one (P. L. 1203) entitled "An act providing aid by the Commonwealth to free public non-sectarian county libraries authorizing the Department of Public Instruction to provide books for demonstration purposes to encourage the establishment of such county libraries and making an appropriation"

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—40

Becker,	Ealy,	Letzler,	Stiefel,
Bowers,	Farrell,	Mallery,	Tallman,
Chapman,	Geltz,	McCreesh,	Taylor,
Coleman,	Haluska,	McGinnis,	Thomas,
Cox,	Heyburn,	McQuiddy,	Tyler,
Crider,	Holland,	Ruth,	Wade,
Crowe,	Homsher,	Scarlett,	Walker,
Deitrick,	James,	Shapiro,	Watkins,
Dent,	Jaspan,	Snowden,	Woodring,
DiSilvestro,	Kephart,	Stevenson,	Woodward,

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 541, as follows:

An Act to further amend subsection fourteen of section six hundred two of the act approved the twenty-ninth day of November one thousand nine hundred and thirty-three (P. L. 15 1933-34) entitled as amended "An act to regulate and restrain the sale manufacture possession transportation importation traffic in and use of alcohol and alcoholic and malt or brewed beverages conferring powers and imposing duties upon the Pennsylvania Liquor Control Board and its agents the Department of Public Instruction other officers of the State government courts and district attorneys authorizing the establishment and operation of State stores for the sale of such beverages not for consumption on the premises and the granting of licenses subject to local option to sell such beverages for consumption on and off the premises forbidding importation or bringing of such beverages into the State except as herein provided prohibiting certain sales or practices in connection with and transactions in such beverages by licensees and others providing for the forfeiture of certain property making disposition of the receipts from State stores and of fees and imposing penalties" exempting certain coin operated motion picture machines from provisions of the act requiring special permits

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section six hundred two subsection fourteen of the act approved the twenty-ninth day of November one thousand nine hundred and thirty-three (P. L. 15 1933-34) entitled as amended "An act to regulate and restrain the sale manufacture possession transportation importation traffic in and use of alcohol and alcoholic and malt or brewed beverages conferring powers and imposing duties upon the Pennsylvania Liquor Control Board and its agents the Department of Public Instruction other officers of the State government courts and district attorneys authorizing the establishment and operation of State stores for the sale of such beverages not for consumption on the premises and the granting of licenses subject to local option to sell such beverages for consumption on and off the premises forbidding importation or bringing of such beverages into the State except as herein provided prohibiting certain sales or practices in connection with and transactions in such beverages by licensees and others providing for the forfeiture of certain property making disposition of the receipts from State stores and of fees and imposing penalteis" as reenacted and amended by the act approved the sixteenth day of June one thousand nine hundred and

thirty-seven (P. L. 1762) is hereby further amended to read as follows

Section 602 Unlawful Acts

* * * *

(14) It shall be unlawful for any licensee except club licensees to permit in any licensed premises or in any place operated in connection therewith dancing theatricals or floor shows of any sort or moving picture exhibitions [of any sort] other than such as are exhibited through machines operated by patrons by the deposit of coins which project pictures on a screen not exceeding in size twenty-four by thirty inches and which forms part of the machine unless the licensee shall first have obtained from the board a special permit to provide such entertainment or for any licensee under any circumstances to permit in any licensed premises any lewd immoral or improper entertainment regardless of whether a permit to provide entertainment has been obtained or not The board shall have power to provide for the issue of such special permits and to collect a fee for such permits equal to one-fifth of the annual license fee but not less than twenty-five dollars ($25) All such fees shall be paid into the State Stores Fund No such permit shall be issued in any municipality which by ordinance prohibits amusements in licensed places Any violation of this clause shall in addition to the penalty herein provided subject the licensee to suspension or revocation of his permit and his liquor license

Section 2 This act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—39

Becker,	Ealy,	Letzler,	Tallman,
Bowers,	Farrell,	Mallery,	Taylor,
Chapman,	Geltz,	McCreesh,	Thomas,
Coleman,	Haluska,	McGinnis,	Tyler,
Cox,	Heyburn,	McQuiddy,	Wade,
Crider,	Holland,	Ruth,	Walker,
Crowe,	Homsher,	Scarlett,	Watkins,
Deitrick,	James,	Snowden,	Woodring,
Dent,	Jaspan,	Stevenson,	Woodward,
DiSilvestro,	Kephart,	Stiefel,	

NAYS—1

Shapiro,

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

BILL OVER IN ORDER

Mr. HEYBURN. Mr. President, I ask unanimous consent that House Bill No. 578, on third reading, entitled:

An Act relating to chattel mortgages on livestock, poultry, farm machinery, farm equipment and crops, grown, growing or to be grown designating the operation and effect of the lien of such mortgages; providing for the filing, indexing and docketing of such mortgages and related instruments in prothonotaries' offices and prescribing prothonotaries' fees, providing for the filing in Pennsylvania of similar lien instruments originally filed or recorded in other states; regulating the assignment, release, satisfaction and extension of the lien of such mortgages; prescribing methods of foreclosure; defining defaults and violations; and fixing penalties.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON THIRD READING

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 589, entitled:

An Act to further amend section four hundred two of the act, approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 343), entitled "An act relating to the finances of the State government; providing for the settlement, assessment collection, and lien of taxes, bonus, and all other accounts due the Commonwealth, the collection and recovery of fees and other money or property due or belonging to the Commonwealth, or any agency thereof, including escheated property and the proceeds of its sale, the custody and disbursement or other disposition of funds and securities belonging to or in the posession of the Commonwealth, and the settlement of claims against the Commonwealth, the resettlement of accounts and appeals to the courts, refunds of moneys erroneously paid to the Commonwealth, auditing the accounts of the Commonwealth and all agencies thereof, of all public officers collecting moneys payable to the Commonwealth, or any agency thereof, and all receipts of appropriations from the Commonwealth and imposing penalties; affecting every department, board, commission, and officer of the State government, every political subdivision of the State, and certain officers of such subdivisions, every person, association, and corporation required to pay, assess, or collect taxes, or to make returns or reports under the laws imposing taxes for State purposes or to pay license fees or other moneys to the Commonwealth, or any agency thereof, every State depository and every debtor or creditor of the Commonwealth" by providing for audit of the Department of the Auditor General and imposing certain duties upon the Governor of the Commonwealth

And said bill having been read at length the third time,

On the question,

Will the Senate agree to the bill on third reading?

Mr. DENT. Mr. President, I desire to interrogate the gentleman from Philadelphia, Senator Kephart.

The PRESIDENT. Will the gentleman from Philadelphia permit himself to be interrogated?

Mr. KEPHART. I will, Mr. President.

Mr. DENT. Will the gentleman from Philadelphia tell the Senate the difference between this bill and the bill recently passed compelling the accounts of the Auditor General to be under the supervision of the Governor? What is the difference between this bill and the bill which we recently passed and is now up for consideration in the House?

Mr. KEPHART. Mr. President, I yield the floor to the gentleman from Delaware, Senator Heyburn, for the purposes of answering the interrogation of the gentleman from Westmoreland.

Mr. HEYBURN. Mr. President, the other bill amended the Administrative Code and this bill proposes to make the same amendment to the Fiscal Code, as I understand.

Mr. DENT. In other words, Mr. President, as I understand it, after slapping him once and now he is down you want to kick him.

Mr. HEYBURN. No, Mr. President.

Mr. DENT. I just want to say, Mr. President and members of the Senate, that I notice that there are two bills, Senate Bill No. 589 and Senate Bill No. 590, one following the other. One bill, I believe, deals with the Auditor General and the next one deals with the Secretary of Internal

Affairs. I am very much interested, as a citizen of Pennsylvania, to watch the action on this bill and then to watch the action on the next one.

Mr. SHAPIRO. I suggest to the gentleman from Delaware that if that is the intent I can not understand that the one bill amends the Fiscal Code and the other amends the Administrative Code, because they are two different bills. Senate Bill No. 165, which is, I think now in the House, provides that the Governor shall have the right to appoint certified public accountants to audit the accounts of the Auditor General. This bill provides that the Governor shall have the right to audit the affairs of the Auditor General, which is an entirely different matter.

I suggest that you are dealing with two different matters and that they are not the same bills. I have examined both bills and I would like to call the attention of the gentleman from Delaware the fact that I read both bills tonight, I read Senate Bill No. 165, and I am suggesting that if you read Senate Bill No. 165, you will find that it is an entirely different bill. The gentleman keeps shaking his head, but I have just gotten through reading the bill and one deals with appointment by the Governor of the Commonwealth of Pennsylvania of certified public accountants to audit the accounts of the Auditor General, and this bill on the Calendar tonight deals with an amendment providing for the Governor to audit the affairs of the Auditor General. That is the exact wording—"affairs of the Auditor General."

Mr. HEYBURN. Mr. President, this bill makes necessary amendments to the Fiscal Code. It is a companion bill to Senate Bill No. 165.

However, I have no objection to the bill going over in order temporarily, for the purpose of further study.

And the question recurring,

Will the Senate agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

BILL OVER IN ORDER

Mr. HEYBURN. Mr. President, I move that Senate Bill No. 589, on final passage, go over in its order, temporarily.

Mr. WALKER. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

Mr. DENT. Mr. President, I object to this dilly-dallying on the part of the majority. We were accused here of attempting to filibuster, at which time it was said that we held up legislation. The time has now come when it is twenty minutes to ten o'clock; today we were supposed to meet at three o'clock and we met at five; yesterday we were supposed to meet at three o'clock and again we met at five o'clock. There is no filibuster on the part of the Democrats, as you know. If the necessary votes are not over there at this time, I suggest that we take bills up and vote on them and quit passing bills over in order to keep the Calendar up as it is today.

I ask my colleagues to vote "no" on the motion that this bill go over in order.

Mr. HEYBURN. Mr. President, the Senator from Philadelphia, Mr. Shapiro, raised the question that this bill is not a companion bill to Senate Bill No. 165. Therefore, I move that this bill go over in order so that the two bills can be checked. It is at the suggestion of the gentleman from Philadelphia, Senator Shapiro.

Mr. SHAPIRO. That was not my suggestion, Mr. President. The gentleman should not put words in my mouth.

And the question recurring,

Will the Senate agree to the motion?

The motion was agreed to.

BILL RECOMMITTED

Mr. HEYBURN. Mr. President, I move that Senate Bill No. 590, on third reading, entitled:

An Act to amend section six hundred four, section six hundred five, and to add section six hundred eight to the act, approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177), entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments, boards, commissions, and officers thereof, including the boards of trustees of State Normal Schools, or Teachers Colleges; abolishing, creating, reorganizing or authorizing the reorganization of certain administrative departments, boards, and commissions; defining the powers and duties of the Governor and other executive and administrative officers, and of the several administrative departments, boards, commissions, and officers; fixing the salaries of the Governor, Lieutenant-Governor, and certain other executive and administrative officers; providing for the appointment of certain administrative officers, and of all deputies and other assistants and employes in certain departments, boards, and commissions; and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments, boards and commissions shall be determined", by further defining the duties of the Auditor General, the State Treasurer and the Secretary of Internal Affairs, and requiring fiscal reports to be filed with the Governor by all administrative departments, boards, and commissions.

be recommitted to the Committee on State Government.

Mr. WALKER. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

Mr. DENT. Mr. President and members of this Senate, in my remarks a minute ago I called attention to the fact that we had a bill on the Calendar, Senate Bill No. 589, which deals with the Auditor General of the state of Pennsylvania, an elected official of the state of Pennsylvania, elected to perform certain duties. That man happens to be a Democrat by the grace of God and some votes.

Senate Bill No. 590 deals with the same subject, except that it deals with a Republican office holder, Mr. William Livengood, and so, in order not to place the same imposition upon the Republican Secretary of Internal Affairs, the majority is now sending that bill back to committee. I anticipated that action. Why? Because a mistake was made by the majority when the bill was reported to the floor.

Mr. President, I know how Mr. Livengood feels and I know Mr. Ross feels the same way; he believes that he was elected to office in good faith by the people of Pennsylvania, as I said, to perform certain duties. Mr. Livengood feels the same way. We will vote with you to send this bill back to committee because I believe that is where it belongs, but we also believe that if you are honest,

you ought to send Senate Bill No. 589 back to committee because it deals with the very same subject, it deals exactly with interfering with efficient administration of an elected official of the state of Pennsylvania.

I want to say to you members of the Senate here that for the last eleven years I have read in the newspapers and heard over the radio, throughout this country of ours, about dictatorial powers being given to the President of the United States by a subservient Congress. I call your attention to the powers being given to the present Governor of this state by a subservient House and Senate. For years here, while we were in power, I was called a rubber stamp, but I never saw a more absorbent piece of rubber in my life than I have seen here now.

I want to say to you members of the Republican Party that when you say to the Auditor General of the state of Pennsylvania, that all of his affairs and all of his duties shall now come under the Governor of the Commonwealth of Pennsylvania, contrary to the duties as they are imposed by the Election Code—and when you happened to report out Senate Bill No. 590, which gives the same dose of bitter medicine to the Secretary of Internal Affairs, you rise up and send it back to committee—I say to you that you are playing partisan politics to the nth degree.

Mr. WATKINS. Mr. President and members of the Senate, I think that there is a real reason for this bill, and the real reason is the difference in the way the Republican members of the Senate deal with the Auditor General and the Department of Internal Affairs. Governor James in his last message to a Joint Session of the Legislature, accused the Auditor General of the Commonwealth of Pennsylvania of misdemeanors in office, and so far nothing has been done about it, and if I were a member of the Democratic Party, one of the first things I would insist upon would be a full investigation of the office of Auditor General in order to clear the skirts of the Democratic Party.

With regard to the Auditor General of the Commonwealth of Pennsylvania, and in further support of this bill, I want to call to the attention of the Senate an editorial appearing in the Philadelphia Record, dated February 18, 1942, which reads as follows:

"Is The Nomination For Sale?

"Swapping jobs for votes is the oldest political trick in the bag.

"Few politicians, however, have ever done it as brazenly and on as wholesale a scale as Auditor General F. Clair Ross. Ross proposes to be the Democratic candidate for Governor even if he has to hire half the registered voters of Pennsylvania.

"With returns from outlying districts still coming in, the count shows that Ross now has:

"Forty-four Democratic State Committee members (out of 113) on his official payroll.

"Thirty-six Philadelphia Democratic ward leaders (out of 51) on the same official payroll.

"The only limits to this kind of campaigning are the State Treasury and public patience.

"Public patience long since became exhausted with Republicans who operated for a century on just those lines. It is the kind of political job bartering for which Ross used to denounce the GOP in lofty language.

"It may be possible for the Auditor General to purchase the Democratic nomination this way—with taxpayers' funds—. If the truly liberal elements of the party do not block him, he may have not only the committee members, but their sisters, their cousins, and their aunts on the State payroll before the deadline.

"But that kind of a victory for Ross in the primary means almost certain defeat in the general election. If the Democratic party is to offer Pennsylvania voters nothing more than pie-counter nominees—

"The independent voters will shun the polls and the normal GOP machine majority will again swamp the normal Democratic machine minority."

Mr. President, that prediction came true. Of course, the purpose of this bill is to make sure that the office of the Auditor General in the future is checked up by proper audit so that this kind of conduct can no longer go on in the Commonwealth.

The Philadelphia Record is not the only outstanding organ which called attention to this matter. Mr. Arthur Colegrove, Secretary of Property and Supplies during the Earle administration, in an editorial in the Corry Evening Journal appearing May 6, 1942, said this:

"This is not the first time that campaigns for public office have been financed with state funds—with the taxpayers' money.

"But never before in the history of Pennsylvania politics has such worker-buying with state funds been conducted on such a wholesale scale.

"Every active Democrat knows that Ross agents for months past have been operating in every county in the state contacting every available potential vote-getter. Those worthwhile who agreed to support Ross were immediately put to work rounding up votes for Ross. Their pay came not from the Ross Campaign Committee but out of State Funds and Inheritance estate fees in the form of state salaries for unneeded jobs."

Senator Guffey made a similar charge during the primary campaign. In a letter sent to prominent Democrats throughout the state Senator Guffey said this:

"Ross secured the State Committee indorsement with jobs. He is endeavoring to secure the nomination with jobs.

"Should he be nominated it is reasonable to expect he will be called upon by his Republican opponent to justify the many high salary jobs created since and prior to the campaign and the using of these jobs to secure the support of individuals in every county in this State.

". . . . . not only will he have to explain his unprecedented payroll increases to the taxpayers but to get back within his budget there must be wholesale lay-offs in his office before the general election.

"The Ross campaign is largely a payroll proposition."

POINT OF ORDER

Mr. SHAPIRO. Mr. President, I rise on a point of order.

The PRESIDENT. The gentleman from Philadelphia will proceed.

Mr. SHAPIRO. Mr. President, I want to hear what the gentleman from Schuylkill has to say, he is entitled to be heard, just as much as I want to be heard. I want the privilege of answering the remarks of the gentleman from Schuylkill, but I can hardly hear what he is saying.

Mr. WATKINS. Mr. President, it is strange if the gentleman from Philadelphia can not hear me. Does the

gentleman from Philadelphia want me to again read what Senator Guffey said?

The PRESIDENT. The gallery will come to order.

Mr. BARR. Mr. President, I want the same thing to happen when we have on the floor. The gentleman from Allegheny, Senator Geltz and Senator Walker, needle me when I am on the floor.

The PRESIDENT. The Chair is attempting to keep order. The gallery will come to order and keep order; otherwise, the galleries will be cleared.

Mr. WATKINS. Mr. President, before proceeding I will tell the gentleman that I enjoy needling, I do not mind it and if he wants to do it, let him go right ahead.

Mr. President, here is another thing Senator Guffey said—I will say it again, in parenthesis—

"Ross secured the state committee indorsement with jobs. He is endeavoring to secure the nomination with jobs.

"Should he be nominated it is reasonable to expect he will be called upon by his Republican opponent to justify the many high salary jobs created since and prior to the campaign and the using of these jobs to secure the support of individuals in every county in this state."

Mr. President, I read this only for the purpose of calling attention of the men on the other side to the fact that charges have been made against this Auditor General by a former Governor of the Commonwealth of Pennsylvania. So far as the Republican Party is concerned, we are content to make sure that it does not happen again and that the accounts of the Auditor General, regardless of whether he is Republican or Democrat, are properly audited so that he does not use his office to create many high salaried jobs either to get a nomination or to get an election.

In conclusion, Mr. President, I just want to say again that if I were a member of the Democratic Party, the most insistent piece of legislation I would have advocated in this Session would have been a full and complete investigation of the office of Auditor General, so that he, his office and the party to which he belongs and through which he was a candidate for the highest office in this Commonwealth, would be cleared forever.

Mr. DENT. Mr. President, it seems to be a favorite trick every time we have a piece of legislation that is particularly obnoxious to members of both sides, that they dig up editorials out of the Philadelphia Record or a statement by Senator Guffey or a statement by somebody else, that some Democrat may have made.

How would the men on the other side feel if I dug up editorials or statements made by Senator Davis against Governor Martin, how would you feel if I dug up charges made by—

Mr. BARR. Mr. President, may we have order? I can not hear the gentleman.

Mr. DENT. Never mind, Mr. President, I will get order. Mr. President, I want to say that during the years I have been here I have learned that there are a few men who hide the shallowness of their opinion behind a heckling mood; I have watched certain men in this Senate, every time a Democrat gets up, heckle him and I might say whimper and make remarks while he is talking—we do not object—but the minute one of their members gets up we are supposed to remain quiet in our seats. We do not mind that, Mr. President, because we know we are in the minority, but we are a minority that knows its rights and we will have those rights.

I do not object to the gentleman from Schuylkill, Senator Watkins, reading editorials. In the primaries, I was against Mr. Ross, but that does not give me the right to slap Mr. Ross around, it does not give me the right to slap any elected official of the state of Pennsylvania around. Governor Martin is now our Governor but that does not give me the right to air here in the Senate of Pennsylvania charges leveled against him—which incidentally by some reasoning might have implicated the fine gentleman who is the Lieutenant-Governor of this state—we do not believe in that kind of politics.

You have no reasonable excuse for placing upon the Auditor General of the Commonwealth of Pennsylvania certain restrictions and impositions that you will not place upon any other elected official of the state.

Why do you not include all the elected officers of the state in this particular Gestapo movement that you are starting here? I call it a Gestapo movement because you do not even restrict yourselves to the expenditures of the Auditor General, because by an amendment inserted in the House you go into his private life, you go into every private deed that man has performed, in or out of office, by saying you can investigate and put under the power of the Governor of the Commonwealth every affair of the Auditor General. That might be all right, that might be smart politics. We know that we are in the minority and we know that you are going to rip every job out of our hands that you possibly can, and we are submitting to that, submitting to it because we believe that it is the way you think you can thrive.

I want to say to you men that we did not have any offices in the state, we did not have any jobs in the state of Pennsylvania, and the people, aroused, by the degredation of the Republican Party, elected a Democratic Governor, and they will do it again when they sum up the issues of this particular session and the votes cast for and against the common people.

I am not fearful of the jobs you take, but I do not want you to blame the Philadelphia Record or Senator Guffey for your actions. You know that Senator Guffey's statements did not influence you in your action, because if Senator Guffey's statements could influence you in your actions, gentlemen, you would pass some labor legislation, you would dig down into that musty hole and pull out some of the bills that would benefit the working people of this Commonwealth; you would dig down and sweep aside the cobwebs off the bill that would give unemployment compensation to its fullest amount to every soldier when he comes home; you would dig down and sweep aside the cobwebs and bring out the bill that would pay partial unemployment compensation to men who will be employed one or two days a week when the war is over and industry is readjusting itself to meet the peace time needs of this country; you would reach down into that cellar and pull out the bills that mean something to every man and woman in the state of Pennsylvania. Senator Guffey would approve of that too, since you are so solicitious about taking care of Senator Guffey's needs.

And, Mr. President, if you want to please the Philadelphia Record, then you should not have passed the Farrell Bill last week, because they were against it, but you know that the only time you use the Philadelphia

Record or Senator Guffey or any other Democrat is when it suits your purpose. Then the devil quotes the devil for his own needs.

Mr. SI[illegible]O. Mr. President, I am sorry to interrupt this peaceful party that we are having, but I am talking on legislation, and I very frankly say I would much rather be somewhere else.

I am quite sure that I am not going to get worked up about the fact that somebody said that Mr. Ross made political appointments—I am sure he did—and if the political appointments were made to the extent to which the Philadelphia Record referred, I think that was wrong. I think that the time may come when that will be stopped.

I also think it is wrong when the Republican Party in Philadelphia, on the Registration Commission, which is to register Democrats and Republicans alike, has out of 112 employes, 52 committeemen. I think that is wrong because we found one of those committeemen last month who was dismissed because he was illegally registering people in his district or in other districts. That is what happens when Mr. Ross appoints people who should not be appointed, and that is also what happens when Mr. "X" Republican appoints people who should not be appointed to office.

I made the statement four weeks ago that the Governor of this Commonwealth, before he retired, had made some very serious charges against Mr. Ross, and it does not lie in the mouths of the Republicans now to say that we should introduce a resolution. I said that the Majority Party has the power and should, if they believe those charges, introduce a resolution to investigate Mr. Ross.

I said then, and I repeat now, that if Mr. Ross or any other Democrat or Republican, while I am in this Senate, has committed acts which are a violation of his oath, I will be very happy to vote for his impeachment. I repeat it now because I mean it, but I also point out to this Republican controlled Senate that instead of investigating Mr. Ross and instead of showing that he did use a considerable amount of his money, as they charged and as the Governor said, for political purposes—and therefore certainly he was not entitled to any compliments from this organization—yet the House and Senate practically unanimously gave him a deficiency appropriation of $175,000.

Mr. President, the two things are inconsistent. If I were the Governor of Pennsylvania, before I would have agreed to give Mr. Ross another five cent piece, I would have had an investigation. I might have said in the end "there is nothing we can do about it and we have to pay it," but I certainly would not have given him the very appropriation which Governor James said Mr. Ross was going to ask for.

Governor James told us, in the speech the gentleman from Schuylkill, Senator Watkins, was reading from—he told us in that very same speech—that this man was going to be short of money and was going to ask for additional funds.

I want to take this opportunity of saying that I did not move or suggest that the bill which raised this question go over in order. I called attention to the fact that there were two different bills, and the excuse was then given by the gentleman from Delaware, Senator Heyburn, that they had to have a second amendment in order to conform with the first amendment to the Fiscal Code. That is not necessary at all. The first bill is complete in itself. It gives the Governor the right to make the audits, and I do not object to the Governor making the audits; I do not care how many times you audit the accounts of this man, but I say it is done for political purposes, and you can not deny that, whether you make an audit or not. If I were the Auditor General, I would not complain, but say, as I have said before, that it is rather unusual to set up a watchman to watch the watchman, and before you get through you do not know where you will end with that kind of a proposition.

This bill is a necessary bill in my opinion, and should not go back to committee, because this bill brings all elected officers in conformity with appointed officers and only brings the Secretary of Internal Affairs on a par with the other two officers, the Auditor General and the State Treasurer, and provides that those gentleman shall all furnish the Governor of the Commonwealth with a report as to what their expenses for the biennium will be, so that, in accordance with the bill as I see it, the Governor may have an opportunity to know what they will want.

I do not see anything wrong with the bill, and I do not care whether the bill passes or not, because we have gotten along many years without it, but I do not think there will be any great harm to the Commonwealth if it were passed.

I am not making a fuss on this bill, but I am saying to you that I don't think it comes with good grace for you to say to us that we ought to investigate the Auditor General. You have the power to do it. I welcome it. Put a resolution in and I will be glad to vote for it, because, I repeat, I agree with everything the Philadelphia Record says and I want to say this, which I said once before to the Governor of this Commonwealth and I would like to say it to you, it is true that when the Republicans are in power they grab the jobs and hate the Democrats, and it has also been true that when the Democrats were in power they grabbed the jobs and hated the Republicans, and it has also been proven to be true that Mr. Hitler comes along because of that and he destroys the democracies, and I suggested to the Governor, as I suggest to you now, you have the power and the opportunity; let us assume that what we did was wrong and what you did was wrong, unless we all agree to that, recognize it and understand it was because of that that we have this war, we will never prevent wars.

I do not agree with my colleagues on my side, that they shall resent the fact that you have been doing what we have been doing when we were in power, and when I say "we," I have to say "we," because I was a member of that party. I do not agree with it, I do not think it is necessary, but let us assume we made those mistakes, unless we see the consequences, the real consequences of the mistakes, we will never get anywhere and we will never establish a democracy.

It is time that those of us who want to do a job should do it; it is time that we should recognize the fact that the gentleman from Schuylkill, Senator Watkins, can not get any credit by getting up and pointing to the fact that Mr. Ross made political appointments; he can not do that, when you at the same time are taking good care to see that the political appointments that were made by us, true, should no longer be made by the Democrats, but should now be made by the Secretary of Revenue, and with all due respect to him, a man I know very well and

with whom I have no quarrel, I say he will do exactly what Mr. Ross did, he will make political appointments too. You transfer the inheritance tax collection to him and he will do the same thing that Mr. Ross did.

I am standing here and saying to you, admit both sides to be wrong, and they acknowledge that is so, because this has been going on for years, not only in Pennsylvania but in every state in this nation and in every nation in this world, admit that is the cause that has brought about this catastrophe, and then maybe we can do something about it, but do not stand up here and tell me the Democrats did this or that, when the Republicans are doing it now, everybody knows that, and no one gets any credit for pointing it out but you do get credit for acknowledging it, and I might also say you have the majority power and you can do something about it, start it now, and then no one else will have the chance to do it again.

Mr. McGINNIS. We Democrats well remember the smear campaign and investigation of the Earle Administration, and I want to say here that that was the cleanest and most honest and best government this state ever had. $300,000 of the taxpayers money was used. They rented a building down here and filled it with investigators. For a year they pried into every office in Pennsylvania, every contract that was made during the Earle Administration, and they did find one poor man up in Luzerne County, and convicted him for doing something or not correcting something that the Republicans had done for forty years in Luzerne County—during the Pinchot and Sproul administrations they did exactly the same thing in Luzerne County—but outside of that they did not find a thing wrong in Pennsylvania.

Here now I want to say to you tonight, Mr. President, that Clair Ross has been the best Auditor General this state has ever had, and the record shows it, by the collections that have been made; the record shows that there has been no favoritism in that office, the poor taxpayers of this state and the rich taxpayers of this state have got to pay their taxes alike. Mr. Ross has collected more delinquent taxes from taxpayers who have been favored in the past than any other Auditor General, and I regret that in the midst of a war this smear campaign is starting again.

I heard Governor James make that speech. He was perhaps a little disgusted because he had to leave the Capital, a little grouchy, and I heard those wild charges, but I have not seen them followed up. I do not know what the game is. Are you trying to dig up something with another investigation, or grand jury investigation, or what not, and smear honest men? You may get away with that; I think you did in the Earle Administration; you have got the people of Pennsylvania scared of these grand jury investigations, with a building here in Harrisburg filled with investigators, snoopers and snipers that investigate, as I said, every contract that was made and every act that was made during the Earle Administration and now here, as I say, Clair Ross, one of only two Democrats left in state offices here, to think that in the midst of a war we can not go on with war legislation here instead of digging up these quarrelsome and mean and smeary thing.

Mr. HEYBURN. Mr. President, of course, a great deal of the debate which has been carried on here has been out of order, as most of it refers to a bill that has gone over in order and is not now before us.

That bill is a companion bill to another bill which passed the Senate. It is not aimed at smearing anybody, Clair Ross or anyone else. It does provide that at any time in the future the Governor may employ auditors to audit the Auditor General.

In connection with Senate Bill No. 590, one of the gentlemen on the other side said that the reason this bill was being recommitted was that it pinched Secretary Livengood, who is a Republican, and I just want to tell the gentlemen on the other side that they do not understand the bill. Secretary Livengood at the present time is under the budget control of the Governor and this bill today brings under the same control the Auditor General and the State Treasurer.

There was quite some demand on the part of friends of both the Auditor General and the State Treasurer that this thing be done. There are two schools of thought on this matter. One is that the budget officer become the Controller to control the expenditures of the three elected offices, the Secretary of Internal Affairs, the Auditor General and the State Treasurer. That is the case now, so far as the Secretary of Internal Affairs is concerned, and what this bill does is to bring under the same control the Auditor General and the State Treasurer.

I say, Mr. President this bill in no way affects Secretary of Internal Affairs Livengood.

Mr. SHAPIRO. I desire to interrogate the gentleman from Delaware, Mr. Heyburn.

The PRESIDENT. Will the gentleman from Delaware permit himself to be interrogated?

Mr. HEYBURN. I will, Mr. President.

Mr. SHAPIRO. Will the gentleman from Delaware look at page 4 of the bill and tell me whether it is not true under the present law the people who are required to do the things that this bill requires are the Auditor General and the State Treasurer and the amendment inserts the words "and the Secretary of Internal Affairs."

Mr. HEYBURN. No, Mr. President.

Mr. SHAPIRO. Mr. President, if the gentleman from Delaware says "no," I would like to state that the present law now reads as follows, page 4, section 605; "Estimates of current expenditures. The Auditor General and the State Treasurer shall from time to time as requested by the Governor, prepare and submit to the Governor estimates of the amounts of money required for each activity," and the bill as amended now reads "the Auditor General, the Treasury Department and the Department of Internal Affairs."

Therefore, I say the gentleman from Delaware does not read the bill properly; the bill does not affect the Auditor General and the State Treasurer, it only affects the Secretary of Internal Affairs and that is why I said it is a good bill, because there is no reason why the Secretary of Internal Affairs should have any different method of forwarding his accounts than the Auditor General and the State Treasurer.

Mr. HEYBURN. I do not want to prolong this debate, Mr. President, except to say that the gentleman from Philadelphia, Senator Shapiro, is not aware of the present law; the Secretary of Internal Affairs at the present time is under the budgetary control of the Governor.

And the question recurring,

Will the Senate agree to the motion?

Mr. SHAPIRO. Mr. President, I ask for a roll call.

The yeas and nays were required by Mr. SHAPIRO and were as follows, viz:

YEAS—36

Barr,	Ealy,	Letzler,	Taylor,
Bowers,	Farrell,	Mallery,	Thomas,
Carr,	Geltz,	McGinnis,	Tyler,
Chapman,	Gourley,	McQuiddy,	Wade,
Cox,	Heyburn,	Ruth,	Walker,
Crider,	Homsher,	Scarlett,	Watkins,
Crowe,	James,	Snowden,	Wilson, H. I.,
Deitrick,	Jones,	Stevenson,	Wilson, T. B.,
Dent,	Kephart,	Tallman,	Woodward,

NAYS—7

Coleman,	Jaspan,	Shapiro,	Woodring,
DiSilvestro,	McCreesh,	Stiefel,	

So the question was determined in the affirmative.

BILL RECOMMITTED

Mr. HEYBURN. Mr. President, I move that Senate Bill No. 617, on third reading, entitled:

An Act to repeal section twenty-three of the act, approved the twenty-sixth day of May, one thousand nine hundred and thirty-three (P. L. 1076), entitled "An act to provide for the organization, incorporation, operation, and supervision of cooperative savings and credit associations, to be termed credit unions; designating such credit unions as corporations, and defining their powers and duties; conferring certain powers and duties on the Department of Banking; and providing penalties," which section exempts credit unions organized under said act, and the shares thereof, from certain tax and bonus liability.

be recommitted to the Committee on Banking.

Mr. WADE. Mr. President, I second the motion.

The motion was agreed to.

BILL ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 619, as follows:

An Act to further amend section four hundred fifty-two of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 179) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant-Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" as amended by changing the provision regarding the maximum compensation of the State Civil Service Commission

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section four hundred fifty-two of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant-Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" as last amended by the act approved the fifth day of August one thousand nine hundred forty-one (P. L. 781) is hereby further amended to read as follows

Section 452 State Civil Service Commission The State Civil Service Commission is hereby created and shall consist of three members not more than two of whom shall be of the same political affiliation Of the original members all of whom shall be appointed within thirty days after the effective date of this act one shall be appointed for a term of two years one for a term of four years and one for a term of six years from the date of his appointment and until his successor shall have been appointed and qualified Thereafter each appointment shall be for a term of six years or until a successor is appointed and qualified The members of the commission shall hold no other public position to which a salary is attached shall have qualifications for appointment and shall be removable from office as provided by law The Governor shall designate one of the members as chairman

Each member of the commission shall receive actual traveling expenses and per diem compensation at the rate of twenty-five dollars per day for the time actually devoted to the business of the commission but no member shall be paid more than one thousand five hundred dollars per diem compensation in any one year except that during the first year after the [effective date of this act] commission has been appointed and qualified such limitation on the aggregate amount of one thousand five hundred dollars shall not apply

Section 2 This act shall become effective immediately upon its final enactment

And said bill having been read at length the third time,

On the question,

Will the Senate agree to the bill on third reading?

Mr. BARR. Mr. President, I desire to interrogate the gentleman from Philadelphia, Senator Kephart.

The PRESIDENT. Will the gentleman from Philadelphia permit himself to be interrogated?

Mr. KEPHART. I will, Mr. President.

Mr. BARR. Mr. President, can the gentleman from Philadelphia tell me, since you are going to abolish civil service in the state, why at this time you are going to increase salaries of the civil service commissioners?

Mr. KEPHART. Mr. President, as I understand it, the statute under which the state civil service commission was set up did not go into effect and the commissioners were not appointed until some six months or more after it was intended under the law that they should be appointed, and as a result they had a lot of work to do at first and the bill provided for a greater starting salary,

a higher salary at the beginning, than they would have been paid later.

This is to make an adjustment so that they get the right amount, the amount the Legislature intended when they set up the commission, for the extra work they would have to do to get the thing under way.

Mr. BARR. I desire further to interrogate the gentleman from Philadelphia.

The PRESIDENT. Will the gentleman from Philadelphia permit himself to be further interrogated?

Mr. KEPHART. I will, Mr. President.

Mr. BARR. Under this bill, of course, Mr. President, they will not get paid any more money until after this bill is passed, if it is passed finally, therefore, I can not see how you are going to help them out for the work they have done previously.

Mr. KEPHART. It means a temporary adjustment of the payroll to take care of the money they did not get paid, that the Legislature intended to pay them, for the first six months before they were appointed.

Does not the gentleman from Allegheny, Senator Barr, understand that they were six months late in being appointed and the higher salary started to run six months prior to the time they were appointed, the intention being that for the first six months they should be paid a higher salary; they did not get that, so this makes an adjustment to give them what they were entitled to because of the additional work they had to do.

Mr. BARR. Has the gentleman from Philadelphia read the last section of the bill which provides that after the war is over there is no ceiling put on the salary that could be given to a civil service commissioner; he can make $500, $5,000 or $15,000 a year. We pass bills here daily regulating the pay of county commissioners and county controllers throughout the state. Does the gentleman from Philadelphia think there should be a ceiling put on that?

(The Senate was at ease.)

Mr. BARR. Mr. President, I withdraw my last question because I have found out that there is a ceiling on wages that civil service commissioners will be paid.

And the question recurring,

Will the Senate agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

(During the calling of the roll the following occurred.)

Mr. DENT. Mr. President, I ask that the roll be verified.

The PRESIDENT. Request has been made to have the roll verified.

The Clerk will call the names of those recorded as having voted "aye".

The Clerk read the names of those recorded as having voted "aye" as follows:

Bowers,	Farrell,	Letzler,	Tyler,
Carr,	Geltz,	Ruth,	Wade,
Chapman,	Heyburn,	Snowden,	Walker,
Coleman,	Homsher,	Stevenson,	Watkins,
Crider,	James,	Tallman,	Wilson, H. I.,
Crowe,	Jones,	Taylor,	Wilson, T. B.,
Deitrick,	Kephart,	Thomas,	Woodward,
Ealy,			

The PRESIDENT. Are there any corrections.

Mr. MALLERY. Mr. President, I desire to be recorded as voting "aye".

The PRESIDENT. The gentleman from Blair will be so recorded.

Mr. SCARLETT. Mr. President, I desire to be recorded as voting "aye."

The PRESIDENT. The gentleman from Chester will be so recorded.

POINT OF ORDER

Mr. BARR. Mr. President, I rise on a point of order.

The PRESIDENT. The gentleman from Allegheny will state his point of order.

Mr. BARR. Mr. President, I do not think any one can vote after a roll has been verified.

The PRESIDENT. For the information of the gentleman from Allegheny, Senator Barr, the roll has not yet been verified. The Chair inquired whether there were any further corrections.

If there are no further corrections the affirmative roll will stand as corrected.

The Clerk will call the names of those recorded as having voted "nay."

The Clerk read the names of those recorded as having voted "nay" as follows:

Barr,	DiSilvestro,	Jaspan,	McQuiddy,
Cox,	Gourley,	McCreesh,	Shapiro,
Dent,	Holland,	McGinnis,	Stiefel,
			Woodring,

The PRESIDENT. Are there any corrections? The Chair hears none. The negative roll will stand as verified.

And the question recurring,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—31

Bowers,	Farrell,	Mallery,	Tyler,
Carr,	Geltz,	Ruth,	Wade,
Chapman,	Heyburn,	Scarlett,	Walker,
Coleman,	Homsher,	Snowden,	Watkins,
Crider,	James,	Stevenson,	Wilson, H. I.,
Crowe,	Jones,	Tallman,	Wilson, T. B.,
Deitrick,	Kephart,	Taylor,	Woodward,
Ealy,	Letzler,	Thomas,	

NAYS—13

Barr,	Gourley,	McCreesh,	Shapiro,
Cox,	Holland,	McGinnis,	Stiefel,
Dent,	Jaspan,	McQuiddy,	Woodring,
DiSilvestro,			

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Mr. BARR. Mr. President, the reason I rose on a point of order concerning the roll call being verified was because I wanted to call the attention of the members of the Senate to something that happened in the House today where the newspaper men and a number of members of the House counted the votes on a certain bill. There were 100 votes counted and the Clerk announced 106.

SENATE BILL No. 461, PRINTER'S No. 430 CALLED UP

Mr. RUTH. Mr. President, I call up at this time Senate Bill No. 461, Printer's No. 430, on page 5 of to-day's Final Passage Calendar.

BILL ON FINAL PASSAGE

Agreeably to order,

The Senate resumed the consideration of Senate Bill No. 461, as follows:

An Act to add Section one thousand six hundred fifteen to the act approved the eighteenth day of May one thousand nine hundred and eleven (P. L. 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" providing and regulating the release of pupils from the public schools for religious instruction

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The act approved the eighteenth day of May one thousand nine hundred and eleven (P. L. 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" is hereby amended by adding after section one thousand six hundred and fourteen a new section to read as follows

Section 1615 Release of Pupils for Religious Instruction The board of school directors or board of public education of each school district of this Commonwealth may upon the written request of the parents or the surviving parent or the guardian or person having control of the custody of any pupil attending the public schools release such pupil from public school attendance for a period not to exceed one hour each week for the purpose of receiving religious instruction in accordance with his or her religious faith

The board of school directors or board of public education after consultation with duly recognized religious groups shall determine the manner in which the provisions of this section shall be carried into effect including the adjustment of school programs so that released pupils shall not be placed at a disadvantage the time when pupils shall be released for such religious instruction and the form and manner in which attendance records of pupils attending schools of religious instruction shall be kept which records shall at all times be open to inspection by attendance officers They may also cooperate with duly recognized religious groups in selecting places where religious instruction shall be given

The board of school directors or board of public education shall be furnished with the name of each teacher selected by religious groups to teach such classes together with his or her qualifications as a teacher

Attendance at classes for religious instruction shall be credited as actual public school attendance

No part of the cost and expense of religious instruction shall be paid out of public school funds

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—43

Barr,	Ealy,	Lutzler,	Tallman,
Bowers,	Farrell,	Mallery,	Taylor,
Carr,	Geltz,	McCreesh,	Thomas,
Chapman,	Gourley,	McGinnis,	Tyler,
Coleman,	Heyburn,	McQuiddy,	Wade,
Cox,	Holland,	Ruth,	Walker,
Crider,	Homsher,	Scarlett,	Watkins,
Crowe,	James,	Shapiro,	Wilson, H. I.,
Deitrick,	Jaspan,	Snowden,	Wilson, T. B.,
Dent,	Jones,	Stevenson,	Woodring,
DiSilvestro,	Kephart,	Stiefel,	

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILLS ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 624, as follows:

An Act to further amend section two thousand six hundred twenty-three of the act approved the eighteenth day of May one thousand nine hundred eleven (P. L. 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violations thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" by providing for the fixing of the compensation of the controller auditing the accounts of second and third class school districts

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section two thousand six hundred twenty-three of the act approved the eighteenth day of May one thousand nine hundred eleven (P. L. 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violations thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" as last amended by section one of the act approved the fourth day of May one thousand nine hundred twenty-seven (P. L. 679) is hereby further amended to read as follows

Section 2623 The compensation for auditors in school districts of the second class shall together with suitable allowances for qualified assistants and for other necessary expenses be fixed by the board of school directors of said districts on application from time to time made by the auditors with itemized statements of services assistants and other necessary expenses and in school districts of the third class the compensation for auditors shall be five dollars ($5.00) per day for each day necessarily spent by each auditor and the total expenses of such auditing including the cost of filing the report advertising and other necessary costs shall be paid by the school district The compensation of any certified public accounts employed by any school district of the second class shall be fixed by the directors of such district and paid by the district In school districts of the second and third class where the accounts are audited by the controller of the municipality in which the whole or the greater or greatest portion of the area of each such district shall be located the compensation of the controller shall be fixed by the directors of such district and paid by said district

Section 2 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—42

Barr,	Ealy,	Mallery,	Tallman,
Bowers,	Farrell,	McCreesh,	Taylor,
Carr,	Geltz,	McGinnis,	Thomas,
Chapman,	Gourley,	McQuiddy,	Tyler,
Coleman,	Heyburn,	Ruth,	Wade,
Cox,	Holland,	Scarlett,	Walker,
Crider,	Homsher,	Shapiro,	Watkins,
Crowe,	Jaspan,	Snowden,	Wilson, H. I.,
Deitrick,	Jones,	Stevenson,	Wilson, T. B.,
Dent,	Kephart,	Stiefel,	Woodring,
DiSilvestro,	Letzler,		

NAYS—1

James,

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 627, as follows:

An Act making an appropriation to the Department of Public Instruction for the use of the Pennsylvania Historical Commission for the purpose of completing restoration and preparing for public use as a museum the property at Ambridge Beaver County Pennsylvania formerly owned and occupied by the Harmony Society and known as "Old Economy"

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The sum of Twenty Thousand dollars ($20,000) or so much thereof as may be necessary is hereby specifically appropriated to the Department of Public Instruction for the use of the Pennsylvania Historical Commission for the purpose of completing restoration of the property situated in Ambridge Beaver County Pennsylvania formerly owned and occupied by the Harmony Society and known as "Old Economy" and to prepare the same for public use as a museum commemorating the life and times of the Harmony Society its notable past in the industrial development of western Pennsylvania and its world-wide fame as an experiment in community life

The moneys hereby appropriated shall be paid out on requisition of the Department of Public Instruction upon presentation of proper vouchers by the Pennsylvania Historical Commission

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—45

Barr,	Farrell,	Mallery,	Tallman,
Bowers,	Geltz,	McCreesh,	Taylor,
Carr,	Gourley,	McGinnis,	Thomas,
Chapman,	Heyburn,	McQuiddy,	Tyler,
Coleman,	Holland,	Mundy,	Wade,
Cox,	Homsher,	Ruth,	Walker,
Crider,	James,	Scarlett,	Watkins,
Crowe,	Jaspan,	Shapiro,	Wilson, H. I.,
Deitrick,	Jones,	Snowden,	Wilson, T. B.,
Dent,	Kephart,	Stevenson,	Woodring,
DiSilvestro,	Letzler,	Stiefel,	Woodward,
Ealy,			

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 633, as follows:

An Act to amend section twenty-one of the act approved the seventh day of June one thousand nine hundred seventeen (P. L. 429) entitled "An act relating to the descent and distribution of the real and personal property of persons dying intestate and to provide for the recording and registering of the decrees of the orphans' court in connection therewith and the fees therefor" by providing that the bar of said section may be pleaded by any relative or person concerned whose right in the estate will be defeated or diminished by the allowance of such claim and by the Commonwealth in the furtherance of its right of escheat but it may not be pleaded by the personal representatives of the estate in order to enable them to retain an estate or portion thereof to which they are not legally entitled and that the provisions of this amendment be retroactive but any relatives or persons concerned whose claims would be sooner barred by this amendment may lay legal claim to their respective shares within six months after the passage of this amendment and further that this amendment shall not have the effect of removing the bar of this section as to any legal claim which may have been barred prior to the passage of this amendment

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section twenty-one of the act approved the seventh day of June one thousand nine hundred seventeen (P. L. 429) entitled "An act relating to the descent and distribution of the real and personal property of persons dying intestate and to provide for the recording and registering of the decrees of the orphans' court in connection therewith and the fees therefor" is hereby amended to read as follows

Section 21 All relatives and persons concerned in the estate of any intestate who shall not lay legal claim to their respective shares of the personal estate within seven years of the decease of the intestate shall be debarred from the same forever Provided That if any such relative or person shall at the time of the decease of the intestate be within the age of twenty-one years he or she shall be entitled to receive and recover the same if he or she shall lay legal claim thereto within seven years after coming to full age

The bar of this section may be pleaded by any relative or person concerned whose right in the estate will be defeated or diminished by the allowance of such claim and by the Commonwealth in furtherance of its right of escheat but it may not be pleaded by the personal representatives of an intestate in answer to a petition for distribution in order to enable them to retain an estate or portion of an estate to which they are not legally entitled The provisions of this amendment shall be retroactive Provided however That any relative or persons concerned whose claims would be sooner barred by this amendment may lay legal claim to their respective shares of the personal estate within six months after the passage of this amendment and further that this amendment shall not have the effect of removing the bar of this section as to any legal claim which may have been barred prior to the passage of this amendment

Section 2 This act shall become effective immediately upon its final enactment

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—44

Barr,	Ealy,	Letzler,	Tallman,
Bowers,	Farrell,	Mallery,	Taylor,
Carr,	Geltz,	McCreesh,	Thomas,
Chapman,	Gourley,	McGinnis,	Tyler,
Coleman,	Heyburn,	McQuiddy,	Wade,
Cox,	Holland,	Mundy,	Walker,
Crider,	Homsher,	Ruth,	Watkins,
Crowe,	James,	Scarlett,	Wilson, H. I.,
Deitrick,	Jaspan,	Snowden,	Wilson, T. B.,
Dent,	Jones,	Stevenson,	Woodring,
DiSilvestro,	Kephart,	Stiefel,	Woodward,

NAYS—1

Shapiro,

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 634, as follows:

An Act to amend section one of the act approved the thirty-first day of July one thousand nine hundred forty-one (Appropriation Acts of 1941 P. L. 81) entitled "An act making an appropriation to the Thomas Jefferson Bicentennial Commission of Pennsylvania" by providing that the unexpended balance of the appropriation made by said act shall not lapse until the purposes for which it was made are fully completed and the affairs of the Thomas Jefferson Bicentennial Commission of Pennsylvania are finally closed

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section one of the act approved the thirty-first day of July one thousand nine hundred forty-one (Appropriation Act of 1941 P. L. 81) entitled "An act making an appropriation to the Thomas Jefferson Bicentennial Commission of Pennsylvania" is hereby amended to read as follows

Section 1 The sum of four thousand dollars ($4,000) or so much thereof as may be necessary is hereby specifically appropriated to the Thomas Jefferson Bicentennial Commission created under Concurrent Resolution Serial No 113 of the Senate and adopted March fifth one thousand nine hundred forty-one by the Senate and concurred in March seventeenth one thousand nine hundred forty-one by the House of Representatives for the purpose of paying the costs and expenses to be incurred by such commission in carrying out the provisions of the resolution including costs and expenses incidental to the formulation and execution of plans the organization and operation of pageants parades and orations of traveling within and without the Commonwealth of office supplies and materials and such other costs and expenses which the chairman of said commission in his discretion may deem necessary for the proper conduct and operation of said commission

The unexpended balance of the appropriation hereinbefore made shall not lapse until the purposes for which it was made are fully completed and the affairs of the Thomas Jefferson Bicentennial Commission of Pennsylvania are finally closed

Section 2 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—45

Barr,	Farrell,	Mallery,	Tallman,
Bowers,	Geltz,	McCreesh,	Taylor,
Carr,	Gourley,	McGinnis,	Thomas,
Chapman,	Heyburn,	McQuiddy,	Tyler,
Coleman,	Holland,	Mundy,	Wade,
Cox,	Homsher,	Ruth,	Walker,
Crider,	James,	Scarlett,	Watkins,
Crowe,	Jaspan,	Shapiro,	Wilson, H. I.,
Deitrick,	Jones,	Snowden,	Wilson, T. B.,
Dent,	Kephart,	Stevenson,	Woodring,
DiSilvestro,	Letzler,	Stiefel,	Woodward,
Ealy,			

NAYS—0

A majority of all the Senators having voted "aye' the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representative for concurrence.

Agreeably to order,

The Senat proceeded to the third reading and consideration of House Bill No. 641, as follows:

An Act providing for the validation and amendment of defective tax liens heretofore or hereafter entered of record repealing inconsistent legislation

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Whenever heretofore or hereafter any tax lien is or shall be defective by reason of error in the name or names of the registered owner or owners thereof or by reason of the fact that the description of the property the lot number or numbers the name of the development or plan or the street number set forth in the tax lien as filed do not conform with each other the taxing authority or any one authorized by law to enter such tax lien shall have the right to file an amended tax lien so that the correct name or names of the registered owner or owners and the correct description of the property as to lot numbers development or plan or street number shall appear therein and upon the filing of the amended tax lien such lien is hereby declared to be valid to all intents and purposes and such liens may be enforced as in the case of liens entered or filed in the name or names of the proper registered owner or owners and with a correct description of the property Provided however That this act shall not apply to any property where change of ownership has occurred previous to the filing of the amended tax lien and such amended tax lien shall not take priority over any mortgage or judgment recorded or entered subsequent to the filing of the original tax lien but previous to the filing of the amended tax lien

Section 2 All acts and parts of acts general local or special inconsistent with this act are hereby repealed

Section 3 This act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—44

Barr,	Ealy,	Letzler,	Tallman,
Bowers,	Farrell,	Mallery,	Taylor,
Carr,	Geltz,	McCreesh,	Thomas,
Chapman,	Gourley,	McGinnis,	Tyler,
Coleman,	Heyburn,	McQuiddy,	Wade,
Cox,	Holland,	Mundy,	Walker,

Crider,	Homsher,	Ruth,	Watkins,
Crowe,	James,	Scarlett,	Wilson, H. I.,
Deitrick,	Jaspan,	Snowden,	Wilson, T. B.,
Dent,	Jones,	Stevenson,	Woodring,
DiSilvestro,	Kephart,	Stiefel,	Woodward,

NAYS—1

Shapiro,

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

BILL OVER IN ORDER

Mr. HEYBURN. Mr. President, I ask unanimous consent that House Bill No. 650, on third reading, entitled:

An Act to further amend section three hundred forty-eight of the act approved the second day fo May one thousand nine hundred twenty-nine (P. L. 1278) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto" authorizing counties of the third fourth and fifth classes during the war period to enter into contracts up to five hundred dollars without advertising for bids

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 668, as follows:

An Act to further amend the act approved the fifth day of May one thousand nine hundred and thirty-three (P. L. 289) entitled "An act relating to nonprofit corporations defining and providing for the organization merger consolidation and dissolution of such corporations conferring certain rights powers duties and immunities upon them and their officers and members prescribing the conditions on which such corporations may exercise their powers providing for the inclusion of certain existing corporations of the first class within the provisions of this act prescribing the terms and conditions upon which foreign nonprofit corporations may be admitted or may continue to do business within the Commonwealth conferring powers and imposing duties on the courts of common pleas prothonotaries of such courts recorders of deeds and certain State departments commissions and officers authorizing certain local public officers and State departments to collect fees for services required to be rendered by this act imposing penalties and repealing certain acts and parts of acts relating to corporations" by authorizing nonprofit medical service corporations to provide medical service benefits to subscribers of over-income as herein defined

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Sections four and two hundred and nineteen of the act approved the fifth day of May one thousand nine hundred and thirty-three (P. L. 289) entitled "An act relating to nonprofit corporations defining and providing for the organization merger consolidation and dissolution of such corporations conferring certain rights powers duties and immunities upon them and their officers and members prescribing the conditions on which such corporations may exercise their powers providing for the inclusion of certain existing corporations of the first class within the provisions of this act prescribing the terms and conditions upon which foreign nonprofit corporations may be admitted or may continue to do business within the Commonwealth conferring powers and imposing duties on the courts of common pleas prothonotaries of such courts recorders of deeds and certain State departments commissions and officers authorizing certain local public officers and State departments to collect fees for services required to be rendered by this act imposing penalties and repealing certain acts and parts of acts relating to corporations" as last amended by the act approved the thirty-first day of July one thousand nine hundred and forty-one (P. L. 631) is hereby further amended to read as follows

Section 4 Scope of Act This act does not relate to does not affect and does not apply to

(1) Cooperative associations whether for profit or not for profit

(2) Beneficial benevolent fraternal or fraternal benefit societies having a lodge system and a representative form of government or transacting any type of insurance whatsoever

(3) Any corporation whatsoever organized for any purpose or purposes involving pecuniary profit to its members or shareholders

(4) Any corporation which by the laws of this Commonwealth is subject to the supervision of the Department of Banking the Insurance Department the Pennsylvania Public Utility Commission or the Water and Power Resources Board Provided however That corporations subject by law to the limited supervision of the Insurance Department may be incorporated under and in accordance with the provisions of this act for the purpose of establishing maintaining and operating a nonprofit hospital plan whereby hospitalization may be provided to subscribers of such plan by any hospital with which such corporations have a contract for such hospitalization or for the purpose of establishing maintaining and operating a nonprofit medical service plan whereby medical services may be provided through any doctor of medicine to subscribers of low income and over-income and their dependents

Section 219 Special Procedure for Incorporation of Nonprofit Medical Service Corporations

(a) Nine or more natural persons of full age and of either sex married or single all of whom are residents of the Commonwealth and citizens of the United States Provided however That a majority of said persons are doctors of medicine may form a nonprofit corporation under the provisions of this act having for its purpose the establishing maintaining and operating of a nonprofit medical service plan whereby medical services may be provided to persons of low income and persons of over-income and their dependents who shall be determined as follows

Persons of low income shall be

1 In the case of persons without dependents

Any person in receipt of an income for the preceding twenty-five weeks averaging not more than thirty dollars weekly

2 In the case of persons with one dependent

Any person in receipt of an income that together with the income of the dependent averaged during the preceding twenty-five weeks not more than forty-five dollars weekly

3 In the case of persons with more than one dependent

Any person in receipt of an income that together with the incomes of all his income earning dependents averaged during the preceding twenty-five weeks not more than sixty dollars weekly

Persons of over-income shall be

1 All persons not persons of low income shall be persons of over-income

(b) For the purposes of this act the terms stated below have the meanings assigned to them respectively unless the context otherwise requires

"Medical services" means the general and usual services rendered and care administered by doctors of medicine

"Persons with dependents" means any person who furnishes other persons with their chief support whether or not such dependent person is related to or living with him

"Subscriber of low income" means persons of low income who subscribe to a nonprofit medical service corporation plan

"Subscribers of over-income" means persons of over-income who subscribe to a nonprofit medical service corporation plan

"Department of Health" means the Department of Health of the Commonwealth

(c) Whenever the articles of incorporation of any such corporation are filed with the prothonotary he shall forthwith transmit the articles to the Department of Health Thereupon the department shall make a thorough investigation of the proposed corporation the area in and the plan under which it proposes to operate and within thirty days shall certify upon the articles whether or not the proposed corporation meets with the approval of the department If the same shall be approved by the Department of Health the prothonotary shall forthwith transmit the articles to the Insurance Department Thereupon the Insurance Department shall make a thorough investigation of the proposed corporation the area in and the plan under which it proposes to operate and within thirty days shall certify upon the articles whether or not the proposed corporation meets with the approval of the department The court shall not approve such application unless and until the articles are returned by the Insurance Department and unless both the Department of Health and the Insurance Department shall have endorsed its approval thereon

(d) The court shall be guided solely by public necessity and public interest and welfare in approving or disapproving the articles of incorporation

Section 2 the provisions of this act shall become effective immediately upon its final enactment

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—45

Barr,	Farrell,	Mallery,	Tallman,
Bowers,	Geltz,	McCreesh,	Taylor,
Carr,	Gourley,	McGinnis,	Thomas,
Chapman,	Heyburn,	McQuiddy,	Tyler,
Coleman,	Holland,	Mundy,	Wade,
Cox,	Homsher,	Ruth,	Walker,
Crider,	James,	Scarlett,	Watkins,
Crowe,	Jaspan,	Shapiro,	Wilson, H. I.,
Deitrick,	Jones,	Snowden,	Wilson, T. B.,
Dent,	Kephart,	Stevenson,	Woodring,
DiSilvestro,	Letzler,	Stiefel,	Woodward,
Ealy,			

NAYS—0

A majority of all the Senators having voted "aye' the question was determined in the affirmative.

Ordered That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which the concurrence of the House is requested.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 669, as follows:

An Act to amend sections three four nine and nineteen of the act approved the twenty-seventh day of June one thousand nine hundred and thirty-nine (P. L. 1125) entitled :"An act providing for the regulation and supervision of nonprofit medical service corporations organized to provide medical services to subscribers of low income by the Department of Health and the Insurance Department and defining the functions of such departments with respect thereto authorizing certain departments commissions officers and other agencies of the State and its political subdivisions to subscribe under certain circumstances to the medical service plan of such corporations on behalf of persons of low income prescribing legal investments for the funds of such corporations and the rights of doctors of medicine to register with such corporations conferring authority on the Department of Health and on the Insurance Commissioner each within its own sphere of lawful activity to regulate and supervise such corporations conferring certain rights powers duties and immunities upon such corporations and their officers and members prescribing the conditions on which such corporations may exercise their powers exempting such corporations from taxation prohibiting any person copartnership association common law trust or corporation except a nonprofit medical service corporation from providing medical services on a nonprofit plan in return for prepayment periodical or lump sum payments providing penalties for the violation of and mandatory and injunctive relief for the enforcement of the provisions of this act" by authorizing nonprofit medical service corporations to provide medical service benefits to subscribers of over-income as herein defined

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Sections three four nine and nineteen of the act approved the twenty-seventh day of June one thousand nine hundred and thirty-nine (P. L. 1125) entitled "An act providing for the regulation and supervision of nonprofit medical service corporations organized to provide medical services to subscribers of low income by the Department of Health and the Insurance Department and defining the functions of such departments with respect thereto authorizing certain departments commissions officers and other agencies of the State and its political subdivisions to subscribe under certain circumstances to the medical service plan of such corporations on behalf of persons of low income prescribing legal investments for the funds of such corporations and the rights of doctors of medicine to register with such corporations conferring authority on the Department of Health and on the Insurance Commission each within its own sphere of lawful activity to regulate and supervise such corporations conferring certain rights powers duties and immunities upon such corporations and their officers and members prescribing the conditions on which such corporations may exercise their powers exempting such corporations from taxation prohibiting any person copartnership association common law trust or corporation except a nonprofit medical service corporation from providing medical services on a nonprofit plan in return for prepayment periodical or lump sum payments providing penalties for the violation of and mandatory and injunctive relief for the enforcement of the provisions of this act" are hereby amended to read as follows

Section 3 Definitions For the purpose of this act the terms stated below have the meanings assigned to them respectively unless the context otherwise requires

"Nonprofit medical service corporation" means a corporation organized and operated under the provisions of the "Nonprofit Corporation Law" approved the fifth day of May one thousand nine hundred thirty-three (P. L. 289) and its amendments

"Income" means net income from gains profits and net income derived from professions vocations trades businesses commerce or sales or dealings in property whether real or personal growing out of the ownership or use of or interest in such property also from interest rent dividends securities or the transaction of any business carried on for gain or profit or gains or profits and income derived from any source whatever and income derived from

salaries wages or compensation for personal service of whatever kind and in whatever form paid

"Low income" means income as set forth in section nine hereof

"Over-income" means income as set forth in section nine hereof

"Subscribers of low income" means persons of low income who subscribe to a nonprofit medical service corporation plan

"Subscribers of over-income" means persons of overincome who subscribe to a nonprofit medical service corporation plan

"Medical services" means the general and usual services rendered and care administered by doctors of medicine

"Department of Health" means Department of Health of the Commonwealth

"Court" means the court of common pleas of the county where the principal office of the nonprofit medical corporation is or is to be located

"Person with dependents" means any person who furnishes other persons with their chief support whether or not such dependent person is related to or living with him

Section 4 Unauthorized Nonprofit Medical Service for Prepayment Periodical or Lump Sum Payments Forbidden It shall be unlawful for any person copartnership association common law trust or corporation except when especially organized under the provisions of the Nonprofit Corporation Law and its amendments for the purpose to establish maintain or operate a nonprofit medical service plan whereby medical services may be provided to persons of low income and over-income as herein defined for prepayment periodical or lump sum payments but this shall not be construed as preventing a person copartnership association common law trust or corporation from furnishing medical services for the prevention of disease among its or his employes or from furnishing such medical services as is required under the Workmen's Compensation Act and related legislation when the employe is not charged for such service nor shall any provision in this act be construed to apply to beneficial benevolent fraternal and fraternal benefit societies having a lodge system and a representative form of government Nor shall this act limit or repeal any provision of the Nonprofit Hospital Acts of one thousand nine hundred thirty-seven (P. L. 1948) and one thousand nine hundred thirty-seven (P. L. 1980)

Section 9 Determination of Income Status Rights of Persons of Low Income (a) The following shall be a person or persons of low income and a person or persons of over-income eligible for the benefits of and under this act

Persons of low income

(1) In the case of persons without dependents

Any person in receipt of an income for the preceding twenty-five weeks averaging not more than thirty dollars weekly

(2) In the case of persons with one dependent

Any person in receipt of an income that together with the income of the dependent averaged during the preceding twenty-five weeks not more than forty-five dollars weekly

(3) In the case of persons with more than one dependent

Any person in receipt of an income that together with the incomes of all his income earning dependents averaged during the preceding twenty-five weeks not more than sixty dollars weekly

Persons of over-income

(1) All persons not persons of low income shall be persons of over-income

(b) The nonprofit medical service corporation shall determine whether an applicant for subscription is in receipt of a low income or over-income within the meaning of this act and after the application has been approved the subscriber shall be deemed to be of low income or over-income until it has been redetermined by the corporation which redetermination may be made at any time

(c) The nonprofit medical service corporation in determining the income status of any person may through its officers and agents examine under oath any applicant claiming a low income status and any other person consenting thereto who is believed to have material knowledge concerning the status of the applicant Its determination shall be final

(d) Every person of low income and every person of over-income residing in the area served by a nonprofit medical service corporation shall be entitled upon complying with regulations adopted by that corporation and the payment of such initiation and other fees as authorized by the Insurance Department to the services of any doctor of medicine registered with the corporation under such terms and conditions as are customary in medical services in the community but only within the limits of services for which such doctors of medicine are registered Provided however That a nonprofit medical service corporation may for cause refuse to enter into contractual relations with an applicant and may for cause after due notice and hearing rescind any contract that it has entered into with any subscriber and refund any unearned portion of any fees paid and may on default in payment of the agreed dues fees payments or any charges by subscriber or someone on his behalf discontinue service without notice and hearing after having notified a subscriber of his default and having allowed him two days to procure such services Provided further however that persons of over-income shall be liable to doctors of medicine registered with the corporation rendering services to such persons of over-income for the full amount of the usual fees and charges for such services made by such doctors of medicine and any payment made by the corporation to doctors of medicine for services rendered to subscribers of over-income shall be a payment to the extent agreed upon between the corporation and the doctors of medicine on account of the full sum due the doctors of medicine for rendering such services

(e) No contract by or on behalf of any nonprofit medical service corporation shall provide for the payment of any cash or other material benefit by that corporation to a subscriber on account of illness or injury nor be in any way related to the payment of any such benefit by any other agency

Section 19 Constitutional Construction and Severability It is hereby declared to be the purpose and intent of this act and the policy of the Legislature to authorize qualified persons to provide adequate medical services for residents of this State who are unable to provide such services for themselves or their dependents at their own cost without depriving themselves or their dependents of such necessaries of life as food clothing and shelter [.] and provide persons of over-income with the limited medical service benefits hereinbefore set forth At the same time it is the purpose and intent of this act and the policy of the Legislature to maintain the standing and promote the progress of the science and art of medicine in this State The courts of this State are hereby directed to construe this act liberally in order to accomplish those ends

The provisions of this act shall be severable and if any provision of this act is declared unconstitutional or the applicability thereof to any person or circumstance is held invalid the constitutionality of the remainder of the act and the applicability thereof to other persons and circumstances shall not be affected thereby It is hereby declared as the legislative intent that this act would have been adopted had such unconstitutional provision not been included therein

Section 2 The provisions of this act shall become effective immediately upon its final enactment

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question.

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—45

Barr,	Farrell,	Mallery,	Tallman,
Bowers,	Geltz,	McCreesh,	Taylor,
Carr,	Gourley,	McGinnis,	Thomas,
Chapman,	Heyburn,	McQuiddy,	Tyler,
Coleman,	Holland,	Mundy,	Wade,
Cox,	Homsher,	Ruth,	Walker,
Crider,	James,	Scarlett,	Watkins,
Crowe,	Jaspan,	Shapiro,	Wilson, H. I.,
Deitrick,	Jones,	Snowden,	Wilson, T. B.,
Dent,	Kephart,	Stevenson,	Woodring,
DiSilvestro,	Letzler,	Stiefel,	Woodward,
Ealy,			

NAYS—0

A majority of all Senators having voted "aye" the question was determined in the affirmative.

Ordered That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which the concurrence of the House is requested.

BILL OVER IN ORDER

Mr. DEITRICK. Mr. President, I ask unanimous consent that Hou Bill No. 711, on third reading, entitled:

An Act to further amend section one thousand one hundred twenty-six of the act approved the eighteenth day of May, one thousand nine hundred eleven (P. L. 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same and the method of collecting such revenue; and repealing all laws, general special or local, or any parts thereof, that are or may be inconsistenet therewith" by further providing for the appointment of assistant county superintendents

go over in its order, temporarily.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 725, as follows:

An Act to amend paragraph seven A of section one thousand two hundred ten of the act approved the eighteenth day of May one thousand nine hundred and eleven (P. L. 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" by regulating salaries of continuation teachers in first class districts

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Paragraph seven A of section one thousand two hundred ten of the act approved the eighteenth day of May one thousand nine hundred and eleven (P. L. 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" as added by section twenty-seven of the act approved the twenty-ninth day of May one thousand nine hundred and thirty-one (P. L. 243) is hereby amended to read as follows

Section 1210 * * * * *

Seven A Continuation school teachers in the first second third and fourth class districts who are required to have qualifications equivalent to high school teachers shall be entitled to the salary and increments prescribed in the schedule for high school teachers or if qualifications are equivalent to elementary school teachers they shall be entitled to the salary and increments prescribed in the schedule for elementary school teachers All approved vocational agricultural vocational home economics or vocational industrial schools when organized as separate schools or departments in the first second third and fourth class districts shall be classified as secondary schools and the teachers of these schools are to be entitled to the salaries and increments prescribed in the schedule for high school teachers

And said bi'' having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—45

Barr,	Farrell,	Mallery,	Tallman,
Bowers,	Geltz,	McCreesh,	Taylor,
Carr,	Gourley,	McGinnis,	Thomas,
Chapman,	Heyburn,	McQuiddy,	Tyler,
Coleman,	Holland,	Mundy,	Wade,
Cox,	Homsher,	Ruth,	Walker,
Crider,	James,	Scarlett,	Watkins,
Crowe,	Jaspan,	Shapiro,	Wilson, H. I.,
Deitrick,	Jones,	Snowden,	Wilson, T. B.,
Dent,	Kephart,	Stevenson,	Woodring,
DiSilvestro,	Letzler,	Stiefel,	Woodward,
Ealy,			

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

BILLS OVER IN ORDER

Mr. HEYBURN. Mr. President, I ask unanimous consent that House Bill No. 726, on third reading, entitled:

An Act to amend section twelve of the act approved the twelfth day of May one thousand nine hundred twenty-five (P. L. 603) entitled "An act concerning conditional sales and to make uniform the law relating thereto" making further provision for the satisfaction of conditional sales contracts filed in the office of the prothonotary

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. HEYBURN. Mr. President, I ask unanimous consent that House Bill No. 727, on third reading, entitled:

An Act to further amend section twenty-seven of the act approved the first day of June one thousand eight hundred eighty-nine (P. L. 420) entitled "A further supple-

ment to an act entitled 'An act to provide revenue by taxation' approved the seventh day of June Anno Domini one thousand eight hundred and seventy-nine" further limiting the application of the section

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 735, as follows:

An Act to amend sections eleven and seventeen of the act approved the twenty-first day of June one thousand nine hundred thirty-nine (P. L. 626) entitled "An act providing for and regulating the assessment and valuation of all subjects of taxation in counties of the second class creating and prescribing the powers and duties of a Board of Property Assessment Appeals and Review imposing duties on certain county and city officers abolishing the board for the assessment and revision of taxes in such counties and prescribing penalties" further regulating appeals from assessments and exonerations and refunds of taxes effected thereby validating appeals heretofore taken and imposing additional duties upon the said board

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Sections eleven and seventeen of the act approved the twenty-first day of June one thousand nine hundred thirty-nine (P. L. 626) entitled "An act providing for and regulating the assessment and valuation of all subjects of taxation in counties of the second class creating and prescribing the powers and duties of a Board of Property Assessment Appeals and Review imposing duties on certain county and city officers abolishing the board for the assessment and revision of taxes in such counties and prescribing penalties" are hereby amended to read as follows

Section 11 When the triennial assessments shall be fixed either for the whole county or in districts thereof notice of that fact shall be given by publication in at least two newspapers of general circulation in the county of the time when appeals will be heard and a copy of the assessments made in boroughs and townships shall be placed in some public place in each such borough or township by the assessor The board shall adopt rules and regulations governing the right to and the holding of appeals and the practice and procedure thereat Such rules and regulations shall [become effective only after public notice thereof as herein required in the case of] be published together with the notices of triennial assessments as above provided

The board shall provide simple appeal forms which shall contain simple questions clearly expressed which will require answers having a direct bearing on the true value of the property as of the period for which such assessment was made No other type of questions shall be contained thereon

In the year one thousand nine hundred forty-three the board shall permit appeals to be taken from assessments up to and including June first and no later including all those where the 1943 taxes have been paid in whole or in part In subsequent years no appeals may be taken from assessments of properties within cities of the second class after November fifteenth of the year preceding the period for which the assessment becomes effective and for all other assessments no appeal shall be taken after the last day of February of the year in which the assessment first becomes effective All appeals filed with the board prior to this amendment shall be valid if otherwise in accordance with existing law At all appeal hearings the property owner or his agent appearing for him shall have the right to be represented by counsel and to be accompanied by witnesses or assistants

After the hearing of appeals the board shall take such action in regard thereto as may be right and proper and shall within ten (10) days thereafter complete such action and make their determinations and immediately give due notice to the appellant by registered mail

Section 17 No appeal taken from any such assessments shall affect the validity of any taxes assessed but if such assessment shall thereafter be reduced an exoneration shall be granted [or restitution ordered for the excess of taxes paid by reason of any improper increase in the assessment] for the proper amount to equalize such reduction if the taxes based upon such assessment have not been paid and if the taxes based upon such assessment have been paid the excess taxes collected shall be refunded to the person having made such payment Such refunds shall be made within thirty (30) days after the tax levying authorities have been notified by mail of the reduction made in the assessment by the board or by the court

Section 2 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—44

Barr,	Ealy,	Letzler,	Tallman,
Bowers,	Farrell,	Mallery,	Taylor,
Carr,	Geltz,	McCreesh,	Thomas,
Chapman,	Gourley,	McGinnis,	Tyler,
Coleman,	Heyburn,	McQuiddy,	Wade,
Cox,	Holland,	Mundy,	Walker,
Crider,	Homsher,	Ruth,	Watkins,
Crowe,	James,	Scarlett,	Wilson, H. I.,
Deitrick,	Jaspan,	Snowden,	Wilson, T. B.,
Dent,	Jones,	Stevenson,	Woodring,
DiSilvestro,	Kephart,	Stiefel,	Woodward,

NAYS—1

Shapiro,

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 736, as follows:

An Act to further amend section sixteen of the act approved the third day of May one thousand nine hundred thirty-three (P. L. 252) entitled as amended "An act to regulate and restrain the traffic in malt and brewed beverages as herein defined providing for the licensing of the manufacture transportation sale and distribution of such beverages imposing license and permit fees and providing for collection and distribution thereof restricting ownership and interest in licensed places permitting municipalities and townships by vote of the electors to prevent the licensing therein of places where such beverages may be sold for consumption on the premises and regulating elections for this purpose imposing duties upon the Pennsylvania Liquor Control Board quarter sessions courts district attorneys the Department of Justice proper authorities of political subdivisions of the State and election officers providing penalties and repealing existing acts" by providing for the surrendering by persons in military service of licenses granted to them the renewal thereof by the

board during the licensee's continuance in such service and the renewal thereof thereafter

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section sixteen of the act approved the third day of May one thousand nine hundred thirty-three (P. L. 252) entitled as amended "An act to regulate and restrain the traffic in malt and brewed beverages as herein defined providing for the licensing of the manufacture transportation sale and distribution of such beverages imposing license and permit fees and providing for collection and distribution thereof restricting ownership and interest in licensed places permitting municipalities and townships by vote of the electors to prevent the licensing therein of places where such beverages may be sold for consumption on the premises and regulating elections for this purpose imposing duties upon the Pennsylvania Liquor Control Board quarter sessions courts district attorneys the Department of Justice proper authorities of political subdivisions of the State and election officers providing penalties and repealing existing acts" as last reenacted and amended by the act approved the sixteenth day of June one thousand nine hundred thirty-seven (P. L. 1827) is hereby further amended to read as follows

Section 16 Renewal of Licenses (a) All applications for renewal of licenses shall be filed at least sixty days before the expiration date of same and not thereafter as provided in board regulations Unless the applicant shall have been formally notified by the board of objections to the renewal of his license based upon violation by the licensee or his servants agents or employes of any of the laws of the Commonwealth or regulations of the board relating to the manufacture transportation use storage importation possession or sale of liquors alcohol or malt or brewed beverages or the conduct of a licensed establishment or unless the applicant has by his own act become a person of ill repute or unless the premises do not meet the requirements of this act or the regulations of the board the license of a licensee shall be renewed when the applicant shall file with the board a new bond and shall pay the requisite filing fee and license fee specified in this act

[(c)] (b) In case where a licensee or his servants agents or employes are arrested charged with violating any of the laws of this Commonwealth relating to liquor alcohol or malt or brewed beverages and where the board has on file in such cases reports of its enforcement officers or investigators or from other sources that a licensee or his servants agents or employes have violated any of the aforementioned laws and a proceeding to revoke such licensee's license is or is about to be instituted and such arrest occurs or report of violations is received or revocation proceeding instituted or about to be instituted during the time a renewal application of such license is pending before the board the board may in its discretion renew the license notwithstanding such alleged violations but such renewal license may be revoked by the board in the manner herein provided for the revocation of licenses if and when the licensee or any of his servants agents or employes are convicted of or plead guilty to violations under the previous license as aforesaid or if and when such previous license is for any reason revoked

In the event such renewal license is revoked by the board neither the license fee paid for such license nor any part thereof shall be returned to the licensee but the license bond filed with the application for such renewal of license shall not be forfeited

(c) Notwithstanding anything to the contrary in this section any individual who holds a retail dispenser (hotel or eating place) license in effect at the time such individual enters the armed forces of the United States of America may surrender to the Pennsylvania Liquor Control Board for safekeeping the said license and if surrendered shall furnish the board with documentary evidence as to his entering such armed forces The Pennsylvania Liquor Control Board shall without the filing of an application for renewal or surety bond the payment of filing and license fees renew the said license from year to year and hold the same in its possession for the benefit of such licensee A license so renewed by the board shall to all intents and purposes be considered as in full force and effect notwithstanding the licensee is not exercising the privileges thereunder and shall be returned to the said licensee at any time within one year from the date of his honorable discharge from the armed forces of the United States upon the filing of an application therefor surety bond and payment of the filing and license fees as hereinafter provided The said application for return of license shall be on a form prescribed by the board accompanied by a filing fee in the sum of ten dollars ($10) and the prescribed license fee except that when such application is filed after a portion of the then current license term has elapsed the license fee shall be prorated on a monthly basis for the balance of the license year Provided however That the said license shall not be returned if the electors of the municipality in which the licensed establishment is situate have voted against the granting of retail dispenser licenses under the local option provision of this act In the event the premises originally covered by the license are not available for occupancy by the licensee at the time he files his application for return of license as hereinbefore provided he shall be permitted to file an application for transfer of the license to other premises in the same municipality Such transfer of the license shall be subject to all of the plovisions of this act pertaining to the transfer of licenses

Section 2 This amendment is enacted due to conditions caused by the present war and the said amendment shall remain in effect only until the termination of the said war and one year thereafter

Section 3 All acts and parts of acts in so far as they are inconsistent with the provisions of this act are hereby suspended

Section 4 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—45

Barr,	Farrell,	Mallery,	Tallman,
Bowers,	Geltz,	McCreesh,	Taylor,
Carr,	Gourley,	McGinnis,	Thomas,
Chapman,	Heyburn,	McQuiddy,	Tyler,
Coleman,	Holland,	Mundy,	Wade,
Cox,	Homsher,	Ruth,	Walker,
Crider,	James,	Scarlett,	Watkins,
Crowe,	Jaspan,	Shapiro,	Wilson, H. I.,
Deitrick,	Jones,	Snowden,	Wilson, T. B.,
Dent,	Kephart,	Stevenson,	Woodring,
DiSilvestro,	Letzler,	Stiefel,	Woodward,
Ealy,			

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 742, as follows:

An Act to amend section one of the act approved the fifteenth day of June one thousand nine hundred and thirty-nine (P. L. 346) entitled "An act to promote uniformity in the assessment and taxation of properties and persons within the territorial limits of cities of the second class by providing that city taxes within such territorial limits shall be assessed levied and collected upon the basis of the county assessments imposing

duties on county assessing authorities abolishing the department of assessors in cities of the second class and transferring certain property to county taxing authorities" by defining the effect upon appeals of the certification of tax duplicates to cities of the second class and to school district coterminous therewith and providing for exonerations and refunds of taxes assessed against properties affected by such appeals

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section one of the act approved the fifteenth day of June one thousand nine hundred and thirty-nine (P. L. 346) entitled "An act to promote uniformity in the assessment and taxation of properties and persons within the territorial limits of cities of the second class by providing that city taxes within such territorial limits shall be assessed levied and collected upon the basis of the county assessments imposing duties on county assessing authorities abolishing the department of assessors in cities of the second class and transferring certain property to county taxing authorities" is hereby amended to read as follows

Section 1 All city taxes in cities of the second class to be levied and assessed for the year one thousand nine hundred and forty-three and subsequent years shall be levied and assessed on the real estate and personal property as contained in the assessments made for county tax purposes for said year It shall be the duty of the proper county assessing authorities to assess all property in cities of the second class whether real or personal taxable under any general special or local law for city purposes to designate real property or parts thereof or property thereon not taxable for city purposes and to classify all real property in such cities in such manner and upon such testimony as may be adduced before them so as to distinguish between the buildings on land and the land exclusive of the buildings It shall be the further duty of such county taxing authorities to furnish annually on or before the first day of November to the city controller of said cities and to the board of school directors of the school districts coterminous therewith a properly certified duplicate of the [last] then existing adjusted valuation of all property taxable for county purposes and for city purposes within the territorial limits of said cities excepting only such assessments of intangible personal property as shall not be subject to the payment of city or school taxes Said certification shall not affect the validity of appeals filed either with the county assessing authorities or with the court pursuant to the act approved the twenty-first day of June one thousand nine hundred and thirty-nine (P. L. 626) and amendments thereto and if any assessment shall be reduced as a result of such appeal an exoneration for the proper amount to equalize such reduction shall be granted by the taxing authorities if the taxes based upon such assessment have not been paid and if the taxes based upon such assessment have been paid the excess taxes collected shall be refunded by the taxing authorities to the person having made such payment Such refunds shall be made within thirty (30) days after the taxing authorities have been notified of the reduction made in the assessment by the Board of Property Assessment Appeals and Review or by the court

Section 2 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—44

Barr,	Ealy,	Kephart,	Tallman,
Bowers,	Farrell,	Letzler,	Taylor,
Carr,	Geltz,	Mallery,	Thomas,
Chapman,	Gourley,	McCreesh,	Tyler,
Coleman,	Haluska,	McGinnis,	Wade,
Cox,	Heyburn,	McQuiddy,	Walker,
Crider,	Holland,	Ruth,	Watkins,
Crowe,	Homsher,	Scarlett,	Wilson, H. I.,
Deitrick,	James,	Snowden,	Wilson, T. B.,
Dent,	Jaspan,	Stevenson,	Woodring,
DiSilvestro,	Jones,	Stiefel,	Woodward,

NAYS—1

Shapiro,

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 750, as follows:

An Act to further amend subsection (a) of section twenty-five of the act approved the seventh day of June one thousand nine hundred seventeen (P. L. 447) entitled as amended "An act relating to the administration and distribution of the estates of decedents and of minors and of trust estates including the appointment bonds rights powers duties liabilities accounts discharge and removal of executors administrators guardians and trustees herein designated as fiduciaries the administration and distribution of the estates of presumed decedents widow's and children's exemptions debts of decedents rents of real estate as assets for payment thereof the lien thereof sales and mortgages of real estate for the payment thereof judgments and executions therefor and the discharge of real estate from the lien thereof contracts of decedents for the sale or purchase of real estate legacies including legacies charged on land the discharge of residuary estates and of real estate from the lien of legacies and other charges the appraisement of real estate devised at a valuation the ascertainment of the curtilage of dwelling houses or other buildings devised the abatement and survival of actions and the substitution of executors and administrators therein the survival of causes of action and suits thereupon by or against fiduciaries investments by fiduciaries the organization of corporations to carry on the business of decedents the audit and review of accounts of fiduciaries refunding bonds transcripts to the court of common pleas of balances due by fiduciaries the rights powers and liabilities on non-resident and foreign fiduciaries the appointment bonds rights powers duties and liabilities of trustees durante absentia the recording and registration of decrees reports and other proceedings and the fees therefor appeals in certain cases and also generally dealing with the jurisdiction powers and procedure of the orphans' court in all matters relating to fiduciaries concerned with the estates of decedents" by providing for the filing of petitions for the enforcement of payment of legacies charged upon real estate by executors administrators cum testamento annexo and administrators de bonis non cum testamento annexo

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Subsection (a) of section twenty-five of the act approved the seventh day of June one thousand nine hundred seventeen (P. L. 447) entitled as amended "An act relating to the administration and distribution of the estates of decedents and of minors and of trust estates including the appointment bonds rights powers duties liabilities accounts discharge and removal of executors administrators guardians and trustees herein designated as fiduciaries the administration and distribution of the estates of presumed decedents widow's and children's exemptions debts of decedents rents of real estate as assets for payment thereof the lien thereof sales and mortgages of real estate for the payment thereof judgments and executions therefor and the discharge of real estate from

the lien thereof contracts of decedents for the sale or purchase of real estate legacies including legacies charged on land the discharge of residuary estates and of real estate from the lien of legacies and other charges the appraisement of real estate devised at a valuation of ascertainment of the curtilage of dwelling houses or other buildings devised the abatement and survival of actions and the substitution of executors and administrators therein the survival of causes of action and suits thereupon by or against fiduciaries investments by fiduciaries the organization of corporations to carry on the business of decedents the audit and review of accounts of fiduciaries refunding bonds transcripts to the court of common pleas of balances due by fiduciaries the rights powers and liabilities of non resident and foreign fiduciaries the appointment bonds rights powers duties and liabilities of trustees durante absentia the recording and registration of decrees reports and other proceedings and the fees therefor appeals in certain cases and also generally dealing with the jurisdiction powers and procedure of the orphans' court in all matters relating to fiduciaries concerned with the estates of decedents" as amended by the act approved the fourteenth day of April one thousand nine hundred thirty-one (P. L. 32) is hereby further amended to read as follows

Section 25 (a) 1 In all cases in which by the provisions of any last will and testament or by the provisions of this act or by proceedings in the orphans' court in any county any legacy or any money payable at a future period or any money the interest on which is payable to any person is or shall be hereafter charged upon or payable out of real estate it shall be lawful for the legatee or the person entitled to such money or interest or the executor of the last will and testament of any decedent or the administrator cum testamento annexo or the administrator de bonis nom cum testamento annexo of the said last will and testament to apply by petition to the orphans' court having jurisdiction of the accounts of the fiduciary On the presentation of such petition the court having caused due notice to be given to such fiduciary and the devisee or heir as the case may be and the present owner of the real estate charged with such legacy sum of money or interest and to such persons interested in the estate or property as justice may require may proceed according to equity to make a decree directing such devisee heir or owner to pay the amount of such legacy sum of money or interest then due within a time to be limited by such decree and providing that in case such devisee heir or owner shall fail to make payment within such time the fiduciary or a trustee to be appointed by said court in its discretion shall after giving public notice of such sale once a week for a period of three weeks before the day appointed therefor by advertisement in at least one newspaper published in the county if there be one or if there be none then in an adjoining county and by handbills posted at a conspicuous place on the real estate proposed to be sold and in at least three of the most public places in the vicinity of such estate make sale of said real estate or so much thereof as may be necessary for the purpose of payment of such legacy sum of money or interest The proceeds of such sale shall be distributed under the direction of said court as in other cases of judicial sales to the persons legally entitled to receive the same In the case of money charged upon real estate the interest on which is payable to any person the court may instead of directing a sale of such real estate as aforesaid make such decree or order to enforce payment of said interest as shall be just and proper

2 The orphans' courts of the several counties of this Commonwealth in all cases where under the provisions of this section such courts have power to order the sale of real estate may authorize or direct a private sale if in the opinion of the court under all the circumstances a better price can be obtained at private than at public sale as where the interest shall be undivided or for any other sufficient cause

3 Before authorizing or directing any private sale of real estate public notice thereof shall be given by advertisement printed in at least one newspaper published in the county where such real estate is situated once a week for a period of three weeks prior to the date fixed by such order for authorizing or directing such sale and also written or printed notices one of which shall be posted at a conspicuous place on the real estate proposed to be sold and at least three of which shall be posted at three of the most public places in the vicinity of such real estate and before authorizing or directing such sale the court shall require proof by affidavit to be filed in the proceedings that notice as aforesaid has been given Such notice shall specify the location and description of the real estate proposed to be sold the name of the proposed purchaser and the price agreed to be paid

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—45

Barr,	Farrell,	Letzler,	Tallman,
Bowers,	Geltz,	Mallery,	Taylor,
Carr,	Gourley,	McCreesh,	Thomas,
Chapman,	Haluska,	McGinnis,	Tyler,
Coleman,	Heyburn,	McQuiddy,	Wade,
Cox,	Holland,	Ruth,	Walker,
Crider,	Homsher,	Scarlett,	Watkins,
Crowe,	James,	Shapiro,	Wilson, H. I.,
Deitrick,	Jaspan,	Snowden,	Wilson, T. B.,
Dent,	Jones,	Stevenson,	Woodring,
DiSilvestro,	Kephart,	Stiefel,	Woodward,
Ealy,			

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

BILL OVER IN ORDER

Mr. HEYBURN. Mr. President, I ask unanimous consent that House Bill No. 770, on third reading, entitled:

An Act to further amend section four of the act, approved the first day of May, one thousand nine hundred and thirteen (P. L. 138), entitled "An act defining vocational education; providing for the establishment and regulation of vocational schools; and providing for State aid in the maintenance thereof, and for the payment of tuition by certain school districts, and reimbursement thereof by the State," by adding clause (d), providing for future rehabilitation programs in public schools and maximum rates to be charged

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILL RECOMMITTED

Mr. HEYBURN. Mr. President, I move that House Bill No. 787, on third reading, entitled:

An Act to further amend section one hundred thirty-six of the act approved the second day of May one thousand nine hundred twenty-nine (P. L. 1278) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto" changing the requirements for creating the office of county controller by court decree in counties of the sixth seventh and eighth classes and authorizing the establishment of such office by referendum

be recommitted to the Committee on County Government.

Mr. WADE. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

Mr. MALLERY. Mr. President, I desire to be recorded as voting "no" on the recommittal of this bill.

The PRESIDENT. The gentleman from Blair will be so recorded.

And the question recurring,

Will the Senate agree to the motion?

The motion was agreed to.

BILLS ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 805, as follows:

An Act authorizing the appointment of a clerk to the jury commissioners in counties of the third class by the court of common pleas the fixing of his salary by the salary board and the payment thereof by the county

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The court of common pleas of each county of the third class may appoint a clerk of the jury commissioners of the county to serve at the pleasure of the court His salary shall be fixed by the salary board of the county and shall be paid by the county

Section 2 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—44

Barr,	Ealy,	Kephart,	Tallman,
Bowers,	Farrell,	Letzler,	Taylor,
Carr,	Geltz,	Mallery,	Thomas,
Chapman,	Gourley,	McCreesh,	Tyler,
Coleman,	Haluska,	McGinnis,	Wade
Cox	Heyburn,	McQuiddy,	Walker,
Crider,	Holland,	Ruth,	Watkins,
Crowe,	Homsher,	Scarlett,	Wilson, H. I.,
Deitrick,	James,	Snowden,	Wilson T. B.,
Dent,	Jaspan,	Stevenson,	Woodring,
DiSilvestro,	Jones,	Stiefel,	Woodward,

NAYS—1

Shapiro,

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which the concurrence of the House is requested.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 808, as follows:

An Act to provide for certain powers related to the war emergency to the Department of Public Assistance and county boards of assistance providing for assistance to individuals in distress because of enemy action or the danger thereof providing for the expenditure of State funds therefor and for the acceptance of reimbursement from the United States Government of funds so expended

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The Department of Public Assistance and county boards of assistance subject to rules of the State Department of Public Assistance shall have authority to provide financial aid and other assistance for all individuals within the State who are in need or distress by reason of any enemy action or activity or the danger thereof or any action of the military or civilian authorities to meet military exigency or the failure due to the war of normal obligations or the disruption of normal relationships involving protection care or support and in the furtherance of such program to cooperate with the Federal Government in the administration of any Federally financed assistance program therefor operation of which is delegated to State and local public assistance agencies and to pay out and expend where necessary State funds appropriated to the Department of Public Assistance for assistance and administrative purposes pending receipt of Federal reimbursement

Section 2 All reimbursements received by the Department of Public Assistance from the United States Government for assistance under this act shall be paid into the State Treasury through the Department of Revenue and credited to the biennial appropriation made to the Department of Public Assistance

Section 3 Without individual consent no personal or confidential information shall be utilized or disclosed for purposes unrelated to the administration of the program

Section 4 Nothing in this act shall impair or interfere with the functions or authority of the State Council of Defense

Section 5 This act shall become effective immediately upon its final enactment and shall remain in force for the duration of the existing state of war and for six months after termination thereof by the signing of a definitive treaty of peace or by the proclamation of the President of the United States that hostilities have ceased or that the emergency in justification of extraordinary war-time powers no longer exists whichever is the earliest in point of time

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—45

Barr,	Farrell,	Letzler,	Tallman,
Bowers,	Geltz,	Mallery,	Taylor,
Carr,	Gourley,	McCreesh,	Thomas,
Chapman,	Haluska,	McGinnis,	Tyler,
Coleman,	Heyburn,	McQuiddy,	Wade
Cox,	Holland,	Ruth,	Walker,
Crider,	Homsher,	Scarlett,	Watkins,
Crowe,	James,	Shapiro,	Wilson H. I.,
Deitrick,	Jaspan,	Snowden,	Wilson, T. B.,
Dent,	Jones,	Stevenson,	Woodring,
DiSilvestro,	Kephart,	Stiefel,	Woodward,
Ealy,			

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 823, as follows:

An Act to further amend section fourteen of the act approved the thirteenth day of May one thousand nine hundred and fifteen (P. L. 286) entitled "An act to provide for the health safety and welfare of minors By forbidding their employment or work in certain establishments and occupations and under certain specified ages by restricting their hours of labor and regulating certain conditions of their employment by requiring employment certificates for certain minors and prescribing the kinds thereof and the rules for the issuance reissuance filing return and recording of the same by providing that the Industrial Board shall under certain conditions determine and declare whether certain occupations are within the prohibitions of this act requiring that certain minors shall during the period of their employment attend certain schools to be established as therein provided and to be approved by the State superintendent of Public Instruction and regulating the conditions of such attendance authorizing the State Board of Education in certain cases to appoint attendance officers to aid in enforcing the provisions of this act and creating the salary and expenses of such officers a charge against the school district wherein they are employed requiring certain abstracts and notices to be posted providing for the enforcement of this act by the Commissioner of Labor and Industry the attendance officers of school districts and police officers and defining the procedure in prosecutions thereunder and establishing certain presumptions in relation thereto providing penalties for the violation of the provisions thereof and repealing all acts or parts of acts inconsistent therewith" by permitting examinations to be made by any licensed physician

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section fourteen of the act approved the thirteenth day of May one thousand nine hundred and fifteen (P. L. 286) entitled "An act to provide for the health safety and welfare of minors By forbidding their employment or work in certain establishments and occupations and under certain specified ages by restricting their hours of labor and regulating certain conditions of their employment by requiring employment certificates for certain minors and prescribing the kinds thereof and the rules for the issuance reissuance filing return and recording of the same by providing that the Industrial Board shall under certain conditions determine and declare whether certain occupations are within the prohibitions of this act requiring that certain minors shall during the period of their employment attend certain schools to be established as therein provided and to be approved by the State Superintendent of Public Instruction and regulating the conditions of such attendance authorizing the State Board of Education in certain cases to appoint attendance officers to aid in enforcing the provisions of this act and creating the salary and expenses of such officers a charge against the school district wherein they are employed requiring certain abstracts and notices to be posted providing for the enforcement of this act by the Commissioner of Labor and Industry the attendance officers of school districts and police officers and defining the procedure in prosecutions thereunder and establishing certain presumptions in relation thereto providing penalties for the violation of the provisions thereof and repealing all acts or parts of acts inconsistent therewith" as last amended by the act approved the nineteenth day of July one thousand nine hundred and thirty-five (P. L. 1335) is hereby further amended to read as follows

Section 14 The certificate of physical fitness required by this act shall state that the minor has been thoroughly examined by the said examining physician at the time of the application for an employment certificate and is physically qualified for the employment specified in the statement of the prospective employer In any case where the said physician shall deem it advisable he may issue a certificate of physical fitness for a limited time at the expiration of which time the holder shall again appear and submit to a new examination before being permitted to continue at work Provided however That in a school district of the first second or third class the physical examination of a minor provided for by this act shall be made by a physician employed by the board of school directors of the school district in which such minor resides and in a district of the fourth class by a physician appointed by the State Department of Health that the certificate of physical fitness provided for by this act shall be signed by said physician and that no fee or other compensation for such service shall be required to be paid by such minor or by his parent or guardian P rovided however That for the duration of present hostilities and six (6) months thereafter any physician licensed to practice medicine in Pennsylvania may make such examinations in event that the parent or guardian or employer is willing to pay for same

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—45

Barr,	Farrell,	Letzler,	Tallman,
Bowers,	Geltz,	Mallery,	Taylor,
Carr,	Gourley,	McCreesh,	Thomas,
Chapman,	Haluska,	McGinnis,	Tyler,
Coleman,	Heyburn,	McQuiddy,	Wade,
Cox,	Holland,	Ruth,	Walker,
Crider,	Homsher,	Scarlett,	Watkins,
Crowe,	James,	Shapiro,	Wilson, H. I.,
Deitrick,	Jaspan,	Snowden,	Wilson, T. B.,
Dent,	Jones,	Stevenson,	Woodring,
DiSilvestro,	Kephart,	Stiefel,	Woodward,
Ealy,			

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

BILL RECOMMITTED

Mr. HEYBURN. Mr. President, I move that House Bill No. 825, on third reading, entitled:

An Act to amend the title and section one of the act approved the twenty-seventh day of April one thousand nine hundred twenty-seven (P. L. 403) entitled "An act fixing the salary of county commissioners in counties of the third fourth fifth and sixth classes" by increasing the salary of county commissioners in counties of the sixth seventh and eighth classes

be recommitted to the Committee on County Government.

Mr. SCARLETT. Mr. President, I second the motion.

The motion was agreed to.

BILL ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 828, as follows:

An Act to further amend section one and paragraphs (a) and (b) of section three and sections four and seven and amend section five of the act approved the twenty-fifth day of July one thousand nine hundred thirteen (P. L. 1024) entitled "An act to protect the public health

and welfare by regulating the employment of females in certain establishments with respect to their hours of labor and the conditions of their employment by establishing certain sanitary regulations in the establishments in which they work by requiring certain abstracts and notices to be posted by providing for the enforcement of this act by the Commissioner of Labor and Industry and others by prescribing penalties for violations thereof by defining the procedure in prosecutions and by repealing all acts and parts of acts inconsistent with the provisions thereof" by changing the definition of "week" and "day" and by increasing the hours of labor and temporarily suspending certain restrictions on employment

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section 1 of the act approved the twenty-fifth day of July one thousand nine hundred thirteen (P. L. 1024) entitled "An act to protect the public health and welfare by regulating the employment of females in certain establishments with respect to their hours of labor and the conditions of their employment by establishing certain sanitary regulations in the establishments in which they work by requiring certain abstracts and notices to be posted by providing for the enforcement of this act by the Commissioner of Labor and Industry and others by prescribing penalties for violations thereof by defining the procedure in prosecutions and by repealing all acts and parts of acts inconsistent with the provisions thereof" as last amended by the act approved the fourth day of June one thousand nine hundred and thirty-seven (P. L. 1547) is hereby further amended to read as follows

Section 1 Be it enacted &c That the term "establishment" when used in this act shall mean any place within this Commonwealth where work is done for compensation of any sort to whomever payable

The term "person" when used in this act shall be construed to include any individual partnership or other unincorporated association corporation Commonwealth and any political subdivision thereof

The term "week" when used in this act shall mean [any] seven consecutive days which may begin on any day of a week and the term "day" shall mean [any] twenty-four consecutive hours which may begin at any hour of a day

Section 2 Paragraph (a) of section three of the said act as last amended by the act approved the ninth day of June one thousand nine hundred thirty-nine (P. L. 305) is hereby further amended to read as follows

Section 3 (a) Except as hereinafter provided no female shall be employed or permitted to work in or in connection with any establishment for more than five and one-half days in any one week or more than forty-four hours in any one week or more than eight hours in any one day Provided That one day of rest may be subdivided into two days of twelve hours each for women employes in hotels boarding-houses and in charitable educational and religious institutions at the discretion of the Department of Labor and Industry with the approval of the Industrial Board And provided further That females employed in charitable or welfare institutions operated on a non-profit basis shall be permitted to work for not more than ten hours in any one day which ten hours shall be all within one period of thirteen consecutive hours and not more than forty-eight hours in six days of any calendar week And provided further That during the present existing state of war between the United States and certain foreign countries and six months thereafter upon application of an employer to the Secretary of Labor and Industry with the approval of the Industrial Board females may be employed or permitted to work in or in connection with any establishment for forty-eight hours in any one week but not to exceed ten hours in any one day or more than six consecutive days in any one week provided such employment is directly or indirectly in furtherance of the war effort

Where the strict application of the schedule of hours provided for by this section imposes an unnecessary hardship and violates the intent and purpose of this act the Department of Labor and Industry with the approval of the Industrial Board may make alter amend and repeal general rules and regulations prescribing variations from said schedule of hours Provided That if it would be held hereafter by the courts of this Commonwealth that the power herein sought to be granted to the said Department of Labor and Industry is for any reason invalid such holding shall not be taken in any case to affect or impair the remaining provisions of this section

Section 3 Paragraph (b) of section three of said act as amended by the act approved the fourth day of June one thousand nine hundred thirty-seven (P. L. 1547) is hereby further amended to read as follows

(b) Whenever any female shall be employed or permitted to work in or in connection with more than one establishment in any one week or in any one day the aggregate number of hours during which she shall be employed or permitted to work in or in connection with such establishments shall not exceed forty-four in any one week or eight in any one day Provided That during the present existing state of war between the United States and certain foreign countries and six months thereafter upon application of an employer to the Secretary of Labor and Industry with the approval of the Industrial Board females may be employed or permitted to work in or in connection with such establishment for forty-eight hours in any one week but not to exceed ten hours in any one day nor more than six consecutive days in any one week provided such employment is directly or indirectly in furtherance of the war effort

Section 4 Section four of said act as last amended by the act approved the ninth day of June one thousand nine hundred thirty-nine (P. L. 306) is hereby further amended to read as follows

Section 4 No female shall be employed or permitted to work in any manufacturing establishment before the hour of six o'clock in the morning or after the hour of ten o'clock in the evening of any day except that in manufacturing establishments operating not more than two shifts females may be employed between the hours of six o'clock in the morning and twelve o'clock midnight Provided That employment in such cases shall not exceed eight (8) consecutive hours in any one day (exclusive of meal period) or five (5) days in any one week The provisions of this section shall not apply to managers superintendents or persons doing clerical or stenographic work And provided further That where the strict application of the night restrictions impedes or interferes with the war effort the Department of Labor and Industry with the approval of the Industrial Board may suspend the provisions of this section

Section 5 Section five of said act is hereby amended to read as follows

Section 5 No female under twenty-one years of age shall be employed or permitted to work in or in connection with any establishment before the hour of six o'clock in the morning or after the hour of nine o'clock in the evening of any day Provided That this section shall not apply to females over the age of eighteen years employed as telephone operators And provided further That where the strict application of the night restrictions impedes or interferes with the war effort the Department of Labor and Industry with the approval of the Industrial Board may suspend the provisions of this section

Section 6 Section seven of the act is hereby further amended to read as follows

Section 7 No female shall be employed or permitted to work for more than five hours continuously in or in connection with any establishment without a meal or rest period of at least thirty minutes which period shall not be considered a part of the hours of labor and no period of less than thirty minutes shall be deemed to interrupt a continuous period of work

Employes shall not be required to remain in the workrooms during the meal or rest periods required by this section Provided however That where the strict application of the thirty minutes meal or rest period impedes

or interferes with the war effort the Department of Labor and Industry with the approval of the Industrial Board may suspend the provisions of this section

Section 7 The provisions of this act shall become effective immediately upon its final enactment

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

Mr. DENT. Mr. President and members of the Senate, in 1935 when I first came to the General Assembly, along with my colleague in the House who is now a Senator, the gentleman from Cambria, Senator Haluska, we introduced a far-reaching piece of legislation. At that time we had difficulty in getting the bill through the House because of the fact that it was a step that had never been approached before. The bill died in the Senate.

In 1937, as a member of the Senate, along with my colleague, Senator Haluska, we also introduced this piece of legislation. Today we find on the Calendar a bill affecting that legislation. For many years, in the state of Pennsylvania, it was lawful for a woman to work 54 hours a week. After much deliberation and many public hearings, in practically every important city of the state, at which time I took the affirmative side of debate against a person selected by the Pennsylvania League of Women Voters—I believe an attorney—we debated this question in many of the principal cities and towns of the state, and as a result we finally enacted a law which limited the hours of labor of women to forty hours a week.

We find ourselves today, under the guise of a war legislative act, increasing the hours of labor to forty-eight hours in any one week to ten hours a day, six days a week, or for six consecutive days.

I do not know whether or not the members of the Senate realize that many married women are now in industry, family women, women with children. Concern for the children of those war workers ought to prompt every man in this Senate to realize the seriousness of keeping a woman away from her home for a long day, six days a week. We hear every day about juvenile delinquency and we are doing our best, as I understand it, to diminish delinquency amongst our juveniles.

In this bill we go further and remove, if you please, night restrictions. It has been felt for many years in industry the wrong thing to do was to allow women to work in industrial plants at night. Further, it was also agreed, I believe unanimously, that no woman ought to be required to work more than five hours without a rest period of about thirty minutes. I see here where we remove that rest period also. But you say to me, of course, it is under the jurisdiction of the Department of Labor and Industry and the Secretary may make the decisions, but I say to you that under the War Powers Act that we are giving the Governor of the Commonwealth of Pennsylvania, if any conditions exist that this bill tries to contemplate, the Governor of Pennsylvania will have every right to set aside any restrictive legislation where it interferes with the war effort.

I say to you, Mr. President, and members of the Senate, there is absolutely no need for this bill. There is no need whatsoever. There are very few industries where women are employed, where a longer work week is required, and in those few industries I am sure the Governor of the Commonwealth of Pennsylvania will use his good judgment in allowing longer hours, night work, and ten hours straight through without a rest period.

There is a difference, you know, in the make-up of men and women in their constitutional ability. I sometimes wonder whether or not women can work ten hours a day without some rest period being provided. Having been an employer myself at various times in my life, I know that there are employers who will make women work ten hours a day without a rest period.

Gentlemen of the Senate, this is not partisan legislation. A few hours ago we debated the question of big industry, and I was accused of taking the side of big industry, because now, fortunately enough, I am operating a small coal mine—when I am allowed to. I want to call to the attention of the man that made that remark that I am also standing here the same as I first stood the first day I came to the General Assembly, fighting for every decent right and every decent law that gives men and women who labor some consideration for their efforts, and I shall continue to do that no matter how rich I may become in worldly goods.

I say to the members of this Senate that this bill is not needed. If you need this bill then, of course, you do not need to give the Governor the absolute right to set aside and abrogate any law that interferes with the war effort, if he so desires.

I say, Mr. President and members of the Senate, that under the terms of this bill the Secretary of Labor and Industry wields a big stick, one never intended by the laws of this state, and I ask the members of this Senate to review carefully the full intent of this bill.

We had child labor in Pennsylvania, we had fly-by-night sweat shops in Pennsylvania, and it was a Republican Governor who started the stick swinging that wiped them out. We came along in 1935 and 1937 and finished the job where he started.

I hate to see decent legislation going backwards. There are still unemployed men in Pennsylvania, regardless of what the index figures might show, and if you do not believe that just look over the relief report that you received last week from the Department of Public Assistance.

Women can work now up to ten o'clock at night, which I think is sufficiently late for women in industry to work. Any of you who have been in industry, I believe, will agree with me that I am trying to call your attention to a very serious piece of legislation. I can see it has no effect on you. When this bill becomes a law of the state of Pennsylvania, the Secretary of Labor and Industry can open up for abuse, if you please, the very things that we fought against for four years before we enacted a law to protect it. I know some of you will say, well, women are entitled to equal rights, and I agree with you, maybe they are entitled to rights to suffer with men, I do not know, but so long as I have a voice in my body, I will not allow with my vote legislation to pass which will cause hardships on the mothers of today. Remember, you are dealing with a different type of family labor condition than you ever did before. Many patriotic women leave their children in the hands of their neighbors. We do not have in Pennsylvania a carefully set up child welfare or child care center; we do not have in Pennsylvania, and

have not provided through our legislative acts, any system whereby the children of those mothers can be taken care of, and, at least under the present set up, women get home after a reasonable day's work and feed their children and instruct them a little. You men who during your lives have worked well know when you do ten hours of work anywhere you are not ready to give anybody any counsel or advice, all you are ready to do is to go to bed. They do it here and they do not work ten hours.

I ask you gentlemen to consider this from a serious point of view. I regret that you have taken caucus action, because I do not believe this is that type of legislation; I believe that this is the type of legislation that merits decent consideration from every man on the Senate floor. I ask you not to disturb the law as it stands. You are giving the Governor, with our support, sufficient powers to set aside any act of the legislature when it interferes with the war effort. So I say to you, gentlemen, I would study it before I pass this bill.

Mr. HEYBURN. Mr. President, I think the gentleman from Westmoreland, Senator Dent, is unduly alarmed about this bill. As the woman hour laws now stand, of course, a female is limited to forty-four hours of employment per week. Mr. President, this same sort of relaxing of the women hour laws has been done in a great many states of the Union; it is something which has been made necessary by the tremendous war effort to which we are now putting ourselves. It simply provides that a woman may work as much as forty-eight hours per week, not more than ten in any one day, not more than forty-eight hours in a week, and not more than six consecutive days.

The gentleman from Westmoreland, Senator Dent, spoke of certain provisions in the bill which provide that the Secretary of Labor and Industry may, with the approval of the industrial board, relax certain provisions such as the thirty minute lunch period and thirty minutes rest period.

Mr. President, I have talked with the Secretary of Labor and Industry and I find that there is a problem that probably the Senator from Westmoreland has not heard about. The Department of Labor and Industry is simply flooded with applications for special permission so that women may work more than forty-four hours per week and at the same time to readjust rest periods.

Any one knows, Mr. President, that those engaged in war industries in Pennsylvania are not out to work any woman to death or anything of that kind, but there is a situation here which is out of the ordinary, and this bill simply provides for a relaxing of the law for the period of the war and six months thereafter.

This bill, Mr. President, I have given to some labor leaders to read and I have heard no criticism, except one or two minor amendments which they suggested and which were inserted here on the floor of the Senate. The bill is in line with that which has been done in other states.

Therefore, Mr. President, I ask my colleagues to vote "aye" on this bill.

Mr. SHAPIRO. Mr. President, when you start to read this bill, as I did, you feel there is a need for some of the provisions -there has been some question concerning seven consecutive days, or when a Sunday begins or when you have to pay overtime, and there is also a provision in the bill as to six consecutive days.

The Secretary of Labor and Industry has, for the last year at least, been granting special permits in the war areas, not only to factories but to persons who are in any way connected with the war effort in a war area, he has made allowances, but this bill goes even further, and that is the trouble with all of this legislation—when you get enough you do not seem to be satisfied. This bill provides that the thirty minute rest period which has always been accepted as a necessity for female workers may be eliminated, and that to me is the thing that makes this bill all wrong.

It is not necessary. They are permitted to work ten hours and they are entitled to a thirty minute rest period, but now you say even the thirty minutes rest period can be taken away.

I know that the more sensible industrialists and business men will not take advantage of that because they will realize that there is a limit to endurance, certainly of women, and they will not take advantage of that position, but I know there will be unscrupulous people who will take advantage of it, and it seems to me unnecessary to include a provision not necessary for the basic purposes of this bill.

We put ourselves on record not only of allowing these women to work ten hours a day but we now say to ourselves, during the war effort it will be all right, but we are going to give some unscrupulous people the right to take away the rest period from them and that is why I think the bill goes too far.

And the question recurring,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—27

Bowers,	Geltz,	Mallery,	Wade,
Carr,	Heyburn,	Scarlett,	Walker,
Chapman,	Homsher,	Snowden,	Watkins,
Crider,	James,	Stevenson,	Wilson, H. I.,
Crowe,	Jones,	Tallman,	Wilson, T. B.
Ealy,	Kephart,	Taylor,	Woodward,
Farrell,	Letzler,	Thomas,	

NAYS—19

Barr,	DiSilvestro,	McCreesh,	Shapiro,
Coleman,	Gourley,	McGinnis,	Stiefel,
Cox,	Haluska,	McQuiddy,	Tyler,
Deitrick,	Holland,	Mundy,	Woodring.
Dent,	Jaspan,	Ruth,	

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which the concurrence of the House is requested.

BILL OVER IN ORDER

Mr. HEYBURN. Mr. President, I ask unanimous consent that House Bill No. 836, on third reading, entitled:

An Act to amend the title and sections four six seven and eight of the act approved the nineteenth day of March one thousand nine hundred forty-one (P. L. 6) entitled "An act relating to national and State defense providing for the establishment of a State Council of Defense and of local and district councils of defense prescribing the powers and duties thereof and making an appropriation therefor" by conferring certain powers and duties upon the State

Council of Defense local and district councils of defense eliminating certain provisions no longer in effect and providing penalties.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 845, as follows:

An Act to amend sections six hundred seventeen and six hundred twenty-one of the act approved the second day of May one thousand nine hundred twenty-nine (P. L. 1278) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto" by removing certain restrictions as to the location of contagious disease hospitals and authorizing counties to join with any other municipality or hospital in establishing a joint contagious disease hospital

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Sections six hundred seventeen and six hundred twenty-one of the act approved the second day of May one thousand nine hundred twenty-nine (P. L. 1278) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto" are hereby amended to read as follows

Section 617 Contagious Disease Hospital Whenever in the opinion of the board of commissioners a hospital for the care of contagious diseases appears to be necessary or advisable the board of commissioners may either locate such a hospital on the grounds of the county poor-farm or may purchase a suitable location in some other locality [provided such locality is not within or close to the built-up portion of any city borough or village and not within one hundred (100) feet of any public highways]

Section 621 Joint Contagious Disease Hospitals Whenever the county commissioners of two or more counties decide that a hospital for the care of contagiuos diseases is necessary they may join in establishing such hospital either on the grounds of the county poor-farm of either county or on such other suitable location agreed on as may be purchased for the purpose subject however in all other respects to the conditions and limitations prescribed in this act The county commissioners may in like manner join in establishing a contagious disease hospital with any municipality within the county or with any established general hospital in the county or with the municapality and hospital

[Such joint hospitals shall be conducted and maintained under the joint authority of the directors of the poor of the counties joining in the establishment thereof]

All expenses incident to the construction operation and maintenance of [such contagious disease hospitals] any joint hospital for contagious diseases shall be borne jointly [by the counties establishing the same in such proportions as may be agreed on by the county commissioners] by the parties in such proportions as may be agreed upon

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—46

Barr,	Farrell,	Mallery,	Tallman,
Bowers,	Geltz,	McCreesh,	Taylor,
Carr,	Gourley,	McGinnis,	Thomas,
Chapman,	Haluska,	McQuiddy,	Tyler,
Coleman,	Heyburn,	Mundy,	Wade,
Cox,	Holland,	Ruth,	Walker,
Crider,	Homsher,	Scarlett,	Watkins,
Crowe,	James,	Shapiro,	Wilson, T. B.,
Deitrick,	Jaspan,	Snowden,	Wilson, H. L.,
Dent,	Jones,	Stevenson,	Woodring,
DiSilvestro,	Kephart,	Stiefel,	Woodward,
Ealy,	Letzler,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

BILLS OVER IN ORDER

Mr. HEYBURN. Mr. President, I ask unanimous consent that House Bill No. 847, on third reading, entitled:

An Act to amend the title and sections three and four of the act, approved the thirty-first day of July, one thousand nine hundred forty-one (P. L. 644), entitled "An act to authorize housing authorities to undertake the development or administration of projects to provide safe and sanitary dwellings for persons engaged in national defense activities who would not otherwise be able to secure such dwellings within the vicinity thereof; to limit the initiation of the development of such projects until December 31, 1943; to authorize housing authorities to cooperate with or act as agent of the Federal Government in the development and administration of such projects of the Federal Government, to acquire or lease such projects and to sell or lease certain projects to the Federal Government; to authorize public bodies to assist such projects of housing authorities and of the Federal Government to provide safe and sanitary dwellings for persons engaged in national defense activities," by extending the limitation of the initiation of such projects from December thirty-first, one thousand nine hundred forty-three, until December thirty-first, one thousand nine hundred forty-five

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. HEYBURN. Mr. President, I ask unanimous consent that House Bill No. 862, on third reading, entitled:

An Act providing for the creation maintenance and operation of a county employes retirement system in counties of the sixth and seventh class imposing certain charges on counties and prescribing penalties.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 865, as follows:

An Act to amend section four hundred nine of the act approved the twenty-ninth day of November one thousand nine hundred thirty-three (P. L. 15, 1933-34) entitled as amended "An act to regulate and restrain the sale manufacture possession transportation importation

traffic in and use of alcohol and alcoholic and malt or brewed beverages conferring powers and imposing duties upon the Pennsylvania Liquor Control Board and its agents the Department of Public Instruction other officers of the State government courts and district attorneys authorizing the establishment and operation of State stores for the sale of such beverages not for consumption on the premises and the granting of licenses subject to local option to sell such beverages for consumption on and off the premises forbidding importation or bringing of such beverages into the State except as herein provided prohibiting certain sales or practices in connection with and transactions in such beverages by licensees and others providing for the forfeiture of certain property making disposition of the receipts from State stores and of fees and imposing penalties" by providing for the surrendering by persons in military service of licenses granted to them the renewal thereof by the board during licensee's continuance in such service and the renewal thereof thereafter.

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section four hundred nine of the act approved the twenty-ninth day of November one thousand nine hundred thirty-three (P. L. 15, 1933-34) entitled as amended "An act to regulate and restrain the sale manufacture possession transportation importation traffic in and use of alcohol and alcoholic and malt or brewed beverages conferring powers and imposing duties upon the Pennsylvania Liquor Control Board and its agents the Department of Public Instruction other officers of the State government courts and district attorneys authorizing the establishment and operation of State stores for the sale of such beverages not for consumption on the premises and the granting of licenses subject to local option to sell such beverages for consumption on and off the premises forbidding importation or bringing of such beverages into the State except as herein provided prohibiting certain sales or practices in connection with and transactions in such beverages by licensees and others providing for the forfeiture of certain property making disposition of the receipts from State stores and of fees and imposing penalties" as last reenacted and amended by the act approved the sixteenth day of June one thousand nine hundred thirty-seven (P. L. 1762) is hereby further amended by adding thereto immediately after subsection (c) a new subsection to read as follows

Section 409 License Year Renewal of Licenses

* * * * *

(d) Notwithstanding anything to the contrary in this section any individual who holds a restaurant or hotel liquor license in effect at the time such individual enters the armed forces of the United States of America may surrender to the Pennsylvania Liquor Control Board for safekeeping the said license and if surrendered shall furnish the board with documentary evidence as to his entering such armed forces Upon surrender of the license the Pennsylvania Liquor Control Board shall without the filing of an application for renewal or surety bond the payment of filing and license fees renew the said license from year to year and hold the same in its possession for the benefit of such licensee A license so renewed by the board shall to all intents and purposes be considered as in full force and effect notwithstanding the licensee is not exercising the privileges thereunder and shall be returned to the said licensee at any time within one year from the date of his honorable discharge from the armed forces of the United States upon the filing of an application therefor surety bond and payment of the filing and license fees as hereinafter provided The said application for return of license shall be on a form prescribed by the board accompanied by a filing fee in the sum of ten dollars ($10.00) and the prescribed license fee except that when such application is filed after a portion of the then current License term has lapsed the license fee shall be prorated on a monthly basis for the balance of the license year Provided however That the said license shall not be returned if the electors of the municipality in which the licensed establishment is situate have voted against the granting of retail liquor licenses under the local option provision of this act In the event the premises originally covered by the license are not available for occupancy by the licensee at the time he files his application for return of license as hereinbefore provided he shall be permitted to file an application for transfer of the license to other premises in the same municipality Such transfer of the license shall be subject to all of the provisions of this act pertaining to the transfer of licenses

Section 2 This amendment is enacted due to conditions caused by the present war and the said amendment shall remain in effect only until the termination of the said war and one year thereafter

Section 3 All acts and parts of acts inconsistent with the provisions of this act are hereby suspended

Section 4 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—46

Barr,	Farrell,	Mallery,	Tallman,
Bowers,	Geltz,	McCreesh,	Taylor,
Carr,	Gourley,	McGinnis,	Thomas,
Chapman,	Haluska,	McQuiddy,	Tyler,
Coleman,	Heyburn,	Mundy,	Wade,
Cox,	Holland,	Ruth,	Walker,
Crider,	Homsher,	Scarlett,	Watkins,
Crowe,	James,	Shapiro,	Wilson, H. L.,
Deitrick,	Jaspan,	Snowden,	Wilson, T. B.,
Dent,	Jones,	Stevenson,	Woodring,
DiSilvestro,	Kephart,	Stiefel,	Woodward,
Ealy,	Letzler,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

BILL RECOMMITTED

Mr. HEYBURN. Mr. President, I move that House Bill No. 871, on third reading, entitled:

An Act to further amend sections two three hundred five paragraph (4) of section six hundred two and section six hundred three of the act approved the twenty-ninth day of November one thousand nine hundred thirty-three (P. L. 15, 1933-34) entitled as amended "An act to regulate and restrain the sale manufacture possession transportation importation traffic in and use of alcohol and alcoholic and malt or brewed beverages conferring powers and imposing duties upon the Pennsylvania Liquor Control Board and its agents the Department of Public Instruction other officers of the State government courts and district attorneys authorizing the establishment and operation of State stores for the sale of such beverages not for consumption on the premises and the granting of licenses subject to local option to sell such beverages for consumption on and off the premises forbidding importation or bringing of such beverages into the State except as herein provided prohibiting certain sales or practices in connection with and transactions in such beverages by licensees and others providing for the forfeiture of certain property making disposition of the receipts from State stores and of fees and imposing penalties" by defining "Official Seal" and authorizing the designation of wholesale or retail stores and suspending for the duration of the present war and for

a period of one year thereafter the holding of Local Option Referenda on the question of granting liquor licenses and malt and brewed beverage retail dispenser licenses by the Pennsylvania Liquor Control Board

be recommitted to the Committee on Law and Order, for the purpose of amendment.

Mr. CARR. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

Mr. KEPHART. I have amendments already prepared for this bill and I would like an opportunity to present them. I was unable to be recognized by the Chair. I see no reason why this bill should be delayed by being sent to committee and then come out again, or maybe not come out again, when it is now already on the Calendar and I have amendments which are ready to be offered.

The PRESIDENT. For the information of the gentleman from Philadelphia there is a motion now before the Senate to recommit House Bill No. 871.

Mr. KEPHART. I am speaking against that motion. I would like to vote against the motion to recommit and I would like to present amendments at this time.

Mr. HEYBURN. The gentleman from Philadelphia, Senator Kephart, was present in a caucus meeting and agreed that this bill should go back to committee for the purpose of further amendment, and that was the only reason, Mr. President, that I moved that this bill be recommitted.

Mr. DENT. Confucius once said "Once bitten by a snake, you fear every rope." I was bitten by that snake, Mr. President, and now I am afraid of the rope. I have had a perfectly good bill on the Calendar, which I thought was very important to the so-called war effort, it was sent back to committee for amendment and it died there, and I am afraid that is what is going to happen to this bill, so I believe at this time I should make my arguments on the bill, on the motion to recommit.

I will not go into all the details of the bill but I will refer to an amendment which was inserted, if the members of the Senate will bear with me, which reads "and suspending for the duration of the present war and for a period of one year thereafter the holding of local option referenda on the question of granting liquor licenses and malt and brewed beverage retail dispenser licenses by the Pennsylvania Liquor Control Board."

Mr. President and members of the Senate, that is the meat of this particular bill, that is the objection some people find with it. Recently one of the non-wet magazines made a survey of the soldiers home on leave. They were asked a group of questions on what they wanted to find when the war was over back here at home, plus what they wanted done while they were away.

The first thing that they asked, Mr. President, was that there should be a job waiting for them when they came home; some provision should be made so that they would not find themselves in the same position that the men who defended our democracy in the last war found themselves in when they came home.

The third item that those men were interested in, Mr. President, was the question of prohibition; they asked that we as members of the General Assembly of the various state legislatures and the members of the Federal Congress should in no way allow the enactment of a prohibition law while they were away.

The American Legion in convention assembled passed a resolution which bears directly upon this question. They oppose, Mr. President, any optional vote on the question of prohibition while the men and women, too, are away defending the freedoms and the rights that we here enjoy.

Can you imagine taking a local option vote in communities where thousands upon thousands of young men are away and can not exercise their proper franchise to vote?

All this bill does is to maintain the status quo. Dry communities will be dry communities. When the men come home who left those communities they will find them in exactly the same condition as they left them. Wet communities will be wet communities. When the men come home they will find them in exactly the same condition as when they left.

That is important, very important; we should not take away from those men the liberties that they are fighting to uphold. We should not under any circumstances allow men and women to vote on a question that vitally interests the men in the armed forces.

The American Legion in its resolution and in its arguments against prohibition during this war time, was very explicit in its statements about breaking faith with the men who were serving in the armed forces.

I know what the amendments might be if the committee is called to act on this motion. I know, because the gentleman from Washington, Senator Gourley and myself, introduced a bill covering this specific item, proposing that there should be no local option vote while the boys are away and can not vote. That bill died in committee and I warn you now that this action will do the same things, it will kill this particular section of the bill that protect the rights of the men and women who are defending our right to be here to protect them, and I say to you, with all the flag waving that has been done in the Senate every time we have a question that really affects the vital interests of the soldier, we find ourselves sending that interest back to committee.

Mr. COLEMAN. Mr. President, I desire to interrogate the Majority Floor Leader.

The PRESIDENT. Will the gentleman from Delaware permit himself to be interrogated?

Mr. HEYBURN. I will, Mr. President.

Mr. COLEMAN. I understood the gentlemen from Delaware, Senator Heyburn, to make the statement that his motion to recommit was in deference to the suggestion of the gentleman from Philadelphia, that he had amendments which he proposed to offer in committee, but I understand the gentleman from Philadelphia is agreeable to offering the amendments on the floor.

I wonder if the gentleman from Delaware would agree to withdraw his motion, since he admitted that he made the motion to recommit at the suggestion of the gentleman from Philadelphia, Senator Kephart, and permit the amendments to this tremendously important bill to be inserted in the bill on the floor of the Senate.

Mr. HEYBURN. Mr. President, in answer to the statement of my esteemed colleague from Lackawanna County, I did not say that the Senator from Philadelphia suggested that this bill be recommitted. I did say, however, that the gentleman from Philadelphia was present at the caucus and agreed by his silence to a motion to recommit the bill. The reason for the recommittal, Mr. President,

is that there seems to be so many sets of amendments that we decided the only place the bill could be properly amended would be in the Committee of Law and Order, or some other committee.

Mr. COLEMAN. Mr. President, the only man I saw rise on his feet in order to present amendments was the gentleman from Philadelphia, Senator Kephart. If the Majority Floor Leader insists on his motion to have this bill recommitted, I ask for a roll call.

Mr. WALKER. May I suggest to the gentleman from Lackawanna, Senator Coleman, that there are a number of us who are interested in various phases of this bill and that provision of the bill which will prohibit any referendum until the war is over is merely one of them. I think we are all aware of the fact, particularly those of us who are old enough to remember, that it was during the last world war that this prohibition the country suffered from was inflicted upon a long suffering and long patient public, and that is the thing that various service organizations such as the American Legion and Veterans of Foreign Wars have taken a decided stand against, and with that we all are in sympathy, with what the gentleman from Philadelphia, Senator Kephart, is trying to do.

However, there are other phases to this bill which I think should be studied, and that is one of the reasons why I am willing to let this bill go back to committee, because I understand that the Committee on Law and Order is going to make an honest attempt to amend this bill and bring it back so we can pass it.

One of the phases of this bill that interests me, and, of course, the minute you mention this a number of very sincere statesmen will tell you "it can't happen here," but I think the best way to approach legislation of this type is with suspicion, and then you really gain your objective.

I also would like to direct the attention of the gentleman from Lackawanna, Senator Coleman, to that apparently harmless portion of the bill which permits the State Liquor Control Board to have exclusively wholesale stores. I think that you will appreciate this fact, that if the State Liquor Control Board can have wholesale and retail stores that there would be nothing to prevent them from putting all their available supplies of whiskey in the wholesale stores, and then those of us who have to buy for ourselves a fifth at a time will go into a retail store and, like old Mother Hubbard, we would find that the cupboard would be bare and the only place we could get a drink would be to buy one from a retailer.

Of course Mr. President, a lot of the younger statesmen will jump up and say "that can't happen here," but, Mr. President, in defense of the thousands in Pennsylvania who still have to buy their whiskey a quart at a time, I think we ought to make certain, when we get this bill in committee again, the Liquor Control Board can not pull a fast one and sell liquor at wholesale only.

Mr. MUNDY. Mr. President, I desire to interrogate the gentleman from Allegheny, Senator Walker.

The PRESIDENT. Will the gentleman from Allegheny permit himself to be interrogated?

Mr. WALKER. Gladly, Mr. President.

Mr. MUNDY. Mr. President, since this bill is now on third reading and there has been opportunity to consider it on several other readings, may I ask the Senator from Allegheny why, when this bill was on second reading, none of the objections had occurred to him at that time?

Mr. WALKER. In answer to the interrogation of the gentleman from Luzerne, Doctor Mundy, the answer is yes, they did.

Mr. MUNDY. May I further interrogate the gentleman from Allegheny?

The PRESIDENT. Will the gentleman from Allegheny permit himself to be further interrogated?

Mr. WALKER. Certainly.

Mr. MUNDY. Mr. President, if that did occur to the gentleman from Allegheny at the time this bill was on second reading, which has been deemed the best and the easiest time, probably, with less interruption of legislative progress, to amend bills, I can not understand and perhaps the gentleman from Allegheny can explain why this bills has been allowed to go to third reading for amendment.

Mr. WALKER. Mr. President, what is the specific question of the gentleman from Luzerne, so that I may attempt to answer with some intelligence?

Mr. MUNDY. I will repeat, Mr. President, as near as possible; if this bill was considered on second reading, and on second reading I think the gentleman from Allegheny will agree with me that that is the usual time to correct bills with less interference with legislative progress, did it occur to the Senator from Allegheny at that time that that would have been the best time to amend this bill?

Mr. WALKER. That is correct, Mr. President, that is absolutely correct, and I fully appreciate the fact that the proper time to amend a bill is on second reading. I would like to call to the attention of the gentleman from Luzerne, however, that this bill was reported out of the Committee on Law and Order—and I should like to remind the gentleman from Luzerne, by the way, that is a committee of which I am not a member—on April 27, it passed first reading April 27, it passed second reading on April 28, which was Wednesday of last week.

When the suggestions for these amendments were first made they were not made to the committee, they were made informally in caucus—and I do not want to create the impression that it was a lonesome drum beating in the wilderness—it was rather a coalition of ideas; we were trying to crystallize our thoughts so that we could preserve this freezing of a referendum, which was the first idea promulgated, and then these other ideas came afterward.

I will say, for the information of the gentleman from Luzerne, it was not a question of negligence or sleeping on our rights that precipitated this present action, it was merely an attempt to crystallize the ideas presented by various members of the Senate with reference to this bill.

Mr. MUNDY. May I further interrogate the gentleman from Allegheny?

The PRESIDENT. Will the gentleman from Allegheny permit himself to be further interrogated

Mr. WALKER. I will, Mr. President, with pleasure.

Mr. MUNDY. Will the gentleman from Allegheny, Senator Walker, tell me of some other bills that have been treated by the majority in just this fashion at this session?

Mr. WALKER. Mr. President, I do not think I understand the question of the gentleman from Luzerne.

Mr. MUNDY. Mr. President, the gentleman from Allegheny has been present at most of the meetings of the Senate, and I now ask him how many bills have been

permitted to come up to third reading and final disposition and then have been referred back to committee, say within the last month.

Mr. WALKER. May I say, Mr. President, there have been a number of bills that I can recall. I hope the gentleman from Luzerne does not ask for the number because I can not give him the number of bills introduced which got as far as third reading and then were rereferred to committee for further study, but I do recall some procedures of that kind.

Mr. MUNDY. Does the gentleman from Allegheny now have in mind some bills which have been permitted to reach third reading and then have been sent back to committee?

Mr. WALKER. Mr. President, I do not want to lend support to the statement "permitted to get to third reading." I want to suggest to the gentleman from Luzerne, Dr. Mundy, that nothing is in the form of "being permitted" because, as the gentleman from Luzerne knows, there are times when there are mistakes, for instance in language, and we do not catch them until the final moment.

Another thing, Mr. President, there are approximately thirty Republican Senators in our caucus and a lot of them are young and effervescent and full of original and independent ideas, and they get ideas of their own and they express those ideas very forcibly in caucus, and every now and then they convince or persuade a majority of the caucus that such and such would be the thing to do, and when that happens we get in a position like we are in now.

Mr. MUNDY. Is it not a fact that on a number of occasions on this floor bills have been permitted to be amended on third reading?

Mr. WALKER. I think that is entirely correct, Mr. President. I think the gentleman from Luzerne has been here when that has taken place, and so have I.

I see no objection to this bill being amended. In fact, I am one of the silent rooters to get this bill amended, because I am interested in freezing local option, but I want to get it back in committee to amend the bill, because that was the procedure I understood had been agreed to.

I am in favor of freezing local option and I am in favor of personally seeing to it that the Liquor Control Board can not, through a technicality in the bill, have nothing but wholesale liquor in Pennsylvania for sale, and I thought the best place to do that would be back in committee.

For the information of the gentleman from Luzerne, Dr. Mundy, I am of the impression that this bill is being sent back to the committee for amendment, and is not being sent back to be killed.

Mr. MUNDY. Mr. President, may I ask the gentleman from Allegheny, Senator Walker, from his experience with bills which have been sent back to committee after reaching third reading, what, from his experience, has happened to them.

Mr. WALKER. I would say the majority of times, Mr. President, and especially when we reach this stage of a legislative session, when a bill is taken from the third reading Calendar and sent back to committee, there is a Chopin funeral march accompanying the recommittal, but I do say to the gentleman from Luzerne that I am thoroughly of the opinion, and I am operating under that opinion, and because of the impression I have been given, this bill is not being sent back to committee to be killed but actually is being sent back for amendment.

Mr. MUNDY. Mr. President, may I ask the Senator from Allegheny, Mr. Walker, if he is so enthusiastic about so many phases of this bill, why he would object to this bill going over in order temporarily, in order to have a discussion and then have proper amendments prepared, and then permit the bill to be amended on the floor?

Mr. WALKER. The gentleman from Luzerne is reading into my statement something I have not said. I am sorry if I conveyed that impression and to correct that impression, might I say to the gentleman from Luzerne that I am not objecting to the bill being amended? I am very much interested in the bill.

Mr. MUNDY. I am sorry, Mr. President, that this happens to be a dialogue instead of a monologue. It is of great interest to me to ask these questions but if there is serious objection and it harrasses so seriously the Senators I will close my interrogation.

Mr. COX. I am one member of the Committee on Law and Order and can only speak for myself. I know from my attendance at meetings of the Committee on Law and Order that the local option provisions of this bill were discussed many times.

When this bill was reported from committee, it was reported with the approval of more than a majority of the members of the committee who were present that particular evening. I do not think that the members of the Committee on Law and Order want this bill to come back again.

I have sat here and I have seen batch after batch of amendments offered on the floor of this Senate; time after time I have risen on my feet and objected to that procedure. It just happens that the amendments offered tonight are very short and I think two minutes would be all that would be necessary for the members of this Senate to acquaint themselves with the contents of the amendments.

Therefore, Mr. President, I see no reason for the bill to be recommitted.

Mr. WOODWARD. Mr. President, why not have this bill amended on the floor and save a lot of time? We have a little group over here who will support the amendments of the gentleman from Philadelphia, Senator Kephart, on the floor, and I think it is a foolish waste of time to send it back to committee. We have held a caucus of our own.

And the question recurring,

Will the Senate agree to the motion?

Mr. JASPAN. Mr. President, I ask for a roll call.

The yeas and nays were required by Mr. JASPAN and were as follows, viz:

YEAS—21

Bowers,	Geltz,	Scarlett,	Tyler,
Carr,	Heyburn,	Snowden,	Wade.
Chapman,	Homsher,	Stevenson,	Watkins,
Deitrick,	Jones,	Tallman,	Wilson, H. I.,
Ealy,	Letzler,	Taylor,	Wilson, T. B.,
Farrell,			

NAYS—24

Barr,	Gourley,	Mallery,	Shapiro,
Coleman,	Haluska,	McCreesh,	Stiefel,
Cox,	Holland,	McGinnis,	Thomas,
Crowe,	James,	McQuiddy,	Walker,
Dent,	Jaspan,	Mundy,	Woodring,
DiSilvestro,	Kephart,	Ruth,	Woodward,

So the question was determined in the negative.

RECONSIDERATION OF HOUSE BILL No. 871

Mr. KEPHART. Mr. President, I move that the Senate do now reconsider the vote by which House Bill No. 871, passed second reading.

The PRESIDENT. How did the Senator vote?

Mr. KEPHART. Mr. President, I voted "aye."

Mr. BARR. Mr. President, I second the motion.

The PRESIDENT. How did the Senator vote?

Mr. BARR. Mr. President, I voted "aye."

On the question,

Will the Senate agree to the motion?

Mr. HEYBURN. Roll call, Mr. President.

(During the calling of the roll the following occurred:)

Mr. SHAPIRO. Mr. President, may I inquire how the gentleman from Franklin, Senator Crider, is recorded as voting?

The PRESIDENT. The gentleman from Franklin is not recorded as having voted.

Mr. COX. Mr. President, having voted under a misapprehension, I wish to be recorded as voting "aye."

The PRESIDENT. The gentleman from Allegheny will be so recorded.

Mr. TYLER. Mr. President, I wish to be recorded as voting "no."

The PRESIDENT. The gentleman from Wyoming will be so recorded.

Mr. FARRELL. Mr. President, I ask that the roll be verified.

The PRESIDENT. Request has been made to have the roll verified.

The Clerk will call the names of those recorded as having voted "aye."

Barr,	DiSilvestro,	Mallery,	Shapiro,
Bowers,	Gourley,	McCreesh,	Stiefel,
Coleman,	Haluska,	McGinnis,	Thomas,
Cox,	Holland,	McQuiddy,	Walker,
Crowe,	Jaspan,	Mundy,	Woodring,
Dent,	Kephart,	Ruth,	Woodward,

The PRESIDENT. Are there any corrections? The Chair hears none. The affirmative roll will stand as verified.

The Clerk read the names of those recorded as having voted "nay" as follows:

Carr,	Heyburn,	Scarlett,	Tyler,
Chapman,	Homsher,	Snowden,	Wade,
Deitrick,	James,	Stevenson,	Watkins,
Ealy,	Jones,	Tallman,	Wilson, H. I.,
Farrell,	Letzler,	Taylor,	Wilson, T. B.,
Geltz,			

The PRESIDENT. Are there any corrections? The Chair hears none. The negative roll will stand as verified.

The yeas and nays were required by Mr. HEYBURN and were as follows, viz:

YEAS—24

Barr,	DiSilvestro,	Mallery,	Shapiro,
Bowers,	Gourley,	McCreesh,	Stiefel,
Coleman,	Haluska,	McGinnis,	Thomas,
Cox,	Holland,	McQuiddy,	Walker,
Crowe,	Jaspan,	Mundy,	Woodring,
Dent,	Kephart,	Ruth,	Woodward,

NAYS—21

Carr,	Heyburn,	Scarlett,	Tyler,
Chapman,	Homsher,	Snowden,	Wade,
Deitrick,	James,	Stevenson,	Watkins,
Ealy,	Jones,	Tallman,	Wilson, H. I.,
Farrell,	Letzler,	Taylor,	Wilson, T. B.,
Geltz,			

So the question was determined in the affirmative.

BILL OVER IN ORDER

Mr. HEYBURN. Mr. President, I move that House Bill No. 871, on third reading, go over in its order.

Mr. JAMES. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

Mr. SHAPIRO. Mr. President, I ask for a roll call.

(During the calling of the roll the following occurred)

Mr. CARR. Mr. President, how am I recorded as voting?

The PRESIDENT. The gentleman from Butler is recorded as having voted "no."

Mr. CARR. It should be "aye," Mr. President.

The PRESIDENT. The gentleman from Butler will be so recorded.

Mr. CROWE. Mr. President, I wish to be recorded as voting "aye."

The PRESIDENT. The gentleman from Monroe will be so recorded.

Mr. MALLERY. I desire to be recorded as voting "aye" on this motion.

The PRESIDENT. The gentleman from Blair will be so recorded.

The yeas and nays were required by Mr. SHAPIRO and were as follows, viz:

YEAS—28

Bowers,	Geltz,	Mallery,	Tyler,
Carr,	Heyburn,	Scarlett,	Wade,
Chapman,	Homsher,	Snowden,	Walker,
Crowe	James,	Stevenson,	Watkins,
Deitrick,	Jones,	Tallman,	Wilson, H. I.,
Ealy	Kephart,	Taylor,	Wilson, T. B.,
Farrell,	Letzler,	Thomas,	Woodward,

NAYS—17

Barr,	Gourley,	McCreesh,	Ruth,
Coleman,	Haluska,	McGinnis,	Shapiro,
Cox	Holland,	McQuiddy,	Stiefel
Dent,	Jaspan,	Mundy	Woodring,
DiSilvestro,			

So the question was determined in the affirmative.

HOUSE BILL No. 711, PRINTER'S No. 466 CALLED UP

Mr. HEYBURN. Mr. President, I call up at this time House Bill No. 711, Printer's No. 466, on page 17 of today's Third Reading Calendar.

BILL ON THIRD READING

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 711, entitled:

An Act to further amend section one thousand one hundred twenty-six of the act approved the eighteenth day of May, one thousand nine hundred eleven (P. L. 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same and the method of collecting such revenue; and repealing all laws, general, special or local, or any parts thereof, that are or may be inconsistent therewith" by further providing for the appointment of assistant county superintendents.

And said bill having been read at length the third time,

On the question,

Will the Senate agree to the bill on third reading?

RECONSIDERATION OF HOUSE BILL No. 711

Mr. HEYBURN. Mr. President, I move that the Senate do now reconsider the vote by which House Bill No. 711, passed second reading.

The PRESIDENT. How did the Senator vote?

Mr. HEYBURN. Mr. President, I voted "aye."

Mr. THOMAS B. WILSON. Mr. President, I second the motion.

The PRESIDENT. How did the Senator vote?

Mr. THOMAS B. WILSON. Mr. President, I voted "aye."

The motion was agreed to.

BILL ON SECOND READING AMENDED

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 711.

The first section was read.

On the question,

Will the Senate agree to the section?

Mr. HEYBURN offered the following amendments:

Amend Sec. 1 (Sec. 1126), page 2, lines 16 and 17, by striking out the following: "one hundred and twenty-five (125)" and inserting in lieu thereof: "one hundred and thirty-five (135)"; Amend Sec. 1 (Sec. 1126), page 2, line 19, by inserting a light-faced bracket before and after the word "shall"; Amend Sec. 1 (Sec. 1126), page 2, line 19, by inserting after the word "shall" the following "may"; Amend Sec. 1 (Sec. 1126), page 2, line 23, by inserting a light-faced bracket before and after the word "shall"; Amend Sec. 1 (Sec. 1126), page 2, line 23, by inserting after the word "shall" the following; "may"; Amend Sec. 1 (Sec. 1126), page 2, line 26, by inserting a light-faced bracket before and after the word "shall"; Amend Sec. 1 (Sec. 1126), page 2, line 26, by inserting after the word "shall" the following: "may"; Amend Sec. 1 (Sec. 1126), page 3, line 4, by inserting a light-faced bracket before and after the word "shall"; Amend Sec. 1 (Sec. 1126), page 3, line 4, by inserting after the word "shall" the following: "may"; Amend Sec. 1 (Sec. 1126), page 3, line 8, by inserting a light-faced bracket before and after the word "shall"; Amend Sec. 1 (Sec. 1126), page 3, line 8, by inserting after the word "shall" the following: "may"; Amend Sec. 1 (Sec. 1126), page 3, line 9, by inserting a light-faced bracket before and after the word "shall"; Amend Sec. 1 (Sec. 1126), page 3, line 9, by inserting after the word "shall" the following: "may"; Amend Sec. 1 (Sec. 1126), page 3, line 13, by inserting a light-faced bracket before and after the word "shall"; Amend Sec. 1 (Sec. 1126), page 3, line 13, by inserting after the word "shall" the following: "may".

On the question,

Will the Senate agree to the amendments?

Mr. SHAPIRO. Mr. President, I desire to be recorded as voting "no" on these amendments.

And the question recurring,

Will the Senate agree to the amendments?

They were agreed to.

The section was agreed to as amended.

The second section and title were separately read and agreed to.

And said bill having been read at length the second time and agreed to, as amended,

Ordered, To be transcribed for a third reading.

BILL OVER IN ORDER

Mr. HEYBURN. Mr. President, I ask unanimous consent that House Bill No. 873, on third reading, entitled:

An Act to amend section one and further amend section four of the act approved the thirteenth day of May one thousand nine hundred fifteen (P. L. 286) entitled "An act to provide for the health safety and welfare of minors by forbidding their employment or work in certain establishments and occupations and under certain specified ages by restricting their hours of labor and regulating certain conditions of their employment by requiring employment certificates for certain minors and prescribing the kinds thereof and the rules for the issuance reissuance filing return and recording of the same by providing that the Industrial Board shall under certain conditions determine and declare whether certain occupations are within the prohibitions of this act requiring that certain minors shall during the period of their employment attend certain schools to be established as therein provided and to be approved by the State Superintendent of Public Instruction and regulating the conditions of such attendance authorizing the State Board of Education in certain cases to appoint attendance officers to aid in enforcing the provisions of this act and creating the salary and expenses of such officers a charge against the school district wherein they are employed requiring certain abstracts and notices to be posted provding for the enforcement of this act by the Commissioner of Labor and Industry the attendance officers of school disricts and police officers and defining the procedure in prosecutions thereunder and establishing certain presumptions in relation thereto providing penalties for the violation of the provisions thereof and repealing all acts or parts of acts inconsistent therewith" by changing the definition of week and by increasing the working hours of minors between the ages of sixteen and eighteen.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 922, as follows:

An Act to add Clause XLVII to section one thousand five hundred two of the act approved the twenty-fourth day of June one thousand nine hundred thirty-one (P. L. 1206) entitled "An act concerning townships of the first class amending revising consolidating and changing the law relating thereto" authorizing the townships of the first class to make appropriations to Veterans' Home Associations

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section one thousand five hundred two of the act approved the twenty-fourth day of June one thousand nine hundred thirty-one (P. L. 1206) entitled "An act concerning townships of the first class amending revising consolidating and changing the law relating thereto" is hereby amended by adding after Clause XLVI a new clause to read as follows

Section 1502 The corporate power of a township of the first class shall be vested in the board of township commissioners The board shall have power

* * * *

XLVII Appropriations to Veterans' Home Assocations To annually appropriate a sum not exceeding three hundred dollars for the support of any Veterans' Home Association which provides a home or club-house within the township for the use of United States War Veterans and which is not maintained in whole or in part by the United States or any governmental agency other than the township

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—44

Barr,	Farrell,	Letzler	Tallman,
Bowers,	Geltz,	Mallery,	Taylor.
Carr,	Gourley,	McCreesh,	Thomas,
Chapman,	Haluska,	McGinnis,	Tyler,
Coleman,	Heyburn,	McQuiddy,	Wade,
Cox,	Holland,	Ruth,	Walker,
Crider,	Homsher,	Scarlett,	Watkins,
Crowe,	James,	Shapiro,	Wilson, H. I.,
Deitrick,	Jaspan,	Snowden,	Wilson, T. B.,
Dent	Jones,	Stevenson,	Woodring,
DiSilvestro,	Kephart,	Stiefel,	Woodward,

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 923, as follows:

An Act making an appropriation to the Cresson Volunteer Fire Company for the protection of State Property

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The sum of one thousand dollars ($1,000) is hereby specifically appropriated to the Cresson Volunteer Fire Company for the two fiscal years beginning June first one thousand nine hundred and forty-three for the protection of State property at the Cresson Sanitorium

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—45

Barr,	Farrell,	Letzler,	Tallman,
Bowers,	Geltz,	Mallery,	Taylor,
Carr,	Gourley,	McCreesh,	Thomas,
Chapman,	Haluska,	McGinnis,	Tyler,
Coleman,	Heyburn,	McQuiddy,	Wade,
Cox,	Holland,	Ruth,	Walker,
Crider,	Homsher,	Scarlett,	Watkins,
Crowe,	James,	Shapiro,	Wilson, H. I.,
Deitrick,	Jaspan,	Snowden,	Wilson, T. B.,
Dent,	Jones,	Stevenson,	Woodring,
DiSilvestro,	Kephart,	Stiefel,	Woodward,
Ealy,			

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 924, as follows:

An Act making an appropriation to the Department of Forests and Waters for the purpose of reconstructing and maintaining dikes along Darby Creek in Tinicum and Darby Townships Delaware County and in Philadelphia

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The sum of fourteen thousand dollars ($14,000) or as much thereof as may be necessary is hereby appropriated to the Department of Forests and Waters for the purpose of reconstructing the dikes along Darby and Tinicum Townships Delaware County and in Philadelphia

The further sum of ten thousand dollars ($10,000) or as much thereof as may be necessary is hereby appropriated to the Department of Forests and Waters for the purpose of maintaining dikes along Darby Creek in Darby and Tinicum Townships Delaware County and in Philadelphia County

Section 2 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—45

Barr,	Farrell,	Letzler,	Tallman,
Bowers,	Geltz,	Mallery,	Taylor,
Carr,	Gourley,	McCreesh,	Thomas,
Chapman,	Haluska,	McGinnis,	Tyler,
Coleman,	Heyburn,	McQuiddy,	Wade,
Cox,	Holland,	Ruth,	Walker,
Crider,	Homsher,	Scarlett,	Watkins,
Crowe,	James,	Shapiro,	Wilson H I.,
Deitrick,	Jaspan,	Snowden,	Wilson T B.,
Dent,	Jones,	Stevenson,	Woodring
DiSilvestro,	Kephart,	Stiefel,	Woodward,
Ealy,			

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

BILL RECOMMITTED

Mr. HEYBURN. Mr. President, I move that House Bill No. 926 on third reading, entitled:

An Act creating a commission to make a study of juvenile delinquency; directing such commission to make a report and recommendations to the General Assembly; conferring certain powers upon such commission, including the power to issue subpoenas, administer oaths and affirmations, retain employes and expend funds; and making an appropriation.

be recommitted to the Committee on State Government.

Mr. WADE. Mr. President, I second the motion.

The motion was agreed to.

BILL ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 945, as follows:

An Act lapsing all unexpended or unencumbered balances of appropriations from all funds made by the General Assembly at its session of one thousand nine hundred and thirty-five and prior sessions and at its regular sessions of one thousand nine hundred and thirty-seven and one thousand nine hundred and thirty-nine and the Special Sessions of one thousand nine hundred and thirty-six and one thousand nine hundred and thirty-eight

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 All unexpended balances of appropriations made from all funds of the State Treasury by the General Assembly at its session of one thousand nine hundred and thirty-five or at any session prior thereto which shall remain unexpended on the effective date of this act shall lapse on that date

Section 2 All unexpended and unencumbered balances of appropriations made from all funds of the State Treasury by the General Assembly at its regular sessions of one thousand nine hundred and thirty-seven and one thousand nine hundred and thirty-nine and the Special Sessions of one thousand nine hundred and thirty-six and one thousand nine hundred and thirty-eight which shall remain unexpended and unencumbered on the effective date of this act shall lapse on that date

Section 3 The provisions of this act shall not apply to any balance remaining of the appropriations of June 5 1937 Appropriation Acts Page thirty-nine making an appropriation into the Flood Control Fund

Section 4 This act shall be effective upon the date of its final enactment

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—45

Barr,	Farrell,	Letzler,	Tallman,
Bowers,	Geltz,	Mallery,	Taylor,
Carr,	Gourley,	McCreesh,	Thomas,
Chapman,	Haluska,	McGinnis,	Tyler,
Coleman,	Heyburn,	McQuiddy,	Wade,
Cox,	Holland,	Ruth,	Walker,
Crider,	Homsher,	Scarlett,	Watkins,
Crowe,	James,	Shapiro,	Wilson, H. I.,
Deitrick,	Jaspan,	Snowden,	Wilson, T. B.,
Dent,	Jones,	Stevenson,	Woodring,
DiSilvestro,	Kephart,	Stiefel,	Woodward,
Ealy,			

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

BILL OVER IN ORDER

Mr. HEYBURN. Mr. President, I ask unanimous consent that House Bill No. 946 on third reading, entitled:

An Act making an appropriation to the Women's Medical College of Pennsylvania located at East Falls Philadelphia Pennsylvania

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 947, as follows:

An Act making an appropriation to the Pennsylvania Museum and School of Industrial Art Philadelphia

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The sum of one hundred fifty thousand dollars ($150,000) is hereby specifically appropriated to the Pennsylvania Museum and School of Industrial Art Philadelphia for the two fiscal years beginning June first one thousand nine hundred and forty-three for maintenance and the purchase of apparatus supplies and equipment

And said bill having been read at length the third time, and agreed to.

On the question,

Shall the "1 pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—45

Barr,	Farrell,	Letzler,	Tallman,
Bowers,	Geltz,	Mallery,	Taylor,
Carr,	Gourley,	McCreesh,	Thomas,
Chapman,	Haluska,	McGinnis,	Tyler,
Coleman,	Heyburn,	McQuiddy,	Wade,
Cox,	Holland,	Ruth,	Walker,
Crider,	Homsher,	Scarlett,	Watkins,
Crowe,	James,	Shapiro,	Wilson, H. I.,
Deitrick,	Jaspan,	Snowden,	Wilson, T. B.,
Dent,	Jones,	Stevenson,	Woodring,
DiSilvestro,	Kephart,	Stiefel,	Woodward,
Ealy,			

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 948, as follows:

An Act making an appropriation to the Department of Military Affairs for the maintenance and education of children of certain soldiers saliors marines female field clerks yeomen (female) and nurses

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The sum of twenty thousand dollars ($20,000) or as much thereof as may be necessary is hereby specifically appropriated to the Department of Military Affairs to be used during the fiscal biennium beginning June first one thousand nine hundred forty-three for paying gratuities for the children between the ages of sixteen and twenty-one years of soldirs sailors marines female field clerks yeomen (female) or members of the enlisted nurse corps of the United States who die or have died of Spanish-American War or World War service connected disabilities as certified from veteran administration records Such children must have lived in the Commonwealth of Pennsylvania for five years immediately preceding the date upon which the application is filed

Section 2 Gratuities shall be paid out of the appropria-

tion made by this act for the account of such children as shall be certified by the State Veterans' Commission (1) as coming within the class described in section one of this act and (2) as attending any State or State-aided educational or training institution of a secondary or college grade or other institution of higher education business school trade school hospital providing training for nurses school or institution providing courses in beauty culture art radio or undertaking or embalming or such other educational training within this Commonwealth as approved by the State Veterans' Commission and (3) as being unable without such gratuity to pursue his or her education or training Payments not to exceed the sum of two hundred dollars ($200) per school year per child shall be made to such institutions upon the submission by them of proof that bills have been incurred or contracted for matriculation fees and other necessary fees tuition board room rent books and supplies for such children in a definite amount for the school year Such proof shall be submitted to the State Veterans' Commission which shall attach the same to the requisitions prepared for payments out of the appropriations made by this act

Where a child within the class described is completing an educational or training course and arrives at the age of twenty-one years before completing the course the gratuity may be paid until the course is completed Provided however That gratuities may not be paid for any child for a longer period than four scholastic years

And said bill having been read at length the third time, and agreed to.

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—45

Barr,	Farrell,	Letzler,	Tallman,
Bowers,	Geltz,	Mallery,	Taylor,
Carr,	Gourley,	McCreesh,	Thomas,
Chapman,	Haluska,	McGinnis,	Tyler,
Coleman,	Heyburn,	McQuiddy,	Wade,
Cox,	Holland,	Ruth,	Walker,
Crider,	Homsher,	Scarlett,	Watkins,
Crowe,	James,	Shapiro,	Wilson, H. I.,
Deitrick,	Jaspan,	Snowden,	Wilson, T. B.,
Dent,	Jones,	Stevenson,	Woodring,
DiSilvestro,	Kephart,	Stiefel,	Woodward,
Ealy,			

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 949, as follows:

An Act making an appropriation to the Department of Public Assistance and providing for certain allocations therefrom for the purpose of carrying out the Public Assistance Law for the two fiscal years beginning June first one thousand nine hundred forty-three and for the payment of assistance and expenses accrued or incurred prior to and remaining unpaid on May thirty-first one thousand nine hundred forty-three

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The sum of eighty-eight million five hundred thousand dollars ($88,500,000) or as much thereof as may be necessary is hereby specifically appropriated from the General Fund to the Department of Public Assistance for the payment of assistance administrative expenses and expenses of liquidating the State Emergency Relief Board as provided by the Public Assistance Law and for the payment of attorneys' fees and court costs necessary for the proper conduct of the work of the Department of Public Assistance for the two fiscal years beginning June first one thousand nine hundred forty-three and for the payment of assistance administrative expenses expenses of liquidating the State Emergency Relief Board attorneys' fees and court costs accrued or incurred prior to and remaining unpaid on May thirty-first one thousand nine hundred forty-three

Section 2 Out of the moneys appropriated by section one of this act the Department of Public Assistance shall allocate funds from time to time for the several assistance programs (old age assistance aid to dependent children pensions for the blind general assistance and other programs provided by the Public Assistance Law) for administrative expenses of the several county boards of assistance for such administrative expenses incurred by the department which are chargeable to such boards and for the payment of attorneys' fees and court costs necessary for the proper conduct of the work of the Department

Section 3 Out of the moneys appropriated by section one of this act quarterly allocations shall be made to the Department of the Auditor General and the Treasury Department respectively in such amounts as may be deemed necessary to pay the administrative expenses of such departments in auditing and disbursing appropriations for or relating to public assistance including any Federal sums supplementing such appropriations In the case of the Department of the Auditor General said allocations shall be made by the Governor President pro tempore of the Senate Speaker of the House of Representatives and the Auditor General or a majority thereof and in the case of allocations made to the Treasury Department such allocations shall be made by the Governor President pro tempore of the Senate Speaker of the House of Representatives and the State Treasurer or a majority thereof

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—45

Barr,	Farrell,	Letzler,	Tallman,
Bowers,	Geltz,	Mallery,	Taylor,
Carr,	Gourley,	McCreesh,	Thomas,
Chapman,	Haluska,	McGinnis,	Tyler,
Coleman,	Heyburn,	McQuiddy,	Wade,
Cox,	Holland,	Ruth,	Walker,
Crider,	Homsher,	Scarlett,	Watkins,
Crowe,	James,	Shapiro,	Wilson, H. I.,
Deitrick,	Jaspan,	Snowden,	Wilson, T. B.,
Dent,	Jones,	Stevenson,	Woodring,
DiSilvestro,	Kephart,	Stiefel,	Woodward,
Ealy,			

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 950, as follows:

An Act making an appropriation to the Department of Labor and Industry for the rehabilitation of the deaf and hard of hearing and for the purpose of matching additional federal funds

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 In addition to the moneys appropriated for the rehabilitation of persons injured in industry and otherwise the sum of thirty thousand dollars ($30,000) or as much thereof as may be necessary is hereby appropriated to the Department of Labor and Industry for the two fiscal years beginning June first one thousand nine hundred and forty-three for the purpose of providing for the rehabilitation of those who are deaf and hard of hearing in order to secure for such persons placement in industry and for the payment of the compensation and expenses of persons employed by the department in such rehabilitation work In addition to the powers granted to the said department it shall have like powers for the rehabilitation of the deaf and hard of hearing as provided by existing law for the rehabilitation of those injured in industry and otherwise The moneys hereby appropriated shall be available for the purpose of matching any reallocations of federal moneys made available to the states through the Couzens' amendment or any other Federal Government appropriation for this purpose allotted to the states in any fiscal year

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—45

Barr,	Farrell,	Letzler,	Tallman,
Bowers,	Geltz,	Mallery,	Taylor,
Carr,	Gourley,	McCreesh,	Thomas,
Chapman,	Haluska,	McGinnis,	Tyler,
Coleman,	Heyburn,	McQuiddy,	Wade,
Cox,	Holland,	Ruth,	Walker,
Crider,	Homsher,	Scarlett,	Watkins,
Crowe,	James,	Shapiro,	Wilson, H. I.,
Deitrick,	Jaspan,	Snowden,	Wilson, T. B.,
Dent,	Jones,	Stevenson,	Woodring,
DiSilvestro,	Kephart,	Stiefel,	Woodward.
Ealy,			

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

HOUSE MESSAGES

HOUSE BILLS FOR CONCURRENCE

The Clerk of the House of Representatives being introduced presented for concurrence bills of the House, as follows:

House Bill No. 259, entitled:

An Act to validate certain acknowledgments and to regulate the effect thereof.

Which was committed to the Committee on Judiciary General.

House Bill No. 267, entitled:

An Act to add section nine hundred seventy-eight and one-tenth to the act approved the third day of June, one thousand nine hundred thirty-seven (P. L. 1333), entitled "Pennsylvania Election Code," requiring persons nominated for office at a primary election who have not paid the filing fee required for the filing of nomination petitions for such office to pay such fee, and declaring vacancies in party nominations for failure to pay the same.

Which was committed to the Committee on Elections.

House Bill No. 444, entitled:

An Act to further amend sections two thousand six hundred three and two thousand six hundred twenty-three of the act, approved the eighteenth day of May one thousand nine hundred eleven (P. L. 309), entitled "Public School Code" by authorizing school districts of the third class, in certain cases, to employ certified public accountants to audit the school finances in lieu of the elected auditors; and providing as to the powers, duties and compensation of the certified public accountants so employed.

Which was committed to the Committee on Education.

House Bill No. 517, entitled:

An Act to further amend section one of the act, approved the twenty-eighth day of June, one thousand nine hundred and seventeen (P. L. 645), entitled "Fictitious Names Registration Law" by requiring notice of intention to file such certificates to be given by advertisement and the filing of proofs of such publication.

Which was committed to the Committee on Judiciary General.

House Bill No. 592, entitled:

An Act to further amend section six hundred twenty-one of the act, approved the first day of May, one thousand nine hundred and twenty-nine (P. L. 905), entitled "Vehicle Code" by permitting certain minors under eighteen years of age to operate a motor vehicle as a paid operator.

Which was committed to the Committee on Highways.

House Bill No. 605, entitled:

An Act authorizing the Pennsylvania Historical Commission to acquire by gift from the Erie County Historical Society a plot of ground in the city of Erie, Pennsylvania, to be used as a permanent resting place for the Flagship Niagara, and making an appropriation to said Commission for the improvement, development and preparation of such plot of ground and the removal of the said Flagship thereto.

Which was committed to the Committee on State Government.

House Bill No. 613, entitled:

An Act creating a commission to investigate and consider various phases of aeronautics in order to keep the General Assembly advised as to legislation which may be needed to keep the Commonwealth of Pennsylvania abreast of present rapid developments in this field directing such commission to make a report and recommendations to the General Assembly conferring certain powers upon such commission including the power to issue subpoenas, administer oaths and affirmations retain employes and expend funds and making an appropriation.

Which was committed to the Committee on Aeronautics.

House Bill No. 666, entitled:

An Act to further amend section two thousand five hundred and sixty-six of the act, approved the twenty-third day of June, one thousand nine hundred and thirty-one (P. L. 932), entitled "Third Class City Law," providing for the appointment of delinquent tax collectors and defining their powers, duties and responsibilities.

Which was committed to the Committee on Municipal Government.

House Bill No. 718, entitled:

An Act to repeal sections twenty-nine and thirty-two, and to amend sections thirty-one and thirty-three of the act, approved the sixteenth day of May, one thousand nine hundred and twenty-three (P. L. 207), entitled "Municipal Claim and Tax Lien Law," further regulating the sale of real property for the nonpayment of tax and municipal claims where a municipality is the claimant; providing for the discharge of all liens, mortgages, ground rents, estates and claims against such property by such sale, and eliminating the right of redemption after such sale.

Which was committed to the Committee on Judiciary Special.

House Bill No. 810, entitled:

An Act relating to the filing and revival of liens for taxes and water rates in the office of the prothonotary of common pleas court on real estate within the territorial limits of cities of the second class; prescribing duties and fees of prothonotaries; establishing the office of solicitor for delinquent tax and water rate liens; defining the powers and duties of said office, providing for enforced collection of said taxes and water rates; imposing duties upon cities of the second class and school districts within the territorial limits of cities of the second class.

Which was committed to the Committee on Judiciary Special.

House Bill No. 842, entitled:

An Act to amend section one to further amend section five and to amend section six of the act approved and twenty-ninth day of April one thousand nine hundred thirty-seven (P. L. 551) entitled "An act prohibiting the employment of miners as herein defined in the bituminous coal mines unless certificated by a miners' examining board providing for the appointment of such boards and defining their powers and duties providing penalties and making an appropriation" by increasing the number of apprentice miners permitted to work with one miner redefining the word "miner" and reducing the number of years of experience necessary to qualify an apprentice to take examination for certificate

Which was committed to the Committee on Mines and Mining.

House Bill No. 853, entitled:

An Act to further amend section one thousand two hundred six of the act approved the eighteenth day of May, one thousand nine hundred eleven (P. L. 309), entitled "Public School Code," by further regulating leaves of absence for professional employes.

Which was committed to the Committee on Education.

House Bill No. 878, entitled:

An Act creating a revolving fund in the State Treasury to be used by the State Council for the Blind for making advancements to blind persons for the purchase of stock, equipment and accessories necessary to operate vending or refreshment stands in locations leased or arranged for by said council; providing for the repayment of such advancements; authorizing the State Council for the Blind to adopt rules and regulations; and making an appropriation.

Which was committed to the Committee on Welfare, Public Assistance and Pensions.

House Bill No. 904, entitled:

An Act exempting beauty and barber shop furniture, mechanical appliances and equipment, leased, hired or conditionally sold, from levy and sale on execution or distress for rent, under certain conditions.

Which was committed to the Committee on Education.

House Bill No. 913, entitled:

An Act relating to vital statistics and to make uniform the law with reference thereto.

Which was committed to the Committee on Public Health.

House Bill No. 956, entitled:

An Act making an appropriation to the Department of Commerce out of the Motor License Fund for the proper conduct of a specific portion of its work.

Which was committed to the Committee on Appropriations.

House Bill No. 1019, entitled:

An Act to amend Section 233 of, and to add Section 233.2 to, the act, approved the second day of May, one thousand nine hundred twenty-nine (P. L. 1278), entitled "General County Law," authorizing the registers of wills to appoint more than one deputy and a solicitor, and providing for their salaries.

Which was committed to the Committee on County Government.

House Bill No. 1036, entitled:

An Act providing for the survey and establishment of a relief highway in the County of Dauphin as a part of the State highway system; authorizing the taking of streets and roads and the laying out of new streets and roads; providing for the taking of private property under the power of eminent domain, the determination and payment of damages, and the construction, reconstruction, improvement and maintenance of said highway, by the Commonwealth; authorizing the Commonwealth to accept voluntary contributions from certain political subdivisions, and the use of Federal moneys if available; imposing certain duties on the Secretary of Highways, and making an appropriation.

Which was committed to the Committee on Highways.

House Bill No. 1037, entitled:

An Act to amend sections two, three, thirteen and twenty-seven of the act, approved the twentieth day of June, one thousand nine hundred and nineteen (P. L. 521), entitled as amended "Transfer Inheritance Tax Law," by changing the requirements for the allowance of deductions for a decedent's debts; by changing the provisions requiring security for the payment of inheritance tax by residents and nonresidents on future interests where payment is postponed; and by extending the time within which appeals may be taken from the appraisement of property of resident and non-resident decedents for inheritance tax purposes.

Which was committed to the Committee on Judiciary General.

House Bill No. 1066, entitled:

An Act to add section eight and one-tenth to the act, approved the thirteenth day of April, one thousand nine hundred and forty-two (P. L. 32), entitled "The Sabotage Prevention Act," vesting game protectors, foresters, forest rangers, forest fire wardens and fish wardens with the same powers vested in constables and other peace officers, for the purpose of enforcing said act.

Which was committed to the Committee on Forests and Waters, Game and Fish.

House Bill No. 1072, entitled:

An Act providing for refunds, by the Pennsylvania Board of Finance and Revenue, of state personal property taxes paid upon certain personal property by liquidating trustees, receivers or other fiduciaries of banks, trust companies and savings institutions; and making an appropriation.

Which was committed to the Committee on Banking.

House Bill No. 1102, entitled:

An Act to further amend section one of the act, approved the twenty-fifth day of May, one thousand nine hundred thirty-three (P. L. 1016), entitled, "An act relating to aeronautics; providing for the maintenance and operation of intermediate landing fields and air navigation facilities by the Commonwealth alone or in cooperation with the United States Government or political subdivisions of the Commonwealth; providing for the execution of leases or the issuance of licenses to the United States Government or to political subdivisions of the Commonwealth for the maintenance of navigation facilities on intermediate landing fields of the Commonwealth; conferring powers and duties on the Department of Revenue with respect thereto; and repealing certain acts and parts of acts," by transferring certain powers and duties from the Department of Revenue to the Pennsylvania Aeronautics Commission.

Which was committed to the Committee on Aeronautics.

House Bill No. 1103, entitled:

An Act to further amend Section two hundred two, to reenact and amend section four hundred seven, to reenact and further amend section one thousand two hundred eight and to amend section two thousand nine hundred six of the act, approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 177), entitled "Administrative Code of 1929," by providing for a Pennsylvania Aeronautics Commission in the Department of Commerce, by defining the constitution, powers, duties and remuneration of said commission and its employes, and repealing all acts and parts of acts inconsistent therewith.

Which was committed to the Committee on Aeronautics.

House Bill No. 1104, entitled:

An Act to amend the title, the table of contents and certain sections of the act, approved the twenty-fifth day of May, one thousand nine hundred thirty-three (P. L. 1001), entitled "Aeronautical Code," by conferring certain powers and imposing certain duties heretofore exercised and performed by the Department of Revenue upon the Pennsylvania Aeronautics Commission.

Which was committed to the Committee on Aeronautics.

House Bill No. 1108, entitled:

An Act to further amend the act, approved the seventh day of May, one thousand nine hundred and twenty-seven (P. L. 859), entitled "A supplement to the act, approved the twentieth day of June, one thousand nine hundred and nineteen (P. L. 521), entitled "Transfer Inheritance Tax Law," imposing additional taxes equal to Federal credits, by further defining and imposing such additional taxes as estate taxes; prescribing and changing the method of computing such taxes; and decreasing the interest penalty on unpaid taxes.

Which was committed to the Committee on Judiciary General.

HOUSE CONCURS IN RESOLUTION RECALLING SENATE BILL No. 69, PRINTER'S No. 63, FROM THE GOVERNOR

He also informed the Senate that the House has concurred in resolution from the Senate as follows:

In the Senate, May 3, 1943.

Resolved (if the House of Representatives concur), That Senate Bill No. 69, Printer's No. 63, entitled:

A Supplement to the act approved the eleventh day of May one thousand nine hundred and five (P. L. 518) entitled "An act making an appropriation for the erection of a home or school for indigent orphans to be called the Thaddeus Stevens Industrial and Reform School of Pennsylvania in which school provision shall be made for giving instruction in reading writing arithmetic drawing duties of citizenship elementary manual training the elements of farming and other requisite branches" authorizing the Thaddeus Stevens Industrial School to collect fees for board and tuition from certain special students

be recalled from the Governor for the purpose of amendment.

HOUSE CONCURS IN AMENDMENTS TO HOUSE BILL No. 55

He also presented communication from the House of Representatives informing the Senate that the House has concurred in amendments made by the Senate to House Bill No. 55, entitled:

An Act to amend section two hundred fourteen of the act, approved the eighteenth day of May, one thousand nine hundred eleven (P. L. 309), entitled "Public School Code," providing for temporary filling of vacancies on boards of school directors in districts of the second, third and fourth class, caused by induction or enlistment in the military or naval forces of the United States in time of war.

HOUSE CONCURS IN AMENDMENTS TO HOUSE BILL No. 56

He also presented communication from the House of Representatives informing the Senate that the House has concurred in amendments made by the Senate to House Bill No. 56, entitled:

An Act authorizing the Department of Highways and counties, cities, boroughs, towns and townships to adopt and take over as public roads and highways, certain highways taken over, located, extended or constructed by the Federal Government or any agency thereof in the exercise of the war power; and providing the procedure therefor.

HOUSE CONCURS IN AMENDMENTS TO HOUSE BILL No. 134

He also presented communication from the House of Representatives informing the Senate that the House has concurred in amendments made by the Senate to House Bill No. 134, entitled:

An Act to further amend section eleven of the act, approved the thirteenth day of May, one thousand nine hundred twenty-five (P. L. 644), entitled "An act relating to and regulating the solicitation of moneys and property for charitable, religious, benevolent, humane, and patriotic purposes," by providing that said act shall apply to certain war veterans' organizations, or the subordinate units thereof.

HOUSE CONCURS IN AMENDMENTS TO SENATE BILL No. 272, RECALLED FROM THE GOVERNOR

He also informed the Senate that the House has concurred in amendments made by the Senate to Senate Bill No. 272, entitled:

An Act to apportion the Commonwealth of Pennsylvania into congressional districts.

Said bill having been recalled from the Governor for the purpose of amendment. The votes had on final passage and third reading were reconsidered in the Senate and the bill amended.

HOUSE CONCURS IN SENATE BILL No. 142

He also returned to the Senate, Senate Bill No. 142, entitled:

An Act for the extension of Capitol Park in the City of Harrisburg and for the acquisition of real estate in connection therewith and for the demolition of the buildings and structures thereon providing for and imposing powers and duties upon a Capitol Park Extension Commission conferring powers and duties upon the Department of Property and Supplies and making an appropriation

with the information that the House has passed the same without amendments.

HOUSE CONCURS IN SENATE BILL No. 506

He also returned to the Senate, Senate Bill No. 506, entitled:

An Act to further amend section one thousand thirty-three of the act approved the first day of May one thousand nine hundred and twenty-nine (P. L. 905), entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners countries cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" extending the provisions of such section for a further period of two years.

with the information that the House has passed the same without amendments.

REPORTS FROM COMMITTEES

Mr. HENRY I. WILSON. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. HENRY I. WILSON, from the Committee on Public Health, reported as committed, House Bill No. 763, entitled:

An Act to amend section one of the act approved the sixteenth day of July, one thousand nine hundred forty-one (P. L. 405), entitled "An act providing a method for supplying, perfecting and recording birth records of certain persons whose births have not heretofore been made a public record or whose record of birth is incomplete or incorrect; making such records competent legal evidence; prescribing fees, and imposing certain duties upon the orphans' court and the Bureau of Vital Statistics of the Department of Health; authorizing the orphans' court to appoint masters for the determination of certain questions, and requiring counties to pay the compensation of such masters," further regulating the proofs required.

Mr. CHAPMAN. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. CHAPMAN, from the Committee on Appropriations re-reported as committed, Senate Bill No. 368, entitled:

An Act authorizing the Department of Property and Supplies, with the approval of the Governor and the Board of Trustees of California State Teachers' College, to acquire a tract or tracts of land for the use of California State Teachers' College, and making an appropriation therefor.

LEAVE OF ABSENCE

Mr. DENT asked and obtained leave of absence for himself for the balance of today's session.

RESOLUTION

Mr. McCREESH. Mr. President, I ask unanimous consent to offer a resolution at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. McCREESH, offered the following resolution which was twice read, as follows:

URGING SENATE TO REMOVE JAPANESE EMBLEM FROM SENATE MURALS

Whereas, the Members of this Senate are all supposedly patriotic and in no way want to give aid and comfort to our enemies, and

Whereas, the Members of this Senate are all American citizens and by the Act of Congress of December 8, 1941, are at war with certain nations in this world, and

Whereas, this country of ours was born and cradled here in this great Commonwealth in the early, early days of the eighteenth century before the signing of the Declaration of Independence, and

Whereas, the people of this Commonwealth have always been liberty loving and defenders of the freedoms of assembly, speech, religion and the press,

Therefore Be It Resolved, that we, the Members of the Senate, do this day each contribute one dollar ($1.00) in United States currency to be used to pay for the necessary labor required to paint out the emblem of the Sun of Heaven—the Rising Sun—which is in the murals on the left front panel, of this Senate Chamber.

Mr. McCREESH. Mr. President, I ask unanimous consent that Rule 39, which requires resolutions be referred to an appropriate committee, be dispensed with and the Senate proceed to the consideration of the foregoing resolution.

The PRESIDENT. Is there objection?

Mr. HEYBURN. Mr. President, I object, and suggest that the resolution be referred to the Committee on State Government.

Mr. McCREESH. Mr. President, this is a very simple

and easy matter to have adjusted and I do not think the gentleman from Delaware is the type of person who would try to stop something like this. This is a good resolution and with very little effort this can be done. For the past three or four months I have been continuually bothered by people along the side rails, referring to that flag up there. I will be glad to m ke a contribution, if that is necessary, and I would like to have a roll call on this matter right now, so that I will not be bothered in the future. I think for the sake of men who are fighting for the freedom of our country, we should adopt this resolution, and I do hope that we will have less debate on this resolution and put it to a vote.

Mr. EALY. There are a great many symbolic pictures on these walls that I do not approve of. I could never imagine Benjamin Franklin or Thomas Jefferson looking like those pictures portray them as being. Up there on the corner of the wall there is apparently a representation of the Japanese flag—there is also an Italian flag up there, if I am able to distinguish it. These are symbolic pictures. I do not know what it would cost to change them, but that question should not be determined hastily here on the floor. I do not see that any one would be more patriotic by contributing a dollar to blot out that Japanese flag—perhaps that is the thing to do—but we should give it a little more consideration than to hastily vote to change the painting. I think it is entirely proper to hold this resolution over for consideration.

Mr. McCREESH. Mr. President, I will be glad to abide by the decision of the gentleman from Somerset, Senator Ealy.

The PRESIDENT. The resolution is referred to the Committee on State Government.

RECESS

Mr. HEYBURN. Mr. President, I move that the Senate do now take a recess for five minutes.

Mr. SCARLETT. Mr. President, I second the motion.

The motion was agreed to.

AFTER RECESS

The PRESIDENT. The time of recess having elapsed the Senate will be in order.

REPORTS FROM COMMITTEES

Mr. SHAPIRO. Mr. President, I move that the Senate do now return to the order of business of reports of committees.

Mr. HEYBURN. Mr. President, I second the motion.

The motion was agreed to.

Mr. SHAPIRO, from the Committee on Banking, reported as committed, House Bill No. 1072, entitled:

An Act providing for refunds by the Pennsylvania Board of Finance and Revenue of state personal property taxes paid upon certain personal property by liquidating trustees receivers or other fiduciaries of banks trust companies and savings institutions and making an appropriation.

Mr. BOWERS, from the Committee on Aeronautics, reported as committed, House Bill No. 1102, entitled:

An Act to further amend section one of the act, approved the twenty-fifth day of May, one thousand nine hundred thirty-three (P. L. 1016), entitled, "An act relating to aeronautics; providing for the maintenance and operation of intermediate landing fields and air navigation facilities by the Commonwealth alone or in cooperation with the United States Government or political subdivisions of the Commonwealth; providing for the execution of leases or the issuance of licenses to the United States Government or to political subdivisions of the Commonwealth for the maintenance of navigation facilities on intermediate landing fields of the Commonwealth; conferring powers and duties on the Department of Revenue with respect thereto; and repealing certain acts and parts of acts," by transferring certain powers and duties from the Department of Revenue to the Pennsylvania Aeronautics Commission.

He also, from the Committee on Aeronautics, reported as committed, House Bill No. 1103), entitled:

An act to further amend Section two hundred two, to reenact and amend section four hundred seven, to reenact and further amend section one thousand two hundred eight and to amend section two thousand nine hundred six of the act, approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 177), entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments, boards, commissions, and officers thereof, including the boards of trustees of State Normal Schools, or Teachers Colleges; abolishing, creating, reorganizing or authorizing the reorganization of certain administrative departments, boards, and commissions; defining the powers and duties of the Governor and other executive and administrative officers, and of the several administrative departments, boards, commissions and officers; fixing the salaries of the Governor, Lieutenant-Governor, and certain other executive and administrative officers; providing for the appointment of certain administrative officers, and of all deputies and other assistants and employes in certain departments, boards, and commissions; and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments, boards and commissions shall be determined," by providing for a Pennsylvania Aeronautics Commission in the Department of Commerce, by defining the constitutional powers, duties and renumeration of said commission and its employes, and repealing all acts and parts of acts inconsistent therewith.

He also, from the Committee on Aeronautics, reported as committed, House Bill No. 1104, entitled:

An act to amend the title, the table of contents and certain sections of the act, approved the twenty-fifth day of May, one thousand nine hundred thirty-three (P. L. 1001), entitled "An act providing for the regulation of aeronautics within this Commonwealth; conferring powers and imposing duties upon the Department of Revenue in respect thereto; providing for the licensing and registration of airmen and aircraft; establishing the legal status of air navigation; providing for sovereignty in, and ownership of, space; providing for lawfulness of flights; regulating civil causes of action arising out of operation of aircraft; fixing the status of contracts, crimes, and torts in, by, or by means of operation of aircraft; imposing duties upon officers, burgesses, magistrates, aldermen, justices of the peace, the courts and clerks thereof; providing for denial or revocation of licenses; providing for certain penalties and their disposition; and repealing certain existing laws," by conferring certain powers and imposing certain duties heretofore exercised and performed by the Department of Revenue upon the Pennsylvania Aeronautics Commission.

Mr. DEITRICK, from the Committee on Public Health, reported as committed, House Bill No. 913, entitled:

An Act relating to vital statistics and to make uniform the law with reference thereto.

Mr. HOMSHER, from the Committee on Labor and Industry, reported as committed, House Bill No. 1055, entitled:

An Act to further amend the act approved the fifth day of December one thousand nine hundred and thirty-six (P. L. 2897 1937) entitled "An act establishing a system of unemployment compensation to be administered by the Department of Labor and Industry and its existing and newly created agencies with personnel (with certain exceptions) selected on a civil service basis requiring employers to keep records and make reports and certain employers to pay contributions based on payrolls to provide moneys for the payment of compensation to certain unemployed persons providing procedure and administrative details for the determination payment and collection of such contributions and the payment of such compensation providing for cooperation with the Federal Government and its agencies creating certain special funds in the custody of the State Treasurer and prescribing penalties" changing the provisions thereof and the rights obligations and procedure thereunder.

Mr. COLEMAN, from the Committee on Aeronautics, reported as committed, House Bill No. 613, entitled:

An Act creating a commission to investigate and consider various phases of aeronautics in order to keep the General Assembly advised as to legislation which may be needed to keep the Commonwealth of Pennsylvania abreast of present rapid developments in this field directing such commission to make a report and recommendations to the General Assembly conferring certain powers upon such commission including the power to issue subpoenas administer oaths and affirmations retain employes and expend funds and making an appropriation

BILLS ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 951, as follows:

An Act making an appropriation to the Board of Trustees of the Philadelphia Museum Philadelphia

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The sum of thirty thousand dollars ($30,000) is hereby specifically appropriated to the Board of Trustees of the Philadelphia Museum Philadelphia for the two fiscal years beginning June first one thousand nine hundred and forty-three for the purpose of maintenance to be paid according to law

Section 2 This act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—42

Barr,	Farrell,	Letzler,	Stiefel,
Bowers,	Geltz,	Mallery,	Tallman,
Carr,	Gourley,	McCreesh,	Taylor,
Chapman,	Haluska,	McGinnis,	Thomas,
Coleman,	Heyburn,	McQuiddy,	Wade,
Cox,	Holland,	Ruth,	Walker,
Crider,	Homsher,	Scarlett,	Watkins,
Crowe,	James,	Shapiro,	Wilson, H. I.,
Deitrick,	Jaspan,	Snowden,	Wilson, T. B.,
DiSilvestro,	Jones,	Stevenson,	Woodring,
Ealy,	Kephart,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 952, as follows:

An Act making an appropriation from the Banking Department Fund to the State Employes' Retirement Board to meet the obligations of the Commonwealth to the State Employes Retirement System with respect to State Employes receiving compensation from the Banking Department Fund

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The sum of thirty-five thousand four hundred dollars ($35,400) or as much thereof as may be necessary is hereby specifically appropriated out of the Banking Department Fund to the State Employes' Retirement Board for the two fiscal years commencing the first day of June one thousand nine hundred and forty-three for payment from time to time into the State Employes' Retirement Fund to meet the obligations of the Commonwealth to the State Employes' Retirement System with respect to State employes receiving compensation from the Banking Department Fund

Section 2 Of the sum appropriated by this act there shall be paid into the State Employes' Retirement Fund to the credit of the State Annuity Reserve Account Number Two the sum of twenty-five thousand dollars ($25,000) and to the credit of the Contingent Reserve Account the sum of ten thousand four hundred dollars ($10,400)

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—42

Barr,	Farrell,	Letzler,	Stiefel,
Bowers,	Geltz,	Mallery,	Tallman,
Carr,	Gourley,	McCreesh,	Taylor,
Chapman,	Haluska,	McGinnis,	Thomas,
Coleman,	Heyburn,	McQuiddy,	Wade,
Cox,	Holland,	Ruth,	Walker,
Crider,	Homsher,	Scarlett,	Watkins,
Crowe,	James,	Shapiro,	Wilson, H. I.,
Deitrick,	Jaspan,	Snowden,	Wilson, T. B.,
DiSilvestro,	Jones,	Stevenson,	Woodring,
Ealy,	Kephart,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the afirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 953, as follows:

An Act making an appropriation from the Motor License Fund to the State Employes' Retirement Board to meet the obligations of the Commonwealth to the State Employes' Retirement System with respect to State employes receiving compensation from the Motor License Fund

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The sum of five hundred forty-five thousand dollars ($545,000) or as much thereof as may be necessary is hereby specifically appropriated out of the Motor License Fund to the State Employes' Retirement board for the two fiscal years commencing the first day of June one thousand nine hundred forty-three for payment from time to time into the State Employes' Retirement Fund to meet the obligations of the Commonwealth to the State Employes' Retirement System with respect to State Employes receiving compensation from the Motor License Fund

Section 2 Of the sum appropriated by this act there shall be paid into the State Employes' Retirement Fund to the credit of the State Annuity Reserve Account Number Two the sum of three hundred thirteen thousand four hundred dollars ($313,400) to the credit of the Contingent Reserve Account the sum of one hundred thirty-one thousand six hundred dollars ($131,600) and to the credit of the Pennsylvania State Police Retirement Account the sum of one hundred thousand dollars ($100,000)

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—42

Barr,	Farrell,	Letzler,	Stiefel,
Bowers,	Geltz,	Mallery,	Tallman,
Carr,	Gourley,	McCreesh,	Taylor,
Chapman,	Haluska,	McGinnis,	Thomas,
Coleman,	Heyburn,	McQuiddy,	Wade,
Cox,	Holland,	Ruth,	Walker,
Crider,	Homsher,	Scarlett,	Watkins,
Crowe,	James,	Shapiro,	Wilson, H. I.,
Deitrick,	Jaspan,	Snowden,	Wilson, T. B.,
DiSilvestro,	Jones,	Stevenson,	Woodring,
Ealy,	Kephart,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which the concurrence of the House is requested.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 954, as follows:

An Act making an appropriation to the Downingtown Industrial and Agricultural School Downingtown Pennsylvania

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The sum of sixty-six thousand dollars ($66,000) or as much thereof as may be necessary is hereby specifically appropriated to the Downingtown Industrial and Agricultural School of Downingtown Pennsylvania for the two fiscal years beginning June first one thousand nine hundred and forty-three for the purpose of maintenance to be paid according to law

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—42

Barr,	Farrell,	Letzler,	Stiefel,
Bowers,	Geltz,	Mallery,	Tallman,
Carr,	Gourley,	McCreesh,	Taylor,
Chapman,	Haluska,	McGinnis,	Thomas,
Coleman,	Heyburn,	McQuiddy,	Wade,
Cox,	Holland,	Ruth,	Walker,
Crider,	Homsher,	Scarlett,	Watkins,
Crowe,	James,	Shapiro,	Wilson, H. I.,
Deitrick,	Jaspan,	Snowden,	Wilson, T. B.,
DiSilvestro,	Jones,	Stevenson,	Woodring,
Ealy,	Kephart,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 955, as follows:

An Act making an appropriation from the Motor License Fund to the Department of Property and Supplies for the payment of the costs incurred by that Department in acting as purchasing agent for the Department of Highways

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The sum of sixty-seven thousand five hundred dollars ($67,500) or as much thereof as may be necessary is hereby specifically appropriated from the Motor License Fund to the Department of Property and Supplies for the two fiscal years commencing the first day of June one thousand nine hundred forty-three for the payment of the salaries wages or other compensation of such bureau or division chiefs experts engineers accountants secretaries auditors inspectors examiners statisticians clerks stenographers bookkeepers messengers and other assistants and employes for the payment of postage traveling expenses telephone toll charges telegrams newspaper advertising and notices for the payment of the costs of advertising schedules of supplies proposals for executing any contract work readvertising any schedules or proposals when necessary for the purchase of office supplies and equipment stationery printing printing supplies and printing processes for the purchase of all other materials supplies and equipment and for the payment of such other expenses as may be necessary for the proper conduct of the work of the Department in acting as purchasing agent for the Department of Highways

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—42

Barr,	Farrell,	Letzler,	Stiefel,
Bowers,	Geltz,	Mallery,	Tallman,
Carr,	Gourley,	McCreesh,	Taylor,
Chapman,	Haluska,	McGinnis,	Thomas,

Coleman,	Heyburn,	McQuiddy,	Wade,
Cox,	Holland,	Ruth,	Walker,
Crider,	Homsher,	Scarlett,	Watkins,
Crowe,	James,	Shapiro,	Wilson, H. I.,
Deitrick,	Jaspan,	Snowden,	Wilson, T. B.,
DiSilvestro,	Jones,	Stevenson,	Woodring,
Ealy,	Kephart,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 957, as follows:

An Act making an appropriation to the Trustees of Temple University at Philadelphia Pennsylvania

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The sum of one million two hundred fifty thousand dollars ($1,250,000) or as much thereof as may be necessary is hereby specifically appropriated to the Trustees of Temple University at Philadelphia for the two fiscal years beginning June first one thousand nine hundred and forty-three for the general maintenance of the university and the purchase of such apparatus and equipment as the Trustees may deem necessary for the best interests of the university

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—42

Barr,	Farrell,	Letzler,	Stiefel,
Bowers,	Geltz,	Mallery,	Tallman,
Carr,	Gourley,	McCreesh,	Taylor,
Chapman,	Haluska,	McGinnis,	Thomas,
Coleman,	Heyburn,	McQuiddy,	Wade,
Cox,	Holland,	Ruth	Walker,
Crider,	Homsher,	Scarlett,	Watkins,
Crowe,	James,	Shapiro,	Wilson, H. I.,
Deitrick,	Jaspan,	Snowden,	Wilson, T. B.,
DiSilvestro,	Jones,	Stevenson,	Woodring,
Ealy,	Kephart,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 959, as follows:

An Act making an appropriation from the State Workmen's Insurance Fund to the State Employes' Retirement Board to meet the obligations of the Commonwealth to the State Employes' Retirement System with respect to State employes receiving compensation from the State Workmen's Insurance Fund

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The sum of thirty-four thousand dollars ($34,000) or as much thereof as may be necessary is hereby specifically appropriated out of the State Workmen's Insurance Fund to the State Employes' Retirement Board for the two fiscal years commencing the first day of June one thousand nine hundred forty-three for payment from time to time into the State Employes' Retirement Fund to meet the obligations of the Commonwealth to the State Employes' Retirement System with respect to State employes receiving compensation from the State Workmen's Insurance Fund

Section 2 Of the sum appropriated by this act there shall be paid into the State Employes' Retirement Fund to the credit of the State Annuity Reserve Account Number Two the sum of twenty-four thousand dollars ($24,000) and to the credit of the Contingent Reserve Account the sum of ten thousand dollars ($10,000)

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—42

Barr,	Farrell,	Letzler,	Stiefel,
Bowers,	Geltz,	Mallery,	Tallman,
Carr,	Gourley,	McCreesh,	Taylor,
Chapman,	Haluska,	McGinnis,	Thomas,
Coleman,	Heyburn,	McQuiddy,	Wade,
Cox,	Holland,	Ruth	Walker,
Crider,	Homsher,	Scarlett,	Watkins,
Crowe,	James,	Shapiro,	Wilson, H. I.,
Deitrick,	Jaspan,	Snowden,	Wilson, T. B.,
DiSilvestro,	Jones,	Stevenson,	Woodring,
Ealy,	Kephart,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 960, as follows:

An Act making an appropriation the Trustees of the University of Pennsylvania

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The sum of one million six hundred fifty thousand dollars ($1,650,000) or as much thereof as may be necessary is hereby specifically appropriated to the Trustees of the University of Pennsylvania for the two fiscal years beginning June first one thousand nine hundred and forty-three for the general maintenance of the university and the purchase of such apparatus and equipment as the trustees may deem necessary for the best interests of the University of Pennsylvania

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—42

Barr,	Farrell,	Letzler,	Stiefel,
Bowers,	Geltz,	Mallery,	Tallman,
Carr	Gourley,	McCreesh,	Taylor,
Chapman,	Haluska,	McGinnis,	Thomas,
Coleman,	Heyburn,	McQuiddy,	Wade,
Cox,	Holland,	Ruth,	Walker,

Crider,	Homsher,	Scarlett,	Watkins,
Crowe,	James,	Shapiro,	Wilson, H. I.,
Deitrick,	Jaspan,	Snowden,	Wilson, T. B.,
DiSilvestro,	Jones,	Stevenson,	Woodring,
Ealy	Kephart,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 961, as follows:

An Act making an appropriation to the National Farm School at Doylestown Pennsylvania

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The sum of thirty-five thousand dollars ($35,000) or so much thereof as may be necessary is hereby specifically appropriated to the National Farm School at Doylestown Pennsylvania for the two fiscal years beginning June first one thousand nine hundred and forty-three for the purpose of maintenance to be paid according to law

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—42

Barr,	Farrell,	Letzler,	Stiefel,
Bowers,	Geltz,	Mallery,	Tallman,
Carr,	Gourley,	McCreesh,	Taylor,
Chapman,	Haluska,	McGinnis,	Thomas,
Coleman,	Heyburn,	McQuiddy,	Wade,
Cox,	Holland,	Ruth,	Walker,
Crider,	Homsher,	Scarlett,	Watkins,
Crowe,	James,	Shapiro,	Wilson, H. I.,
Deitrick,	Jaspan,	Snowden,	Wilson, T. B.,
DiSilvestro,	Jones,	Stevenson,	Woodring,
Ealy,	Kephart,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 962, as follows:

An Act making an appropriation of moneys in the Motor License Fund to the Board of Finance and Revenue to meet interest and sinking fund requirements on the State debt

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The Sum of ten million nine hundred forty-five thousand four hundred fourteen dollars and fifty-five cents ($10,945,414.55) is hereby specifically appropriated from the Motor License Fund to the Board of Finance and Revenue for payment into the Sinking Fund to meet interest and sinking fund requirements on the State debt for the two fiscal years commencing June first one thousand nine hundred and forty-three The amount hereinbefore appropriated shall be transferred by the Auditor General and the State Treasurer upon requisition of the Board of Finance and Revenue from the Motor License Fund to the Sinking Fund on or before the dates and in the amounts set forth in the following schedule

Dates	Principal	Interest	Total
July 1 1943	$683,972.69	$445,465.00	$1,129,437.69
August 2 1943	214,736.61	292,200.00	506,936.61
September 1 1943 .	660,138.29	188,440.00	848,578.29
October 1 1943	313,818.29	120,000.00	433,818.29
December 1, 1943 .	384,958.90	160,000.00	544,958.90
January 3 1944 ...	20,440.00	445,465.00	465,905.00
February 1 1944 ..	.....	292,200.00	292,200.00
March 1 1944	10,150.00	160,000.00	170,150.00
April 1 1944	687,591.66	120,000.00	807,591.66
June 1 1944	168,000.00	160,000.00	328,000.00
July 1 1944	683,972.69	445,465.00	1,129,437.69
August 1 1944 ...	214,736.61	292,200.00	506,936.61
September 1 1944 .	660,138.29	160,000.00	820,138.29
October 2 1944	313,818.29	120,000.00	433,818.29
December 1 1944 .	384,958.90	160,000.00	544,958.90
January 2 1945 ..	20,440.00	417,500.00	437,940.00
February 1 1945 ..	.....	292,200.00	292,200.00
March 1 1945	10,150.00	160,000.00	170,150.00
April 2 1945	687,591.66	106,666.67	794,258.33
June 1 1945	168,000.00	120,000.00	288,000.00
Total	$6,287,612.88	$4,657,801.67	$10,945,414.55

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—42

Barr,	Farrell,	Letzler,	Stiefel,
Bowers,	Geltz,	Mallery,	Tallman,
Carr,	Gourley,	McCreesh,	Taylor,
Chapman,	Haluska,	McGinnis,	Thomas,
Coleman,	Heyburn,	McQuiddy,	Wade,
Cox,	Holland,	Ruth,	Walker,
Crider,	Homsher,	Scarlett,	Watkins,
Crowe,	James,	Shapiro,	Wilson, H. I.,
Deitrick,	Jaspan,	Snowden,	Wilson, T. B.,
DiSilvestro,	Jones,	Stevenson,	Woodring,
Ealy,	Kephart,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 963, as follows:

An Act making an appropriation to the Department of Property and Supplies for the payment of rates rentals and other charges that may become due on leases and other contracts executed by The Pennsylvania State College with The General State Authority for the use and occupancy by such college of the various projects structures buildings and facilities of the Authority or for the services rendered by the Authority or its projects

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The sum of seven hundred thirty-one thousand dollars ($731,000) or as much thereof as may be necessary is hereby specifically appropriated to the Department of Property and Supplies for the use of The Pennsylvania State College for the two fiscal years be-

ginning June first one thousand nine hundred forty-three for the payment of annual rates rentals and other charges for the use and occupancy or the right to use or occupy the projects structures buildings and facilities leased by The General State Authority to The Pennsylvania State College or for services rendered by the Authority or its projects Payment of such annual rates rentals and other charges shall be made in equal monthly or quarterly installments or otherwise as required by the respective leases

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—42

Barr,	Farrell,	Letzler,	Stiefel,
Bowers,	Geltz,	Mallery,	Tallman,
Carr,	Gourley,	McCreesh,	Taylor,
Chapman,	Haluska,	McGinnis,	Thomas,
Coleman,	Heyburn,	McQuiddy,	Wade,
Cox,	Holland,	Ruth,	Walker,
Crider,	Homsher,	Scarlett,	Watkins,
Crowe,	James,	Shapiro,	Wilson, H. I.,
Deitrick,	Jaspan,	Snowden,	Wilson, T. B.,
DiSilvestro,	Jones,	Stevenson,	Woodring,
Ealy,	Kephart,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 964, as follows:

An Act making an appropriation to Sleighton Farm School for Girls situate in Delaware County Pennsylvania

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The sum of two hundred and seventy-five thousand dollars ($275,000) or so much thereof as may be necessary be and the same is hereby specifically appropriated to Sleighton Farm School for Girls situate in Delaware County Pennsylvania for the two fiscal years beginning the first day of June one thousand nine hundred forty-three for the purpose of maintenance

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—42

Barr,	Farrell,	Letzler,	Stiefel,
Bowers,	Geltz,	Mallery,	Tallman,
Carr,	Gourley,	McCreesh,	Taylor,
Chapman,	Haluska,	McGinnis,	Thomas,
Coleman,	Heyburn,	McQuiddy,	Wade,
Cox,	Holland,	Ruth,	Walker,
Crider,	Homsher,	Scarlett,	Watkins,
Crowe,	James,	Shapiro,	Wilson, H. I.,
Deitrick,	Jaspan,	Snowden,	Wilson, T. B.,
DiSilvestro,	Jones,	Stevenson,	Woodring,
Ealy,	Kephart,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 965, as follows:

An Act making an appropriation from the State Stores Fund to the State Employes' Retirement Board to meet the obligations of the Commonwealth to the State Employes' Retirement System with respect to State employes receiving compensation from the State Stores Fund

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The sum of four hundred fifty-nine thousand three hundred dollars ($459,300) or as much thereof as may be necessary is hereby specifically appropriated out of the State Stores Fund to the State Employes' Retirement Board for the two fiscal years commencing the first day of June one thousand nine hundred forty-three for payment from time to time into the State Employes' Retirement Fund to meet the obligations of the Commonwealth to the State Employes' Retirement System with respect to State employes receiving compensation from the State Stores Fund

Section 2 Of the sum appropriated by this act there shall be paid into the State Employes' Retirement Fund to the credit of the State Annuity Reserve Account Number Two the sum of three hundred twenty-three thousand five hundred dollars ($323,500) and to the credit of the Contingent Reserve Account the sum of one hundred thirty-five thousand eight hundred dollars ($135,800)

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—42

Barr,	Farrell,	Letzler,	Stiefel,
Bowers,	Geltz,	Mallery,	Tallman,
Carr,	Gourley,	McCreesh,	Taylor,
Chapman,	Haluska,	McGinnis,	Thomas,
Coleman,	Heyburn,	McQuiddy,	Wade,
Cox,	Holland,	Ruth,	Walker,
Crider,	Homsher,	Scarlett,	Watkins,
Crowe,	James,	Shapiro,	Wilson, H. I.,
Deitrick,	Jaspan,	Snowden,	Wilson, T. B.,
DiSilvestro,	Jones,	Stevenson,	Woodring,
Ealy,	Kephart,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 9[illegible] as follows:

An Act making an appropriation from the Fish Fund to the State Employes' Retirement Board to meet the obligations of the Commonwealth to the State Employes' Retirement System with respect to State employes receiving compensation from the Fish Fund

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The sum of seven thousand seven hundred dollars ($7,700) or as much thereof as may be necessary is hereby specifically appropriated out of the Fish Fund to the State Employes' Retirement Board for the two fiscal years commencing the first day of June one thousand nine hundred forty-three for payment from time to time into the State Employes' Retirement Fund to meet the obligations of the Commonwealth to the State Employes Retirement System with respect to State employes receiving compensation from the Fish Fund

Section 2 Of the sum appropriated by this act there shall be paid into the State Employes' Retirement Fund to the credit of the State Annuity Reserve Account Number Two the sum of five thousand five hundred dollars ($5,500) and to the credit of the Contingent Reserve Account the sum of two thousand two hundred dollars ($2,200)

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—42

Barr,	Farrell,	Letzler,	Stiefel,
Bowers,	Geltz,	Mallery,	Tallman,
Carr,	Gourley,	McCreesh,	Taylor,
Chapman,	Haluska,	McGinnis,	Thomas,
Coleman,	Heyburn,	McQuiddy,	Wade,
Cox,	Holland,	Ruth,	Walker,
Crider,	Homsher,	Scarlett,	Watkins,
Crowe,	James,	Shapiro,	Wilson, H. I.,
Deitrick,	Jaspan,	Snowden,	Wilson, T. B.,
DiSilvestro,	Jones,	Stevenson,	Woodring,
Ealy,	Kephart,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 968, as follows:

An Act making an appropriation to aid certain school districts

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The sum of two million dollars ($2,000,000) is hereby specifically appropriated to the Department of Public Instruction for the purpose of aiding financially handicapped and distressed school districts in such sums and in such manner as the Superintendent of Public Instruction shall determine and for defraying the necessary cost for the administration thereof

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—42

Barr,	Farrell,	Letzler,	Stiefel,
Bowers,	Geltz,	Mallery,	Tallman,
Carr,	Gourley,	McCreesh,	Taylor,
Chapman,	Haluska,	McGinnis,	Thomas,
Coleman,	Heyburn,	McQuiddy,	Wade,
Cox,	Holland,	Ruth,	Walker,
Crider,	Homsher,	Scarlett,	Watkins,
Crowe,	James,	Shapiro,	Wilson, H. I.,
Deitrick,	Jaspan,	Snowden,	Wilson, T. B.,
DiSilvestro,	Jones,	Stevenson,	Woodring,
Ealy,	Kephart,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 969, as follows:

An Act making an appropriation of moneys in the Motor License Fund to the Board of Finance and Revenue for the payment of the Loan and Transfer Agent of the Commonwealth

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The sum of thirty thousand dollars ($30,000) or as much thereof as may be necessary is hereby specifically appropriated out of the Motor License Fund to the Board of Finance and Revenue for the two fiscal years commencing June first one thousand nine hundred and forty-three for the payment of the compensation to the Commonwealth's Loan and Transfer Agent for services rendered in connection with the registration transfer and payment of interest on highway bonds and for other services required to be performed by the said Loan and Transfer Agent Payments from such appropriation shall be made at such times and in such amounts and upon such basis as may be provided by law or agreed upon between the Board of Finance and Revenue and the said Loan and Transfer Agent

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—42

Barr,	Farrell,	Letzler,	Stiefel,
Bowers,	Geltz,	Mallery,	Tallman,
Carr,	Gourley,	McCreesh,	Taylor,
Chapman,	Haluska,	McGinnis,	Thomas,
Coleman,	Heyburn,	McQuiddy,	Wade,
Cox,	Holland,	Ruth,	Walker,
Crider,	Homsher,	Scarlett,	Watkins,
Crowe,	James,	Shapiro,	Wilson, H. I.,
Deitrick,	Jaspan,	Snowden,	Wilson, T. B.,
DiSilvestro,	Jones,	Stevenson,	Woodring,
Ealy,	Kephart,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 970, as follows:

An Act making an appropriation to the Treasury Department out of various funds to pay replacement checks issued in lieu of outstanding checks when presented

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The following sums of moneys are hereby appropriated to the Treasury Department for the payment of replacement checks issued by that department in accordance with the provisions of the act approved the twelfth day of July one thousand nine hundred and thirty-five (P. L. 996)

Out of the General Fund	$10,000.00
Out of the Motor License Fund	12,000.00
Out of the Administration Fund	200.00
Out of the Federal Social Security Fund	50.00
Out of the Liquor License Fund	1,000.00
Out of the Milk Control Fund	25.00
Out of the State Stores Fund	1,000.00

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—42

Barr,	Farrell,	Letzler,	Stiefel,
Bowers,	Geltz,	Mallery,	Tallman,
Carr,	Gourley,	McCreesh,	Taylor,
Chapman,	Haluska,	McGinnis,	Thomas,
Coleman,	Heyburn,	McQuiddy,	Wade,
Cox,	Holland,	Ruth,	Walker,
Crider,	Homsher,	Scarlett,	Watkins,
Crowe,	James,	Shapiro,	Wilson, H. I.,
Deitrick,	Jaspan,	Snowden,	Wilson, T. B.,
DiSilvestro,	Jones,	Stevenson,	Woodring,
Ealy,	Kephart,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 971, as follows:

An Act making an appropriation to The General State Authority to defray the costs and expenses of the said Authority in connection with the organization administration and operation thereof

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The sum of one hundred thousand dollars ($100,000) or as much thereof as may be necessary is hereby specifically appropriated to the General State Authority for the two fiscal years beginning June first one thousand nine hundred forty-three for the payment of all salaries and organization and general expenses of every description as provided by the act approved the twenty-eighth day of June one thousand nine hundred thirty-five (P. L. 452)

Section 2 Payments from the foregoing appropriation shall be made to the Treasurer of the General State Authority upon requisition by the Governor

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—42

Barr,	Farrell,	Letzler,	Stiefel,
Bowers,	Geltz,	Mallery,	Tallman,
Carr,	Gourley,	McCreesh,	Thomas,
Chapman,	Haluska,	McGinnis,	Taylor,
Coleman,	Heyburn,	McQuiddy,	Wade,
Cox,	Holland,	Ruth,	Walker,
Crider,	Homsher,	Scarlett,	Watkins,
Crowe,	James,	Shapiro,	Wilson, H. I.,
Deitrick,	Jaspan,	Snowden,	Wilson, T B.,
DiSilvestro,	Jones,	Stevenson,	Woodring,
Ealy,	Kephart,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 973, as follows:

An Act making an appropriation to the Trustees of the University of Pittsburgh for the general maintenance of and the purchase of apparatus and equipment for the University of Pittsburgh and for the maintenance of teaching facilities in hospitals for students in the School of Medicine

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The sum of one million three hundred seventy-six thousand dollars ($1,376,000 or as much thereof as may be necessary is hereby specifically appropriated to the Trustees of the University of Pittsburgh for the two fiscal years beginning June first one thousand nine hundred and forty-three for the general maintenance of the University of Pittsburgh and the purchase of such apparatus and equipment as the trustees may deem necessary for the best interests of the University of Pittsburgh including maintenance of teaching facilities in hospitals for students in the School of Medicine of the University of Pittsburgh including the Maternity Dispensary and other dispensaries

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—42

Barr,	Farrell,	Letzler,	Stiefel,
Bowers,	Geltz,	Mallery,	Tallman,
Carr,	Gourley,	McCreesh,	Taylor,
Chapman,	Haluska,	McGinnis,	Thomas,
Coleman,	Heyburn,	McQuiddy,	Wade,
Cox,	Holland,	Ruth,	Walker,
Crider,	Homsher,	Scarlett,	Watkins,
Crowe,	James,	Shapiro,	Wilson H I.,
Deitrick,	Jaspan,	Snowden,	Wilson, T B.,
DiSilvestro,	Jones,	Stevenson,	Woodring,
Ealy,	Kephart,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 974, as follows:

An Act making an appropriation to the Trustees of the College of Lincoln University Chester County

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The sum of one hundred thousand dollars ($100,000) or as much thereof as may be necessary is hereby specifically appropriated to the Trustees of the College of Lincoln University Chester County for the two fiscal years beginning June first one thousand nine hundred and forty-three for the general maintenance of the university and the purchase of such apparatus and equipment as the trustees may deem for the best interests of the university

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—42

Barr,	Farrell,	Letzler,	Stiefel,
Bowers,	Geltz,	Mallery,	Tallman,
Carr,	Gourley,	McCreesh,	Taylor,
Chapman,	Haluska,	McGinnis,	Thomas,
Coleman,	Heyburn,	McQuiddy,	Wade,
Cox,	Holland,	Ruth,	Walker,
Crider,	Homsher,	Scarlett,	Watkins,
Crowe,	James,	Shapiro,	Wilson, H. I.,
Deitrick,	Jaspan,	Snowden,	Wilson, T. B.,
DiSilvestro,	Jones,	Stevenson,	Woodring,
Ealy,	Kephart,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 975, as follows:

An Act making an appropriation to the Department of Forests and Waters for the use of the Valley Forge Park Commission in payment of lands acquired by condemnation

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The sum of two hundred forty-three thousand eight hundred dollars ($243,800) or as much thereof as may be necessary is hereby specifically appropriated to Department of Forests and Waters for the use of the Valley Forge Park Commission in the payment of lands acquired by condemnation under authority duly granted by law and for which payment has not been made No part of the money hereby appropriated shall be used for acquiring lands in addition to those heretofore lawfully purchased or taken by condemnation

Section 2 This act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—42

Barr,	Farrell,	Letzler,	Stiefel,
Bowers,	Geltz,	Mallery,	Tallman,
Carr,	Gourley,	McCreesh,	Taylor,
Chapman,	Haluska,	McGinnis,	Thomas,
Coleman,	Heyburn,	McQuiddy,	Wade,
Cox,	Holland,	Ruth,	Walker,
Crider,	Homsher,	Scarlett,	Watkins,
Crowe,	James,	Shapiro,	Wilson, H. I.,
Deitrick,	Jaspan,	Snowden,	Wilson, T. B.,
DiSilvestro,	Jones,	Stevenson,	Woodring,
Ealy,	Kephart,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 976, as follows:

An Act making an appropriation to the Moore Institute of Art Science and Industry formerly Philadelphia School of Design for Women at Philadelphia Pennsylvania

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The sum of thirty-three thousand dollars ($33,000) is hereby specifically appropriated to the Moore Institute of Art Science and Industry formerly Philadelphia School of Design for Women at Philadelphia Pennsylvania for the two fiscal years beginning June first one thousand nine hundred and forty-three Provided That in such school there shall be maintained a free scholarship for one pupil of each county in the State to be filled by appointment of the senator of each such county except that for counties having more than one senator as many scholarships shall be provided as there are senatorial districts in such counties and in case of the failure of any county to be properly represented by an appointee or appointees at the opening of any school year October first then any senator of any senatorial district shall have the power to fill such vacancy or vacancies by the appointment of additional applicants from his own district or any other senatorial district of the State

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—42

Barr,	Farrell,	Letzler,	Stiefel,
Bowers,	Geltz,	Mallery,	Tallman,
Carr,	Gourley,	McCreesh,	Taylor,
Chapman,	Haluska,	McGinnis,	Thomas,
Coleman,	Heyburn,	McQuiddy,	Wade,
Cox,	Holland,	Ruth,	Walker,
Crider,	Homsher,	Scarlett,	Watkins,
Crowe,	James,	Shapiro,	Wilson, H. I.,
Deitrick,	Jaspan,	Snowden,	Wilson, T. B.,
DiSilvestro,	Jones,	Stevenson,	Woodring,
Ealy,	Kephart,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 977, as follows:

An Act making an appropriation to the Department of Labor and Industry to meet the obligation of the Commonwealth to pay a part of the compensation payable for certain occupational diseases

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The sum of one million two hundred fifty thousand dollars ($1,250,000) or as much thereof as may be necessary is hereby appropriated out of the General Fund to the Department of Labor and Industry for the payment of amounts payable from time to time during the two fiscal years beginning June first one thousand nine hundred forty-three by the Commonwealth as its share of the compensation payable to claimants for certain occupational diseases in accordance with agreements entered into or awards handed down under the provisions of the "Occupational Disease Compensation Act" approved the second day of July one thousand nine hundred thirty-seven (P. L. 2714) or The Pennsylvania Occupational Disease Act approved the twenty-first day of June one thousand nine hundred thirty-nine (P. L. 566) as the case may be and for the payment of any such amounts whatsoever due and payable prior to May thirty-first one thousand nine hundred forty-three

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—42

Barr,	Farrell,	Letzler,	Stiefel,
Bowers,	Geltz,	Mallery,	Tallman,
Carr,	Gourley,	McCreesh,	Taylor,
Chapman,	Haluska,	McGinnis,	Thomas,
Coleman,	Heyburn,	McQuiddy,	Wade,
Cox,	Holland,	Ruth,	Walker,
Crider,	Homsher,	Scarlett,	Watkins,
Crowe,	James,	Shapiro,	Wilson, H. I.,
Deitrick,	Jaspan,	Snowden,	Wilson, T. B.,
DiSilvestro,	Jones,	Stevenson,	Woodring,
Ealy,	Kephart,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 978, as follows:

An Act making an appropriation to the Department of Forests and Waters for the repair or reconstruction of a dam across the Lehigh River at Easton Northampton County and dredging in the Lehigh River and the entrance of the Delaware Division Canal

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The sum of forty thousand dollars ($40,000) or as much thereof as may be necessary is hereby specifically appropriated to the Department of Forests and Waters to defray the cost of repairing or reconstructing a timber crib dam across the Lehigh River at Easton Northampton County and dredging in the Lehigh River and entrance of the Delaware Division Canal to provide an adequate flow of water in the Canal

Section 2 This act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—42

Barr,	Farrell,	Letzler,	Stiefel,
Bowers,	Geltz,	Mallery,	Tallman,
Carr,	Gourley,	McCreesh,	Taylor,
Chapman,	Haluska,	McGinnis,	Thomas,
Coleman,	Heyburn,	McQuiddy,	Wade,
Cox,	Holland,	Ruth,	Walker,
Crider,	Homsher,	Scarlett,	Watkins,
Crowe,	James,	Shapiro,	Wilson, H. I.,
Deitrick,	Jaspan,	Snowden,	Wilson, T. B.,
DiSilvestro,	Jones,	Stevenson,	Woodring,
Ealy,	Kephart,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 979, as follows:

An Act making an appropriation from the Manufacturing Fund to the State Employes' Retirement Board to meet the obligations of the Commonwealth to the State Employes' Retirement System with respect to State employes receiving compensation from the Manufacturing Fund

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The sum of eleven thousand one hundred dollars ($11,100) or as much thereof as may be necessary is hereby specifically appropriated out of the Manufacturing Fund to the State Employes' Retirement Board for the two fiscal years commencing the first day of June one thousand nine hundred forty-three for payment from time to time into the State Employes' Retirement Fund to meet the obligations of the Commonwealth to the State Employes' Retirement System with respect to State employes receiving compensation from the Manufacturing Fund

Section 2 Of the sum appropriated by this act there shall be paid into the State Employes' Retirement Fund to the credit of the State Annuity Reserve Account Number Two the sum of seven thousand seven hundred dollars ($7,700) and to the credit of the Contingent Reserve Account the sum of three thousand four hundred dollars ($3,400)

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—42

Barr,	Farrell,	Letzler,	Stiefel,
Bowers,	Geltz,	Mallery,	Tallman,
Carr,	Gourley,	McCreesh,	Taylor,
Chapman,	Haluska,	McGinnis,	Thomas,
Coleman,	Heyburn,	McQuiddy,	Wade,
Cox,	Holland,	Ruth,	Walker,

Crider,	Homsher,	Scarlett,	Watkins,
Crowe,	James,	Shapiro,	Wilson, H. I.,
Deitrick,	Jaspan,	Snowden,	Wilson, T. B.,
DiSilvestro,	Jones,	Stevenson,	Woodring,
Ealy,	Kephart,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 980, as follows:

An Act making an appropriation from the Game Fund to the State Employes' Retirement Board to meet the obligations of the Commonwealth to the State Employes' Retirement System with respect to State employes receiving compensation from the Game Fund

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The sum of thirty thousand five hundred dollars ($30,500) or as much thereof as may be necessary is hereby specifically appropriated out of the Game Fund to the State Employes' Retirement Board for the two fiscal years commencing the first day of June one thousand nine hundred forty-three for payment from time to time into the State Employes' Retirement Fund to meet the obligations of the Commonwealth to the State Employes' Retirement System with respect to State employes receiving compensation from the Game Fund

Section 2 Of the sum appropriated by this act there shall be paid into the State Employes' Retirement Fund to the credit of the State Annuity Reserve Account Number Two the Sum of twenty-one thousand five hundred ($21,500) and to the credit of the Contingent Reserve Account the sum of nine thousand dollars ($9,000)

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—42

Barr,	Farrell,	Letzler,	Stiefel,
Bowers,	Geltz,	Mallery,	Tallman,
Carr,	Gourley,	McCreesh,	Taylor,
Chapman,	Haluska,	McGinnis,	Thomas,
Coleman,	Heyburn,	McQuiddy,	Wade
Cox,	Holland,	Ruth,	Walker,
Crider,	Homsher,	Scarlett,	Watkins,
Crowe,	James,	Shapiro,	Wilson, H. I.,
Deitrick,	Jaspan,	Snowden,	Wilson, T. B.,
DiSilvestro,	Jones,	Stevenson,	Woodring,
Ealy,	Kephart,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 989, as follows:

An Act to amend clause three of section thirteen of article nineteen of the act approved the twenty-fifth day of June one thousand nine hundred and nineteen (P. L. 581) entitled "An act for the better government of cities of the first class of this Commonwealth" by providing that persons certified by the Civil Service Commission as eligible for appointment or promotion to various positions who are prevented from accepting such appointment or promotion because of their entrance into the armed forces of the United States Government during time of war shall be retained on a preferred eligible list for such appointments or promotions until two years after the termination of hostilities in such war

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Clause three of section thirteen of article nineteen of the act approved the twenty-fifth day of June one thousand nine hundred and nineteen (P. L. 581) entitled "An act for the better government of cities of the first class of this Commonwealth" is hereby amended to read as follows

Section 13 The commission shall adopt amend and enforce rules for the classified service which shall have the force and effect of law The rules shall provide

* * * * *

3 For the creation of eligible lists upon which shall be entered the names of successful candidates in the order of their standing in examination Such lists shall remain in force not longer than two years Provided however That if any person whose name appears upon such lists as eligible for appointment or promotion to any position in the classified service shall be prevented from accepting such appointment or promotion by reason of his or her impending service or service in the armed forces of the Government of the United States during any war in which the United States is engaged the names of such persons shall be placed upon and retained upon a list of those who were eligible for appointment or promotion to the positions or offices for which they have qualified by examination until two years after the termination of hostilities in the war in which the United States is engaged and if honorably discharged from such armed forces and physically fit to perform the duties of the respective positions or offices they shall be eligible for and be given preference for appointment or promotion to the position for which they did so qualify over any other persons qualifying in subsequent examinations

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—42

Barr,	Farrell,	Letzler,	Stiefel,
Bowers,	Geltz	Mallery,	Tallman,
Carr,	Gourley,	McCreesh,	Taylor,
Chapman,	Haluska,	McGinnis,	Thomas,
Coleman,	Heyburn,	McQuiddy,	Wade,
Cox,	Holland,	Ruth,	Walker,
Crider,	Homsher,	Scarlett,	Watkins,
Crowe,	James,	Shapiro,	Wilson, H. I
Deitrick,	Jaspan,	Snowden,	Wilson, T. B.,
DiSilvestro,	Jones,	Stevenson,	Woodring,
Ealy,	Kephart,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 1003, as follows:

An Act authorizing and directing the Department of Highways to erect and maintain as a post war construction project a toll bridge over the Allegheny River between a point in or near the Borough of Tarentum Allegheny County and a point in Westmoreland County and to provide the necessary approaches and connections with State highways providing for the acceptance of Federal aid empowering counties to pay certain damages providing for the collection of tolls on such bridge and making an appropriation

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The Department of Highways is hereby authorized and directed to erect and construct a toll bridge over the Allegheny River from a convenient point in or near the Borough of Tarentum in Allegheny County to a point on the opposite side of said river in the County of Westmoreland to connect the State highways on both sides of said river and to acquire the necessary land for approaches thereto

In the construction of said bridge and the approaches thereto and connections with existing State highways the Department of Highways shall have with the approval of the counties affected namely Westmoreland and Allegheny all of the powers and authority conferred with respect to the relocation widening or construction of State highways including the exercise of the power of eminent domain Any damages sustained by reason of taking property in the relocation widening or construction of any such bridge the approaches thereto and connections with State highways shall be ascertained in accordance with laws applicable to the ascertainment of damages in relocating widening or constructing State highways and such damages when ascertained shall be paid by the Commonwealth or county or counties as may be agreed upon in accordance with the laws relating to State highways

Section 2 The Department of Highways is hereby authorized to accept grants of funds from any Federal agency for the construction of such bridge and the approaches thereto and connections with State highways Any such moneys shall be held by the State Treasurer as custodian for the Department of Highways and the same shall be paid out on requisition of the department without further appropriation

Section 3 If such bridge is to be constructed under contract and to be paid for wholly or in part from Federal funds and the project involves additional work to be contracted and paid for by a county or counties the advertisement by the Department of Highways shall be the only advertising necessary any other acts or requirements to the contrary notwithstanding

Section 4 The Department of Highways shall have authority to make and carry out contracts and to do every other act necessary to carry out the project herein authorized and is authorized to conform to the requirements and rules and regulations of the proper Federal authorities with respect to such projects if Federal moneys are advanced for such project Nothing herein contained shall in anywise diminish any authority or powers now or hereafter conferred on the Department of Highways by any other act of Assembly

Section 5 The construction of the bridge for which funds as appropriated by this act shall be included among the various public works projects to be undertaken by the Commonwealth after the termination of the present war as a means of facilitating the transition from a war to a peace economy

Section 6 The Department of Highways shall after the completion of such bridge provide for the collection of tolls on such bridge until such tolls have been sufficient to reimburse in full the Commonwealth the Federal Government or any Federal agency which advanced moneys and any moneys paid by counties Such tolls shall also be sufficient to pay for the maintenance of the bridge its approaches and connecting highways during the period when tolls are collected and to pay the compensation of all persons employed on or in connection with such bridge As soon as the Commonwealth the Federal Government all Federal agencies and all counties that advanced any moneys have been reimbursed in full the bridge and its approaches and connecting highways shall be maintained by the Department of Highways free of tolls for the use of the public

Section 7 So much of the moneys in the Motor License Fund as is necessary for the preparation of plans for the construction of said bridge and approaches thereto and connections with State highways and for the payment of damages for property taken or destroyed is hereby appropriated to the Department of Highways for said purposes

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—42

Barr,	Farrell,	Letzler,	Stiefel,
Bowers,	Geltz,	Mallery,	Tallman,
Carr,	Gourley,	McCreesh,	Taylor,
Chapman,	Haluska,	McGinnis,	Thomas,
Coleman,	Heyburn,	McQuiddy,	Wade,
Cox,	Holland,	Ruth,	Walker,
Crider,	Homsher,	Scarlett,	Watkins,
Crowe,	James,	Shapiro,	Wilson, H. I.,
Deitrick,	Jaspan,	Snowden,	Wilson, T. B.,
DiSilvestro,	Jones,	Stevenson,	Woodring,
Ealy,	Kephart,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which the concurrence of the House is requested.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 1029, as follows:

An Act making an appropriation to the Trustees of the Pennsylvania State College for the use of the School of Agriculture for the purpose of conducting research and investigation of problems affecting livestock and agricultural products

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The sum of one hundred thirty-thousand dollars ($130,000) or so much thereof as may be necessary is hereby specifically appropriated to the Trustees of the Pennsylvania State College for the two fiscal years beginning June first one thousand nine hundred forty-three for the use of the School of Agriculture for expenditure by the Agriculture Experiment Station for the following purposes

For the support of research and investigation directed toward the development and production of superior strains of crops and livestock and to develop more efficient methods of producing and marketing such products

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—42

Barr,	Farrell,	Letzler,	Stiefel,
Bowers,	Geltz,	Mallery,	Tallman,
Carr,	Gourley,	McCreesh,	Taylor,
Chapman,	Haluska,	McGinnis,	Thomas,
Coleman,	Heyburn,	McQuiddy,	Wade,
Cox,	Holland,	Ruth,	Walker,
Crider,	Homsher,	Scarlett,	Watkins,
Crowe,	James,	Shapiro,	Wilson, H. I.,
Deitrick,	Jaspan,	Snowden,	Wilson, T. B.,
DiSilvestro,	Jones,	Stevenson,	Woodring,
Ealy,	Kephart,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 1030, as follows:

An Act making an appropriation to the Jefferson Medical College of Philadelphia Pennsylvania for medical education

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The sum of one hundred sixty-five thousand dollars ($165,000) or so much thereof as may be necessary be and the same is hereby specifically appropriated to the Jefferson Medical College of Philadelphia Pennsylvania for the two fiscal years beginning June first one thousand nine hundred forty-three for the support and promotion of medical education

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—42

Barr,	Farrell,	Letzler,	Stiefel,
Bowers,	Geltz,	Mallery,	Tallman,
Carr,	Gourley,	McCreesh,	Taylor,
Chapman,	Haluska,	McGinnis,	Thomas,
Coleman,	Heyburn,	McQuiddy,	Wade,
Cox,	Holland,	Ruth,	Walker,
Crider,	Homsher,	Scarlett,	Watkins,
Crowe,	James,	Shapiro,	Wilson, H. I.,
Deitrick,	Jaspan,	Snowden,	Wilson, T. B.,
DiSilvestro,	Jones,	Stevenson,	Woodring,
Ealy,	Kephart,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 1098, as follows:

An Act making an appropriation to the Pennsylvania Historical Commission to cover the expenses of restoring and refurnishing the Daniel Boone Homestead

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The sum of twenty-two thousand five hundred dollars ($22,500) or so much thereof as may be necessary is hereby specifically appropriated to the Pennsylvania Historical Commission for the two fiscal years beginning June first one thousand nine hundred and forty-three for the payment of salaries wages or other compensation of such superintendent guards wardens and workmen as may be necessary for the restoration improvement refurnishing and preservation of the Daniel Boone Homestead for the necessary cost of freight stationery postage fertilizers seeds and other supplies for plowing and mowing for the purchase of trees and shrubs and for the planting of the same for the restoration of the Daniel Boone Homestead barn and out buildings for the installation of a water system sewage system and electric lighting for the construction of a picnic ground including a shelter and toilet facilities for the building of a dam for the construction of a week-end camp for the construction of a caretaker's house garage and storage barn for the construction and improvement of roads and parking areas within the property for the furnishing of the buildings on the property for the purchase of articles of historic interest to the public and for other incidental and contingent expenses

Section 2 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—42

Barr,	Farrell,	Letzler,	Stiefel,
Bowers,	Geltz,	Mallery,	Tallman,
Carr,	Gourley,	McCreesh,	Taylor,
Chapman,	Haluska,	McGinnis,	Thomas,
Coleman,	Heyburn,	McQuiddy,	Wade,
Cox,	Holland,	Ruth,	Walker,
Crider,	Homsher,	Scarlett,	Watkins,
Crowe,	James,	Shapiro,	Wilson, H. I.,
Deitrick,	Jaspan,	Snowden,	Wilson, T. B.,
DiSilvestro,	Jones,	Stevenson,	Woodring,
Ealy,	Kephart,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 1105, as follows:

An Act making an appropriation to the Department of Property and Supplies for the restoration improvement and equipment of the Pottsgrove Mansion in the borough of Pottstown on the advice and subject to the approval of the Pennsylvania Historical Commission

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The sum of twenty-thousand dollars ($20,000) or as much thereof as may be necessary is hereby specifically appropriated out of the General Fund to the Department of Property and Supplies for the purpose of completing the work of the restoration of the building known as the Pottsgrove Mansion in the borough of Pottstown Montgomery County acquired by the Commonwealth pursuant to the provisions of the act approved the fifth day of August one thousand nine hundred forty-one (P. L. 830) and for the construction of walls fences paths roads parking area minor service building grading and landscaping purchase of necessary materials

purchase of furniture furnishings and antiquites and professional fees necessary in the completion of Pottsgrove Mansion as outlined

All of said work shall be done on the advice of the Pennsylvania Historical Commission and subject to its approval

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—42

Barr,	Farrell,	Letzler,	Stiefel,
Bowers,	Geltz,	Mallery,	Tallman,
Carr,	Gourley,	McCreesh,	Taylor,
Chapman,	Haluska,	McGinnis,	Thomas,
Coleman,	Heyburn,	McQuiddy,	Wade,
Cox,	Holland,	Ruth,	Walker,
Crider,	Homsher,	Scarlett,	Watkins,
Crowe,	James,	Shapiro,	Wilson, H. I.,
Deitrick,	Jaspan,	Snowden,	Wilson, T. B.,
DiSilvestro,	Jones,	Stevenson,	Woodring,
Ealy,	Kephart,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 1109, as follows:

An Act making an appropriation to the Department of Revenue for the payment of claims for legal services

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The sum of two thousand two hundred thirty dollars ($2,230) or as much thereof as may be necessary is hereby appropriated to the Department of Revenue for the payment of claims against that Department for legal services which have been approved according to law

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—42

Barr,	Farrell,	Letzler,	Stiefel,
Bowers,	Geltz,	Mallery,	Tallman,
Carr,	Gourley,	McCreesh,	Taylor,
Chapman,	Haluska,	McGinnis,	Thomas,
Coleman,	Heyburn,	McQuiddy,	Wade,
Cox,	Holland,	Ruth,	Walker,
Crider,	Homsher,	Scarlett,	Watkins,
Crowe,	James,	Shapiro,	Wilson, H. I.,
Deitrick,	Jaspan,	Snowden,	Wilson, T. B.,
DiSilvestro,	Jones,	Stevenson,	Woodring,
Ealy,	Kephart,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

BILL ON THIRD READING POSTPONED CALENDAR CALLED UP

Mr. CRIDER. Mr. President, I move that the Senate do now resume the consideration of Senate Bill No. 92, on third reading postponed, entitled:

An Act to authorize cities, boroughs, incorporated towns, townships and school districts to file suggestions of nonpayment and averments of default or to sue out writs of scire facias on certain tax or municipal claims and to revive judgments where the lien of such claims or the judgments thereon have been lost, and providing for the reinstatement of the liens of such claims and judgments.

Mr. WALKER. Mr. President, I second the motion.

The motion was agreed to.

BILL RECOMMITTED

Mr. CRIDER. Mr. President, I move that Senate Bill No. 92, on third reading be recommitted to the Committee on State Government.

Mr. WALKER. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

Mr. COX. Mr. President, I desire to interrogate the gentleman from Franklin, Senator Crider.

The PRESIDENT. Will the gentleman from Franklin permit himself to be interrogated?

Mr. CRIDER. I will, Mr. President.

Mr. COX. Mr. President, this bill was introduced early in this session of the Legislature, and it is a very important bill. Would the gentleman from Franklin tell me whether the reason for sending this bill back to committee is to have it killed?

Mr. CRIDER. One of my colleagues in the House introduced the same kind of a bill, which was lucky enough to pass both the Senate and the House, and therefore there is no necessity for this bill.

And the question recurring.

Will the Senate agree to the motion?

It was agreed to.

BILL ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 36, entitled:

An Act abating certain tax penalties and interest on unpaid county, city, borough, town, township, school district, poor district, and county institution district taxes with certain exceptions prohibiting the sale of real property for the nonpayment of any such taxes for a certain period, and preserving certain tax liens and providing for the extension thereof

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

BILL OVER IN ORDER

Mr. HEYBURN. Mr. President, I ask unanimous consent that House Bill No. 112, on second reading, entitled:

An Act authorizing the Armory Board of the State of Pennsylvania to construct and erect in the County of Dauphin, a memorial or monument in memory of the

residents of Dauphin County who served in the forces of the United States during World War I, and making an appropriation

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON SECOND READING AMENDED

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 194, entitled:

An Act authorizing administrative boards within the Department of Public Instruction for the duration of the present War to admit to examination and grant licenses or registration to certain applicants who are less than twenty-one but not less than twenty years of age

The first section was read.

On the question,

Will the Senate agree to the section?

Mr. HEYBURN offered the following amendment:

Amend Section 1, page 1, line 8, by inserting after the word "osteopathy" the word "pharmacy."

It was agreed to.

The section was agreed to as amended.

The second and third sections and title were separately read and agreed to.

And said bill having been read at length the second time and agreed to, as amended,

Ordered, To be transcribed for a third reading.

BILLS ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 245, entitled:

An Act making an appropriation to the Department of Welfare for use by the State Council for the Blind in supplying home instruction for adult blind persons

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 273, entitled:

An Act to further amend the act approved the fourth day of May one thousand nine hundred twenty-seven (P. L. 519) entitled "An act concerning boroughs and revising amending and consolidating the law relating to boroughs" by further regulating the affairs of boroughs and revising amending and changing the law relating thereto

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 422, entitled:

An Act to amend section four of the act approved the ninth day of April one thousand eight hundred and seventy (P. L. 1121) entitled "A supplement to an act entitled 'An act for the regulation and government of the Lehigh county prison' approved the sixth day of April one thousand eight hundred and sixty-nine" by increasing the salaries of prison inspectors in Lehigh County

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 501, entitled:

An Act regulating the lien of judgments; prescribing the procedure for the revival of judgments, and for the continuance of the lien thereof; and repealing certain acts and parts of acts

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

BILL RECOMMITTED

Mr. HEYBURN. Mr. President, I move that House Bill No. 510, on second reading, entitled:

An Act to amend sections seven hundred thirty-one and seven hundred thirty-three of the act, approved the twenty-fourth day of June, one thousand nine hundred thirty-nine (P. L. 872), entitled "An act to consolidate, amend and revise the penal laws of the Commonwealth," authorizing the courts to issue writs of execution and attachment against the property, money and wages of defendants in separation and non-support cases, and the attachment of wages in desertion and non-support cases

be recommitted to the Committee on Judiciary Special.

Mr. WADE. Mr. President, I second the motion.

The motion was agreed to.

BILL ON SECOND READING AMENDED

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No 584, entitled:

An Act authorizing counties of the second class to regulate the production of smoke from chimneys, smokestacks or other source including provisions for the payment of inspection and certificates of compliance fees incident thereto; authorizing the expenditure of money for the employment of persons and the acquisition of property for effectuating such regulations; and providing penalties for the violation thereof

The first section was read.

On the question,

Will the Senate agree to the section?

Mr. CARR offered the following amendment;

Amend Section 1, page 1, line 4, by inserting after the word "source" the words "except railroad locomotives."

It was agreed to.

The section was agreed to as amended.

The second and third sections and title were separately read and agreed to.

And said bill having been read at length the second time and agreed to, as amended,

Ordered, To be transcribed for a third reading.

BILLS ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 585, entitled;

An Act to amend section six of the act, approved the twelfth day of June, one thousand eight hundred seventy-eight (P. L. 196), entitled "An act supplementary to an act, entitled 'An act to consolidate revise and amend the penal laws of this Commonwealth,' approved the thirty-first day of March, Anno Domini one thousand eight hundred and sixty," by fixing the time for the commencement and prosecution of indictments for felonies committed by certain persons

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 593, entitled:

An Act relating to vocational rehabilitation; accepting the provisions and benefits of the act of Congress, approved the second day of June, one thousand nine hundred and twenty, entitled "An act to provide for the promotion of vocational rehabilitation of persons disabled in industry or otherwise and their return to civil employment"; providing for the rehabilitation of persons disabled in industry and their return to civil employment; imposing duties upon the Bureau of Rehabilitation, the Department of Labor and Industry and the State Treasurer

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 635, entitled:

An Act to amend the act, approved the twenty-second day of June, one thousand nine hundred and thirty-one (P. L. 594), entitled "An act establishing certain township roads as State highways; authorizing their construction, maintenance, and improvement under certain conditions and restrictions; limiting the obligation of the Commonwealth in the construction of certain structures located on such highways; conferring certain powers upon the Department of Highways and local authorities, persons, associations and corporations for sharing the cost of the maintenance and construction of such highways; and making an appropriation to carry out the provisions of said act," by changing certain routes

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 640, entitled:

An Act requiring the names of all signers and witnesses to be printed or typewritten below their signatures on certain documents and other written instruments entitled to be recorded or filed and prohibiting the recording or filing thereof for failure to comply with such requirement

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 665, entitled;

An Act to amend section three hundred sixteen of the act approved the seventeenth day of May one thousand nine hundred and twenty-one (P. L. 682) entitled "An act relating to insurance amending revising and consolidating the law providing for the incorporation of insurance companies and the regulation and supervision and protection of home and foreign insurance companies Lloyds associations reciprocal and inter-insurance exchanges and fire insurance rating bureaus and the regulation and supervision of insurance carried by such companies associations and exchanges including insurance carried by the State Workmen's Insurance Fund providing penalties and repealing existing laws" by extending the provisions to include officers and employes

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 671, entitled:

A further supplement to the act approved the first day of April, one thousand eight hundred and sixty-three (P. L. 213), entitled "An act to accept the grant of Public Lands, by the United States, to the several states, for the endowment of Agricultural Colleges," making an appriation for carrying the same into effect.

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 722, entitled;

An Act to amend section one of the act, approved the eighth day of July, one thousand nine hundred and nineteen (P. L. 782), entitled "An act providing that clerks assisting the registers of wills in the collection of inheritance taxes, in counties having a population of less than one million five hundred thousand inhabitants, shall be

appointed and their compensation fixed by the Auditor General; and prescribing the method of their payment and that of other expenses incident to the collection of said taxes," by providing that the Secretary of Revenue shall appoint and fix the compensation of clerks assisting the register of wills in the collection of inheritance taxes in counties other than the first and second class and requiring the approval of the Secretary of Revenue to pay the compensation from such taxes.

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

RECONSIDERATION OF HOUSE BILL No. 722

Mr. HEYBURN. Mr. President, I move that the Senate do now reconsider the vote by which House Bill No. 722, passed second reading.

The PRESIDENT. How did the Senator vote?

Mr. HEYBURN. Mr. President, I voted "aye."

Mr. GELTZ. Mr. President, I second the motion.

The PRESIDENT. How did the Senator vote?

Mr. GELTZ. Mr. President, I voted "aye."

The motion was agreed to.

BILLS OVER IN ORDER

Mr. HEYBURN. Mr. President, I ask unanimous consent that House Bill No. 722, on second reading, go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. HEYBURN. Mr. President, I ask unanimous consent that House Bill No. 723 on second reading, entitled:

An Act to amend sections one, two and three of the act, approved the fourth day of May, one thousand nine hundred and twenty-seven (P. L. 727) entitled "A supplement to the act, approved the twentieth day of June, one thousand nine hundred and nineteen (P. L. 521) entitled 'An act providing for the imposition and collection of certain taxes upon the transfer of property passing from a decedent who was a resident of this Commonwealth at the time of his death, and of property within this Commonwealth of a decedent who was a nonresident of the Commonwealth at the time of his death; and making it unlawful for any corporation of this Commonwealth, or national banking association located therein, to transfer the stock of such corporation or banking association, standing in the name of any such decedent, until the tax on the transfer thereof has been paid; and providing penalties; and citing certain acts for repeal,' authorizing the Auditor General to appoint investigators and appraisers and providing for their compensation," by giving the Secretary of Revenue complete supervision of appraisements in estates of resident decedents and the power to adopt rules and regulations; by conferring upon the Secretary of Revenue the power to employ necessary investigators and appraisers for the enforcement of the transfer inheritance tax laws and to fix the compensation of permanent appraisers

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. HEYBURN. Mr. President, I ask unanimous consent that House Bill No. 751, on second reading, entitled:

An Act to amend section twelve, and to further amend section fourteen, and to amend sections fifteen, eighteen, twenty-two, twenty-three, twenty-six, twenty-nine, thirty-one, thirty-six, forty and forty-two of the act, approved the twentieth day of June, one thousand nine hundred and nineteen (P. L. 521), entitled "An act providing for the imposition and collection of certain taxes upon the transfer of property passing from a decedent who was a resident of this Comonwealth at the time of his death, and of property within this Commonwealth of a decedent who was a nonresident of the Commonwealth at the time of his death; and making it unlawful for any corporation of this Commonwealth or national banking association located therein, to transfer the stock of such corporation or banking association, standing in the name of any such decedent, until the tax on the transfer thereof has been paid; and providing penalties; and citing certain acts for repeal," by providing for certification to the Secretary of Revenue as to the necessity for the appointment of expert appraisers or those possessed of technical knowledge and for the approval by the Secretary of Revenue of the appointment of such expert appraisers and of the statements rendered by them for compensation; and for the monthly transmittal by the Secretary of Revenue of the returns of such appraisers and the recording by him thereof; vesting in the Secretary of Revenue the powers of the register of wills in certain cases; requiring duplicate tax receipts and the bond and monthly return to be sent to the Secretary of Revenue; prohibiting transfer of stock without certificate from the Secretary of Revenue, and penalty for violation; providing for refunds for erroneous inheritance tax payments on proof of the Secretary of Revenue and for dismissal by the Secretary of Revenue of appraisers for accepting fees or rewards; vesting in the Secretary of Revenue the power to appoint and fix the compensation of, additional appraisers or experts employed for appraisal purposes and for their payment; and providing further for the collection by the Secretary of Revenue of all inheritance taxes due the Commonwealth from nonresident decedents and making monthly reports thereto the State Treasurer

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. HEYBURN. Mr. President, I ask unanimous consent that House Bill No. 768, on second reading, entitled:

An Act to amend sections four hundred seven and one thousand two hundred and one of the act, approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 343), entitled "An act relating to the finances of the State government; providing for the settlement, assessment, collection, and lien of taxes, bonus, and all other accounts due the Commonwealth, the collection and recovery of fees and other money or property due or belonging to the Commonwealth, or any agency thereof, including escheated property and the proceeds of its sale, the custody and disbursement or other disposition of funds and securities belonging to or in the possession of the Commonwealth, and the settlement of claims against the Commonwealth, the resettlement of accounts and appeals to the courts, refunds of moneys erroneously paid to the Commonwealth, auditing the accounts of the Commonwealth and all agencies thereof, of all public officers collecting moneys payable to the Commonwealth, or any agency thereof, and all receipts of appropriations from the Commonwealth and imposing penalties; affecting every department, board, commission, and officer of the State government, every political subdivision of the State, and certain officers of such subdivisions, every person, association, and corporation required to pay, assess, or collect taxes, or to make returns or reports under the laws imposing taxes for State purposes, or to pay license fees or other moneys to the Commonwealth, or any agency thereof, every State depository and every debtor or creditor of the Commonwealth," to further reorganize the Departments of Revenue and of the Auditor General in such manner as to vest in the Department of Revenue the appointment, the fixing of the compensation, and the approval of the expense accounts and supervision of clerks, investigators, appraisers, expert appraisers, permanent appraisers, and other employees necessary to enable the registers of wills of the several counties to collect transfer inheritance taxes; vesting in the Secretary of Revenue the power to credit the commissions and other expenses and costs of certain accounting officers in the collection of the transfer inheritance tax

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. HOMSHER. Mr. President, I ask unanimous consent that House Bill No. 816, on second reading, entitled:

An Act providing temporary increases in the salaries of certain members of the teaching and supervisory staffs of school districts; authorizing additional appropriations and temporary loans therefor; and requiring the Commonwealth to reimburse school districts for the full amount of such increases authorizing the Superintendent of Public Instruction to withhold payments due from the Commonwealth in certain cases authorizing additional temporary increases; and validating such increases heretofore made

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. COX. Mr. President, I have no objection to House Bill No. 816 going over in order, but in order to keep the record straight I understand the purpose of this bill going over in order is so that there can be a conference between the Chairman of the Committee on Education in the Senate and the Chairman of the Committee of Education of the House and very sofely we can expect results from this bill.

BILL ON SECOND READING AMENDED

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 827, entitled;

An Act to amend section two thousand four hundred and four of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant-Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" as amended in order to provide automobile liability insurance on vehicles owned by the United States of America and its instrumentalities which are loaned to and operated by State employes and certain other persons

On the question,

Will the Senate agree to the bill on second reading?

Mr. WADE offered the following amendments:

Amend the title, line one by inserting after word "To" and before the word "amend" the word "further"; amend the title, line one by striking out the word "section" and inserting the words "sections five hundred and eight and"; amend the title on page two by adding in the last line after the word "persons" the following "and to authorize the Department of Property and Supplies to construct certain buildings and facilities under contract with the General State Authority"; amend page two, Section 1, line one by striking out after the second word "Section" the words "two thousand four hundred and four" and inserting the words "five hundred and eight"; amend page three, Section 1, lines eleven and twelve by striking out the words "to read as follows" and inserting the words "by adding the following new paragraph thereto"; (h) The Department of Property and Supplies shall have the power and authority with the approval of the Governor to enter into agreements with the General State Authority whereby the Department will construct buildings or other facilities for the use of the Commonwealth to be paid for from funds of the General State Authority.

Section 2 Section two thousand four hundred and four of said act as last amended by the act approved the twenty-first day of June one thousand nine hundred thirty-seven (P. L. 1865) is hereby further amended to read as follows: amend page five, Section 2, line thirteen by striking out the figure "2" and inserting the figure "3."

On the question,

Will the Senate agree to the amendments;

Mr. COLEMAN. Mr. President, I ask that House Bill No. 827 go over in order before second reading. These amendments seem to put a lot of material in the bill and the original bill only has a few words in it.

This is an insurance bill which has to do with the covering of insurance on vehicles loaned to the Commonwealth by the United States of America, and these amendments apparently have something to do with the right of the Department of Property and Supplies to construct buildings.

AMENDMENTS WITHDRAWN

Mr. WADE. I withdraw the amendments, Mr. President.

BILL OVER IN ORDER

Mr. COLEMAN. Mr. President, I ask unanimous consent that House Bill No. 827, on second reading, go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 929, entitled:

An Act creating a commission to study the method of participation by the Commonwealth and local school districts in the maintenance of a thorough and efficient system of public schools, prescribing its powers and duties, and making an appropriation.

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 1039, entitled:

An Act to further amend section five hundred forty-seven of the act approved the first day of May one thousand nine hundred thirty-three (P. L. 103) entitled "An act concerning townships of the second class and amending revising consolidating and changing the law relating thereto" by further regulating publication of the auditors' report

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 1064, entitled;

An Act to amend the act, approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 343), entitled "An act relating to the finances of the State government; providing for the settlement, assessment, collection, and lien of taxes, bonus, and all other accounts due the Commonwealth, the collection and recovery of fees and other money or property due or belonging to the Commonwealth, or any agency thereof, including escheated property and the proceeds of its sale, the custody and disbursement or other disposition of funds and securities belonging to or in the possession of the Commonwealth, and the settlement of claims against the Commonwealth, the resettlement of accounts and appeals to the courts, refunds of moneys erroneously paid to the Commonwealth, auditing the accounts of the Commonwealth and all agencies thereof, of all public officers collecting moneys payable to the Commonwealth, or any agency thereof, and all receipts of appropriations from the Commonwealth, and imposing penalties; affecting every department, board, commission, and officer of the State government, every political subdivision, of the State and certain officers of such subdivisions every person, association, and corporation required to pay, assess, or collect taxes, or to make returns or reports under the laws imposing taxes for State purposes, or to pay license fees or other moneys to the Commonwealth, or any agency thereof, every State depository and every debtor or creditor of the Commonwealth," by providing for the manner of payment of escheators' fees, informants' commissions, and other lawful charges due from moneys escheated to the Commonwealth, and escheatable moneys paid to the Commonwealth with escheat; designating the funds to which such moneys shall be credited; and making an appropriation.

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

BILLS OVER IN ORDER

Mr. HEYBURN. Mr. President, I ask unanimous consent that House Bill No. 1071, on second reading, entitled:

An Act to further amend the act approved the twenty-fourth day of June one thousand nine hundred thirty-seven (P. L. 2051) entitled "An act relating to public assistance providing for and regulating assistance to certain classes of persons designated and defined as dependent children aged persons blind persons and other persons requiring relief providing for the administration of this act by the Department of Public Assistance and county boards of assistance hereby created for this purpose authorizing the Department of Public Assistance to cooperate with and to accept and disburse moneys received from the United States Government for assistance to such persons providing for the liquidation of the State Emergency Relief Board Boards of Trustees of the Mothers' Assistance Fund and Boards of Trustees of Pension Fund for the Blind and repealing laws relating to mothers' assistance pensions for the blind old age assistance and the State Emergency Relief Board" declaring the legislative intent restricting the powers of the Department of Public Assistance and the State Board of Public Assistance extending the powers of county boards of assistance and making provision reciprocal with other states for assistance to certain aged persons

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 1106, entitled:

An Act making an appropriation to the Department of Welfare for the maintenance of certain homes

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 1107, entitled:

An Act making an appropriation to the Department of Welfare for the maintenance of certain hospitals

The first section was read.

On the question,

Will the Senate agree to the section?

Mr. CHAPMAN offered the following amendments:

Amend Sec. 1, page 1, line 1, by striking out the dark-faced bracket before the word "The"; amend Sec. 1, page 1, line 1, by inserting a dark-faced bracket before the word "eight"; amend Sec. 1, page 8, by inserting between lines 1 and 2, the following "Temple University Hospital, Philadelphia $145,000"; amend Sec. 1, page 6, by striking out the word "Mason" and inserting in lieu thereof the following "Nason."

They were agreed to.

The section was agreed to as amended.

The second section and title were separately read and agreed to.

And said bill having been read at length the second time, and agreed to, as amended,

Ordered, To be transcribed for a third reading.

HOUS' BILL No. 827, PRINTER'S No. 542 CALLED UP

Mr. WADE. Mr. President, I call up for action at this time House Bill No. 827, Printer's No. 542.

Mr. TALLMAN. Mr. President, I second the motion.

The motion was agreed to.

BILL ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 827, entitled:

An Act to amend section two thousand four hundred and four of the act, approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 177), entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments, boards, commissions, and officers thereof, including the boards of trustees of State Normal Schools, or Teachers Colleges; abolishing, creating, reorganizing or authorizing the reorganization of certain administrative departments, boards, and commissions; defining the powers and duties of the Governor and other executive and administrative officers, and of the several administrative departments, boards, commissions, and officers; fixing the salaries of the Governor, Lieutenant-Governor, and certain other executive and administrative officers; providing for the appointment of certain administrative officers, and of all deputies and other assistants and employes in certain departments, boards, and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments, boards and commissions shall be determined," as amended, in order to provide automobile liability insurance on vehicles owned by the United States of America and its instrumentalities, which are loaned to and operated by State employes and certain other persons

The first section was read.

On the question,

Will the Senate agree to the section?

Mr. WADE offered the following amendments:

Amend page two, Section 1, line one by striking out after the second word "Section" the words "two thousand four hundred and four" and inserting the words "five hundred and eight"; amend page three, Section 1, lines eleven and twelve by striking out the words "to read as follows" and inserting the words "by adding the following new paragraph thereto"

(h) The Department of Property and Supplies shall have the power and authority with the approval of the Governor to enter into agreements with the General State Authority whereby the Department will construct buildings or other facilities for the use of the Commonwealth to be paid for from funds of the General State Authority.

Section 2. Section two thousand four hundred and four of said act as last amended by the act approved the twenty-first day of June one thousand nine hundred thirty-seven (P. L. 1865) is hereby further amended to read as follows:

They were agreed to.

The section was agreed to as amended.

The second section was read.

On the question,

Will the Senate agree to the section?

Mr. WADE offered the following amendment;

Amend page five, Section 2, line thirteen, by striking out the figure "2" and inserting the figure "3."

It was agreed to.

The section was agreed to as amended.

The title was read.

On the question,

Will the Senate agree to the title?

Mr. WADE offered the following amendments:

Amend the title, line one by inserting after the word "to" and before the word "amend" the word "further"; amend the title, line one by striking out the word "section" and inserting the words "sections five hundred and eight and"; amend the title on page two by adding in the last line after the word "persons" the following "and to authorize the Department of Property and Supplies to construct certain buildings and facilities under contract with the General State Authority."

They were agreed to.

The title was agreed to as amended.

And said bill having been read at length the second time and agreed to, as amended,

Ordered, To be transcribed for a third reading.

BILLS ON FIRST READING

Mr. HEYBURN. Mr. President, I move that the Senate do now proceed to the first reading of all bills reported from committees for the first time at today's session.

Mr. EALY. Mr. President, I second the motion.

The motion was agreed to.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 135, entitled:

An Act to further amend section one thousand two hundred five A of the act approved the eighteenth day of May one thousand nine hundred eleven (P. L. 329) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" authorizing temporary increases in compensation of professional employes of school districts and the discontinuance of such temporary increases without the consent of such employes

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 153, entitled:

An Act authorizing the Department of Property and Supplies with the advice and approval of the Pennsylvania Historical Commission to acquire on behalf of the Commonwealth of Pennsylvania certain land upon which is located the site of Fort LeBoeuf in Waterford Borough Erie County or so much thereof as may be necessary as an historical memorial providing for the control management supervision improvement restoration and maintenance thereof authorizing the Pennsylvania Historical Commission in cooperation with other agencies to make and enforce rules and regulations for the preservation and visitation thereof authorizing the Pennsylvania Historical Commission to cooperate with the Daughters of the American Colonists and interests patriotic societies in providing funds for a restoration of Fort LeBoeuf and making an appropriation.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 305, entitled:

An Act providing for the admission of children to and their education and maintenance in and their discharge from the Pennsylvania Soldiers' Orphan School prohibiting discharging children or taking children from said school or children from leaving the same without an order of the Board of Trustees of the Pennsylvania Soldiers' Orphan School and prescribing penalties

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 310, entitled:

An Act to amend section two of the act approved the second day of July one thousand nine hundred thirty-seven (P. L. 2772) entitled "An act to require certain records of oil and gas wells drilled in the Commonwealth showing the location of the same and the geologic formations encountered therein and to make copies of such records available upon payment of prescribed fees and providing fees and penalties" creating a special fund in the State Treasury to be known as the Topographic and Geologic Survey Fund providing for the transfer of certain moneys into said fund by the Department of Internal Affairs and making an appropriation thereof

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 368, entitled:

An Act authorizing the Department of Property and Supplies, with the approval of the Governor and the Board of Trustees of California State Teachers' College, to acquire a tract or tracts of land for the use of California State Teachers' College, and making an appropriation therefor

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 428, entitled:

An Act making an appropriation to the Trustees of the Pennsylvania State College for expenditure by the School of Mineral Industries under the supervision of the Department of Mines for the purpose of developing new uses and markets for slate and slate products

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 446, entitled:

An Act making an appropriation to the Department of Property and Supplies to be used with the advice and cooperation of the Pennsylvania Historical Commission for securing plans and specifications for the complete restoration, rebuilding, construction, improvement and development of the Ephrata Cloisters; and for the expenses of necessary archeological investigations relative thereto.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 448, entitled:

An Act to amend clause (d) of section one thousand two hundred sixteen of the act approved the eighteenth day of May, one thousand nine hundred eleven (P. L. 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws, general, special or local, or any parts thereof, that are or may be inconsistent therewith" by further regulating sabbatical leaves for certain school employes

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 489, entitled:

An Act authorizing the Department of Property and Supplies, with the approval of the Governor, to purchase a certain property within the area of the eastern approach to the Soldiers' and Sailors' Memorial Bridge in the City of Harrisburg; providing for the development of the said property; and making an appropriation.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 558, entitled:

An Act to further amend section two of the act approved the twenty-ninth day of March one thousand eight hundred ninety-nine (P. L. 21) entitled "An act to establish a board for the examination of accountants to provide for the granting of certificates to accountants and to provide a punishment for the violation of this act" by changing qualifications as to education and fitness necessary before taking examination

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 560, entitled:

An Act to further amend section four hundred two of the act approved the fifth day of December, one thousand nine hundred thirty-six (P. L. 2897-1937), entitled "An act establishing a system of unemployment compensation to be administered by the Department of Labor and Industry and its existing and newly created agencies with personnel (with certain exceptions) selected on a civil service basis; requiring employers to keep records and make reports, and certain employers to pay contributions based on payrolls to provide moneys for the payment of compensation to certain unemployed persons; providing procedure and administrative details for the determination, payment and collection of such contributions and the payment of such compensation; providing for cooperation with the Federal Government and its agencies; creating certain special funds in the custody of the State Treasurer; and prescribing penalties," to correct an error in previous amendment in connection with provisions covering ineligibility for compensation.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 593, entitled:

An Act to further amend sections one two and three of the act approved the nineteenth day of July one thousand nine hundred thirty-five (P. L. 1356) entitled "An act to regulate the sale and delivery of solid fuel as herein defined providing for appointments of licensed weighmasters prescribing their powers and duties authorizing substitute licensed weighmasters imposing certain duties on the Department of Internal Affairs and providing penalties" by defining the word "purchaser" making the transportation of solid fuel unlawful in certain cases and further regulating the forms used by weighmasters and the disposition thereof

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 613, entitled:

An Act creating a commission to investigate and consider various phases of aeronautics in order to keep the General Assembly advised as to legislation which may be needed to keep the Commonwealth of Pennsylvania abreast of present rapid developments in this field directing such commission to make a report and recommendations to the General Assembly conferring certain powers upon such commission including the power to issue subpoenas administer oaths and affirmations retain employes and expend funds and making an appropriation.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 663, entitled:

An Act to further amend Section 2 to amend Sections 3 5 and 7 to add Section 8.1 and to amend Section 11 of the act approved the twenty-first day of June one thousand nine hundred thirty-nine (P. L. 626) entitled "An act providing for and regulating the assessment and valuation of all subjects of taxation in counties of the second class creating and prescribing the powers and duties of a Board of Property Assessment Appeals and Review imposing duties on certain county and city officers abolishing the board for the assessment and revision of taxes in such counties and prescribing penalties" by reducing the number of members of said board further prescribing their powers and duties fixing the qualifications and requiring examinations of employes of the board and further regulating the making of assessments and valuations of real property

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 721, entitled:

An Act to amend section six of the act approved the third day of June one thousand nine hundred and fifteen (P. L. 954) entitled "An act to protect the public health and safety by regulating the erection alteration repair use occupancy maintenance sanitation and condemnation of dwellings two-family dwellings rooming-houses and tenements by regulating the use maintenance and sanitation of the ground surrounding the same the adjoining buildings and all vacant land in cities of the first class providing for their inspection the abatement of nuisances the vacating of uninhabitable houses and the filing of liens creating a Division of Housing and Sanitation and providing penalties for violations of the provisions thereof and repealng all laws inconsistent therewith" by providing for certain exceptions to the applicability of the provisions of that section

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 763, entitled:

An Act to amend section one of the act approved the sixteenth day of July one thousand nine hundred forty-one (P. L. 405) entitled "An act providing a method for supplying perfecting and recording birth records of certain persons whose births have not heretofore been made a public record or whose record of birth is incomplete or incorrect making such records competent legal evidence prescribing fees and imposing certain duties upon the orphans' court and the Bureau of Vital Statistics of the Department of Health authorizing the orphans' court to appoint masters for the determination of certain questions and requiring counties to pay the compensation of such masters" further regulating the proofs required.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 830, entitled:

An Act authorizing the Secretary of Property and Supplies to sell and convey two certain tracts of land in Woodbury Township Blair County Pennsylvania

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 839, entitled:

An Act authorizing the Commonwealth to negotiate temporary emergency loans to defray the current and other expenses of the State government during the two fiscal years beginning the first day of June one thousand nine hundred forty-three evidenced by tax anticipation notes secured by and payable from current revenues levied assessed collectible and accruing during such two fiscal years defining the powers and duties of the Governor the Auditor General and the State Treasurer in relation thereto providing for the payment of interest on and the repayment of such loans and making an appropriation

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 868, entitled:

An Act to amend clause two of section one thousand two hundred and ten of the act approved the eighteenth day of May one thousand nine hundred and eleven (P. L. 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" by further providing for the minimum salaries and increments of members of the teaching and supervisory staff in school districts of the first class

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 886, entitled:

An Act to amnd section one thousand one hundred twenty section one thousand one hundred twenty-eight as amended and section one thousand one hundred thirty-nine of the act approved the eighteenth day of May one thousand nine hundred eleven (P. L. 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" by providing for the appointment of substitute and acting county superintendents of schools substitute assistant county superintendents of school substitute supervisors of special education and substitute and acting district superintendent of schools

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 913, entitled:

An Act relating to vital statistics and to make uniform the law with reference thereto

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 936, entitled:

An Act to further amend the first paragraph of section five hundred three of the act, approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 343), entitled "An act relating to the finances of the State government; providing for the settlement, assessment, collection, and lien of taxes, bonus, and all other accounts due the Commonwealth, the collection and recovery of fees and other money or property due or belonging to the Commonwealth, or any agency thereof, including escheated property and the proceeds of its sale, the custody and disbursement or other disposition of funds and securities belonging to or in the possession of the Commonwealth, and the settlement of claims against the Commonwealth, the resettlement of accounts and appeals to the courts, refunds of moneys erroneously paid to the Commonwealth, auditing the accounts of the Commonwealth and all agencies thereof, of all public officers collecting moneys payable to the Commonwealth, or any agency thereof, and all receipts of appropriations from the Commonwealth and imposing penalties; affecting every department, board, commission, and officer of the State government, every political subdivision of the State, and certain officers of such subdivisions, every person, association, and corporation required to pay, assess, or collect taxes, or to make returns or reports under the laws imposing taxes for State purposes, or to pay license fees or other moneys to the Commonwealth, or any agency thereof, every State depository and every debtor or creditor of the Commonwealth," by requiring cash payment of certain refunds due from the Commonwealth, and making an appropriation to the Board of Finance and Revenue for such purposes.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 1052, entitled:

An Act to further amend section five hundred eight of the act, approved the eighteenth day of May, one thousand nine hundred eleven (P. L. 309), entitled "An Act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws, general, special or local, or any parts thereof, that are or may be inconsistent therewith," by further regulating the incurring, funding, and refunding of indebtedness, temporary and permanent, the retirement of indebtedness, and the borrowing in anticipation of current revenues.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 1055, entitled;

An Act to further amend the act, approved the fifth day of December, one thousand nine hundred and thirty-six (P. L. 2897, 1937), entitled "An act establishing a system of unemployment compensation to be administered by the Department of Labor and Industry and its existing and newly created agencies with personnel (with certain exceptions) selected on a civil service basis; requiring employers to keep records and make reports, and certain employers to pay contributions based on payrolls to provide moneys for the payment of compensation to certain unemployed persons; providing procedure and administrative details for the determination, payment and collection of such contributions and the payment of such compensation; providing for cooperation with the Federal Government and its agencies; creating certain special funds in the custody of the State Treasurer; and prescribing penalties," changing the provisions thereof and the rights, obligations and procedure thereunder.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 1063, entitled:

An Act making an appropriation to the Board of Finance and Revenue for the payment of certain moral claims against the Commonwealth

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 1072, entitled:

An Act providing for refunds by the Pennsylvania Board of Finance and Revenue of state personal property taxes paid upon certain personal property by liquidating trustees receivers or other fiduciaries of banks trust companies and savings institutions and making an appropriation

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 1074, entitled:

An Act authorizing the Department of Property and Supplies with the approval of the Governor and the Board of Trustees of Allentown State Hospital to acquire a certain tract of land for the use of said hospital and making an appropriation therefor

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 1075, entitled:

An Act making an appropriation to the Department of Property and Supplies for the construction and improvement of buildings and equipment at certain State institutions operating under the Department of Welfare

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 1088, entitled:

An Act to amend sections one and two of the act approved the seventh day of August one thousand nine hundred forty-one (P. L. 887) entitled "An act authorizing the Department of Property and Supplies with the approval of the Governor and the Department of Welfare to acquire certain land adjacent to and for the use of the Scranton State Hopsital providing for the improvement and use thereof authorizing the City of Scranton to pay the costs of such improvements in whole or in part and making an appropriation" further providing as to the improvement and use of the land acquired under authority of said act

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 1102, entitled:

An Act to further amend section one of the act approved the twenty-fifth day of May one thousand nine hundred thirty-three (P. L. 1016) entitled "An act relating to aeronautics providing for the maintenance and operation of intermediate landing fields and air navigation facilities by the Commonwealth alone or in cooperation with the United States Government or political subdivisions of the Commonwealth providing for the execution of leases or the issuance of licenses to the United States Government or to political subdivisions of the Commonwealth for the maintenance of navigation facilities on intermediate landing fields of the Commonwealth conferring powers and duties on the Department of Revenue with respect thereto and repealing certain acts and parts of acts" by transferring certain powers and duties from the Department of Revenue to the Pennsylvania Aeronautics Commission

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 1103 entitled:

An Act to further amend Section two hundred two, to reenact and amend Section four hundred seven, to reenact and further amend Section one thousand two hundred eight, and to amend Section two thousand nine hundred six, of the act, approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 177), entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments, boards, commissions, and officers thereof, including the boards of trustees of State Normal Schools, or Teachers Colleges; abolishing, creating, reorganizing or authorizing the reorganization of certain administrative departments, boards, and commissions; defining the powers and duties of the Governor and other executive and administrative officers, and of the several administrative departments, boards, commissions, and officers; fixing the salaries of the Governor, Lieutenant-Governor, and certain other executive and administrative officers; providing for the appointment of certain administrative officers, and of all deputies and other assistants and employes in certain departments, boards, and commissions; and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments, boards and commissions shall be determined," by providing for a Pennsylvania Aeronautics Commission in the Department of Commerce, by defining the constitution, powers, duties and remuneration of said commission and its employes, and repealing all acts and parts of acts inconsistent therewith.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 1104, entitled:

An Act to amend the title, the table of contents and certain sections of the act, approved the twenty-fifth day of May, one housand nine hundred thirty-three, (P. L. 1001), entitled "An act providing for the regulation of aeronautics within this Commonwealth; conferring powers and imposing duties upon the Department of Revenue in respect thereto; providing for the licensing and registration of airman and aircraft; establishing the legal status of air navigation; providing for sovereignty in, and ownership of, space; providing for lawfulness of flights; regulating civil causes of action arising out of operation of aircraft; fixing the status of contracts, crimes, and torts in, by, or by means of operation of aircraft; imposing duties upon officers, burgesses, magistrates, aldermen, justices of the peace the courts and clerks thereof; providing for denial or revocation of licenses; providing for certain penalties and their disposition; and repealing certain existing laws," by conferring certain powers and imposing certain duties heretofore exercised and performed by the Department of Revenue upon the Pennsylvania Aeronautics Commission.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 1110, entitled:

An Act making an appropriation to the George Jr Republic Association Grove City Pennsylvania

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 1111, entitled:

An Act providing for the payment by the State Treasurer of one-half of the amount of the tax on premiums paid by foreign casualty insurance companies, to the treasurers of the several cities, boroughs towns and townships and for the payment thereof into police pension funds and in certain cases into the State Employes' Retirement Fund for certain purposes.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

ADJOURNMENT

Mr. HEYBURN. Mr. President, I move that the Senate do now adjourn until Wednesday, May 5, 1943, at 3:30 o'clock p. m. Eastern War Time.

Mr. WALKER. Mr. President, I second the motion.

The motion was agreed to.

The Senate adjourned at 11:59 o'clock p. m. Eastern War Time until Wednesday, May 5, 1943, at 3:30 o'clock p. m. Eastern War Time.

HOUSE OF REPRESENTATIVES

TUESDAY, May 4, 1943

The House met at 11 a. m.

The SPEAKER (Ira T. Fiss) in the Chair.

PRAYER

The Rev. J. Richard Crawford, Ph. D., Uniontown, a guest of the Chaplain, offered the following prayer:

Our Father in Heaven at this moment we come to Thee thoughtfully, humbly, prayerfully, but fearless and firmly, realizing that we are the creatures of Thy Creation and are subservient to Thy will Divine.

We thank Thee for the blessings Thou hast given us to know, the fear of the Lord is the beginning of wisdom, keep us we beseech Thee from presumptious sin, that we may know, Thou Oh! God dost keep watch over our every act.

Help us to keep always befor eour mind's eye, that these are perilous days in this World; that this present generation is seething and unless mankind turns whole heartedly to Thee like the great and wicked City of Ninevah of old, we are in danger of greater calamity.

We thank Thee for Thy protecting arms, and guiding Spirit in directing the business of this House, and pray that all which has been done here, may be to Thine honor and glory.

We ask Thy blessings on the President of these United States, the Governor of this state, and members of their Official families, giving them wisdom to execute justice and maintain truth.

We pray for all prisoners and captives, those who are desolate and oppressed, make them feel Thou lovest them still. This we ask in Christ's name. Amen.

JOURNAL APPROVED

The SPEAKER. The Clerk will read the Journal of Monday, May 3, 1943.

The Clerk proceeded to read the Journal of Monday, May 3, 1943, when, on motion of Mr. FOX, unanimously agreed to, the further reading was dispensed with and the Journal approved.

SENATE MESSAGE

SENATE BILLS FOR CONCURRENCE

The Clerk of the Senate being introduced, presented for concurrence, bills numbered and entitled as follows:

SENATE BILL No. 26.

An Act providing for the payment of moneys to school districts of the fourth class the taxes of which have been reduced by the acquisition of certain lands and property by the Commonwealth.

Referred to the Committee on Education.

SENATE BILL No. 315.

An Act to further amend section sixteen of the act approved the eleventh day of April one thousand eight hundred sixty-two (P. L. 471) entitled "A further supplement to the act entitled 'An act for the regulation and continuance of a system of education by common schools' approved the eighth day of May one thousand eight hundred and fifty-four" clarifying and providing for the computation of cost of tuition for pupils from without the school district in certain cases.

Referred to the Committee on Education.

SENATE BILL No. 355.

An Act to amend section three of the act approved the twenty-seventh day of May one thousand eight hundred forty-one (P. L. 400) entitled "An act relating to the election of county treasurers and for other purposes" by changing certain provisions as to the ineligibility of certain county officers to election as county treasurer.

Referred to the Committee on Counties.

SENATE BILL No. 356.

An Act to amend sections twelve and seventeen of the act approved the twenty-first day of June one thousand nine hundred thirty-nine (P. L. 626) entitled "An act providing for and regulating the assessment and valuation of all subjects of taxation in counties of the second class creating and prescribing the powers and duties of a Board of Property Assessment Appeals and Review imposing duties on certain county and city officers abolishing the board for the assessment and revision of taxes in such counties and prescribing penalties" by providing for appeals from the judgment order or decrees of the court of common pleas to the Supreme or Superior Court and for exoneration refund of taxes when any assessment has been reduced by the Board of Property Assessment Appeals and Review or by any court.

Referred to the Committee on Cities—Second Class.

SENATE BILL No. 363.

An Act to further amend section one thousand four hundred thirteen of the act approved the eighteenth day of May one thousand nine hundred eleven (P. L. 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" by changing the period covered by reports of boards of school directors and the provisions for institutions in which blind or deaf children may be educated.

Referred to the Committee on Education.

SENATE BILL No. 369.

An Act to amend section five hundred thirty six of the act approved the eighteenth day of May one thousand nine hundred eleven (P. L. 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the

violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" making further provision for the fiscal year in school districts of the second class.

Referred to the Committee on Education.

SENATE BILL No. 594.

An Act to amend section one of the act approved the twelfth day of May one thousand nine hundred and thirty-nine (P. L. 133) entitled "An act to regulate the sale and posesssion of sulfanilamide and its derivatives in the interests of public health" by excepting sulfathiazole-impregnated finger or small adhesive gauze bandages.

Referred to the Committee on Public Health and Sanitation.

COMMUNICATION FROM THE GOVERNOR

The Secretary to the Governor being introduced, presented a communication in writing from His Excellency the Governor, which was read as follows:

APPROVAL OF HOUSE BILLS Nos. 49, 583, 797 and 993

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, May 3, 1943.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 49, Printer's No. 529, entitled "An act to amend the title and sections one to twelve both inclusive of the act approved the nineteenth day of March one thousand nine hundred forty-one (P. L. 3) entitled 'An act providing for the organization government discipline maintenance and regulation of an additional land force to be known as the Pennsylvania Reserve Defense Corps for the defense of the Commonwealth during any period of time in which the National Guard of Pennsylvania or any part thereof shall be in active service of the United States' changing the name of the Pennsylvania Reserve Defense Corps to Pennsylvania State Guard and authorizing additional annual allowances to uniformed officers for arms uniforms and equipment and prohibiting discrimination in the acceptance of enlistments or the issuance of commissions by reason of race or color."

I have the honor to inform you that I have this day approved and signed House Bill No. 583, Printer's No. 526, entitled "An act to further amend section fourteen of article four and section one of article five of the act approved the ninth day of June one thousand nine hundred eleven (P. L. 756) entitled 'An act to provide for the health and safety of persons employed in and about the bituminous coal mines of Pennsylvania and for the protection and preservation of property connected therewith' further regulating lamps to be carried by shot-firers and fire bosses."

I have the honor to inform you that I have this day approved and signed House Bill No. 797, Printer's No. 367, entitled "An Act to amend section two of article five of the act approved the second day of June one thousand eight hundred ninety-one (P. L. 176) entitled 'An act to provide for the health and safety of persons employed in and about the anthracite coal mines of Pennsylvania and for the protection and preservation of property connected therewith' by providing that certain low pressure boilers used for heating purposes only shall be exempt from the requirements of said section which prohibits the installation of boilers within one hundred feet of structures in which persons are employed in the preparation of anthracite coal."

I have the honor to inform you that I have this day approved and signed House Bill No. 993, Printer's No. 280, entitled "An Act to amend clause (g) of section two hundred four of the act approved the twenty-second day of May one thousand nine hundred and thirty-three (P. L. 853) entitled 'An act relating to taxation designating the subjects property and persons subject to and exempt from taxation for all local purposes providing for and regulating the assessment and valuation of persons property and subjects of taxation for county purposes and for the use of those municipal and quasi-municipal corporations which levy their taxes on county assessments and valuations amending revising and consolidating the law relating thereto and repealing existing laws' by providing that the exemption from local taxation afforded to certain public property shall not extend to property otherwise taxable which is owned or held by an agency of the Government of the United States."

EDWARD MARTIN.

SENATE MESSAGE

AMENDED HOUSE BILL RETURNED FOR CONCURRENCE

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 917.

An Act to promote interstate cooperation for the use conservation protection and equitable diversion of the water resources in the Delaware River Basin between and among the States of Pennsylvania New York and New Jersey for the purpose of meeting prospective needs for domestic and municipal water supply regulating and limiting the use of the waters of the Delaware River and its tributaries and prescribing rules and standards requiring permits from and providing for hearings by the Water and Power Resources Board and for appeals from its decision vesting power in the Water and Power Resources Board to vary or modify the rules and standards under certain conditions and to adopt rules and regulations and further defining its powers and duties requiring notice to the States of New York and New Jersey of all applications for water diversion providing for the filing of stipulations by the Attorney General with the United States Supreme Court and obtaining its approval of water diversions

With the information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendments.

The Clerk read the amendments as follows:

Amend Section 2, page 5, line 6, by striking out after the word "at" the word "or" and inserting in lieu thereof the word "and"; also on page 6, by striking out in lines 19 to 28 inclusive the following:

"Such flow shall be understood to be subject to customary current and future uses of the land in the watershed for agriculture industry commerce and housing also for such natural land policies as clearing soil erosion and reforestration In order to determine natural flow observed or measured flows therefore shall not be corrected for any of the aforesaid uses or for similar uses but only for such artificial works or uses as materially alter the normal flow characteristics of the stream": also on page 8, by striking out in lines 19 to 22 inclusive the following: "complete or partial diversion of water from a tributary of the Delaware River or a complete diversion from the channel of the Delaware River as set forth in this act" and inserting in lieu thereof the following: "a complete diversion of water from the channel of the Delaware River or a complete diversion of water from a tributary of the Delaware River or a partial diversion of water from a tributary of the Delaware River all as set forth in this act".

Amend Section 3, page 8, by striking out in lines 24 to 28 inclusive the words "from any tributary of the Delaware River within the state or from the channel of the Delaware River within the state or from both for use for domestic and municipal water supply anywhere within or without the Delaware River Basin" and inserting in lieu thereof the words "under a Diversion Project"; also on page 9, by striking out in lines 5 to 8 inclusive the words "development is such as to promote the greatest economy in the use and conservation of the waters of the Delaware River Basin consistent with reasonableness and practicability and such development" and inserting in lieu thereof the words "Diversion Project"; also same page, by striking out in lines 9 and 10 the words "conditions limitations rules formulae and standards provided in" and inserting in lieu thereof the word "of".

Amend Section 4, page 9, line 15, by inserting after the word "following" the word "provisions"; also same page, by striking out in lines 18 to 21 inclusive the words "all or any part of such natural flow may be withheld in storage in reservoirs on or may be withdrawn directly from such tributary and be diverted" and inserting in lieu thereof the words "no release of water from storage to maintain the flow of the tributary need be made as far as this act is concerned".

Amend Section 5, page 10, by striking out in lines 19 to 22 inclusive the words "all or any part of such natural flow may be withheld in storage reservoirs on or may be withdrawn from tributary and be diverted" and inserting in lieu thereof the words "no release of water from storage to maintain the flow of the tributary need be made as far as this act is concerned."

Amend Section 6, page 11, line 5, by inserting after the word "following" the word "provisions".

Amend Section 9, page 13, by striking out in lines 15 to 21 inclusive the words "Should the Legislature by future statute change this designation either generally or for some specific case without making special reference to this act such change shall be deemed an amendment thereof. Should the Legislature by a future act and without special reference to this act exempt any such diversion from the provisions hereof this act shall be deemed to have been repealed."

Amend Section 11, page 15, at the end of line 22, by striking out the word "proper" and inserting in lieu thereof the word "corresponding"; also same page by striking out in lines 26 to 29 inclusive the words "asking approval thereof At the hearing on such project the other two states may appear present testimony or make arguments with regard to matters pertaining to this act The Board is hereby authorized to receive and"; also on page 16, by striking out in lines 1 and 2 the words "to consider written statements with regard to these matters from the other states" and inserting in lieu thereof the words "requesting such agencies to submit to the board a statement of its position in regard thereto At the hearing on such project representatives of such state agencies of New York and New Jersey may appear and present oral and written testimony".

Amend Section 13, page 16, by striking out in lines 17 and 18 the words "the pendency of"; also same page, at the beginning of line 26, by striking out the word "make" and inserting in lieu thereof the word "submit"; also on page 17, line 3, by inserting after the word "the" and before the word "Governor" the words "Attorney General and the"; also same page, line 4, by inserting after the word "the" and before the word "other" the words "agencies of the"; also same page, lines 4 and 5, by striking out the words "and the Attorney General".

Amend Section 14, page 17, line 10, by striking out the word "Commonwealth" and inserting in lieu thereof the word "board".

Amend Section 15, page 17, line 18, by striking out the word "valid" and inserting in lieu thereof the word "lawful"; also same page, by striking out in lines 19 to 22 inclusive the words "All incomplete proceedings shall continue but in proper cases as far as possible shall be made to conform to the provisions of this act" and inserting in lieu thereof the words "to make complete or partial diversions"; also same page, line 22, by striking out the word "municipality" and inserting in lieu thereof the word "person"; also same page, by striking out in lines 27 and 28 the words " in order to make such restrictions conform to the provisions of this act" and inserting in lieu thereof the words "The board may modify such restrictions subject to and in accordance with the provisions of this act to such extent as may be necessary or appropriate for the purpose of any diversion project hereunder".

On the question,

Will the House concur in the amendments made by the Senate?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—202

Alspach,	Flack,	Lane,	Robertson,
Auker,	Fleming,	Laughner,	Root,
Baker,	Flynn,	Lee,	Rose, S.
Barrett,	Foor,	Leisey,	Rose, W. E.,
Barton,	Fox,	Leonard,	Rowley,
Bentley,	Freed,	Levy,	Royer,
Bentzel,	Fullerton,	Leydic,	Salus,
Boies,	Garber,	Lichtenwalter,	Sarge,
Bonawitz,	Gardner,	Livingstone,	Sarraf,
Boorse,	Gates,	Longo,	Scanlon,
Boory,	Gillan,	Lovett,	Schuster,
Bower,	Goodling,	Lyons,	Serrill,
Boyd,	Goodwin,	Madigan,	Simons,
Bradley,	Gorman,	Mahany,	Skale,
Bretherick,	Grant,	Maxwell,	Smith,
Brice,	Green,	McAtee,	Snider,
Brigerman,	Greenwood,	McClester,	Sollenberger,
Brown,	Gross,	McKinney,	Sorg,
Brunner, C. H.,	Gyger,	McMillen,	Stank,
Brunner, P. A.,	Haberlen,	McSurdy,	Stockham,
Burns,	Hall,	Menna,	Stonier,
Cadwalader,	Hamilton,	Mihm,	Swope,
Calvin,	Hannon,	Miller,	Tahl,
Campbell,	Hare,	Mintess,	Tate,
Chervenak,	Harris,	Mock,	Taylor,
Chudoff,	Haudenshield,	Modell,	Thompson,
Cohen,	Heatherington,	Mooney,	Thrasher,
Coleman,	Helm,	Moore,	Tiemann,
Cook,	Herman,	Moran,	Trent,
Cooper,	Hersch,	Moser,	Trout,
Cordier,	Hewitt,	Muir,	Turbett,
Corrigan,	Hocke,	Munley,	Van Allsburg,
Costa,	Hoffman,	Murray,	Verona,
Coulson,	Hoggard,	Nowak,	Wachhaus,
Croop,	Holmes,	O'Brien,	Wagner, K. H.,
Cullen,	Hoopes,	O'Connor,	Wagner, P. L.,
Dague,	Hunter, B. F.,	O'Dare,	Wallin,
Dalrymple,	Hunter, W. M.,	O'Neill,	Walton,
Denman,	Huntley,	Owens,	Watkins,
Dennison,	Imbrie,	Petrosky,	Weiss,
Depuy,	Irvin,	Pettit,	Welsh,
Dillon,	James,	Polaski,	Winner,
Dix,	Jones,	Powers,	Wood, L. H.,
Duffy,	Kennedy,	Readinger,	Wood, N.,
Elder,	Kirley,	Reagan,	Worley,
Elliott,	Kitchen,	Reese, D. P.,	Wright,
Ely,	Kline,	Reese, R. E.,	Yeakel,
Erb,	Kolankiewicz,	Regan,	Yester,
Ewing,	Kowalski,	Reilly,	Fiss,
Figlock,	Krepps,	Reynolds,	Speaker.
Finnerty,	Krise,	Riley,	

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative, and the amendments were concurred in.

Ordered, That the Clerk inform the Senate accordingly.

HOUSE BILL No. 895 TAKEN FROM TABLE

Mr. DAVID P. REESE, Jr. Mr. Speaker, I move that House Bill No. 895 together with the message from the Senate which was laid on the table be taken from the table.

The motion was agreed to.

The message was read by the Clerk as follows:

SENATE MESSAGE

AMENDED HOUSE BILL RETURNED FOR CONCURRENCE

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 895.

An Act to further reenact and amend the title and the act approved the twenty-eighth day of March one thousand nine hundred and twenty-nine (P. L. 86) entitled as amended "An act relating to the grading and sale of grapes and potatoes in this Commonwealth providing penalties for violations and imposing certain duties upon the Department of Agriculture" by extending the provisions to apples and peaches and permitting the grading classifying and packing of grapes potatoes apples and peaches other than those packed or repacked within this State

With the information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendments.

The Clerk read the amendments as follows:

Amend Section 3, page 3, at the end of line 20, by quoting the word "unclassified".

On the question,

Will the House concur in the amendments made by the Senate?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—202

Alspach,	Flack,	Lane,	Robertson,
Auker,	Fleming,	Laughner,	Root,
Baker,	Flynn,	Lee,	Rose, S.
Barrett,	Foor,	Leisey,	Rose, W. E.,
Barton,	Fox,	Leonard,	Rowley,
Bentley,	Freed,	Levy,	Royer,
Bentzel,	Fullerton,	Leydic,	Salus,
Boies,	Garber,	Lichtenwalter,	Sarge,
Bonawitz,	Gardner,	Livingstone,	Sarraf,
Boorse,	Gates,	Longo,	Scanlon,
Boory,	Gillan,	Lovett,	Schuster,
Bower,	Goodling,	Lyons,	Serrill,
Boyd,	Goodwin,	Madigan,	Simons,
Bradley,	Gorman,	Mahany,	Skale,
Bretherick,	Grant,	Maxwell,	Smith,
Brice,	Green,	McAtee,	Snider,
Brigerman,	Greenwood,	McClester,	Sollenberger,
Brown,	Gross,	McKinney,	Sorg,
Brunner, C. H.,	Gyger,	McMillen,	Stank,
Brunner, P. A.,	Haberlen,	McSurdy,	Stockham,
Burns,	Hall,	Menna,	Stonier,
Cadwalader,	Hamilton,	Mihm,	Swope,
Calvin,	Hannon,	Miller,	Tahl,
Campbell,	Hare,	Mintess,	Tate,
Chervenak,	Harris,	Mock,	Taylor,
Chudoff,	Haudenshield,	Modell,	Thompson,
Cohen,	Heatherington,	Mooney,	Thrasher,
Coleman,	Helm,	Moore,	Tiemann,
Cook,	Herman,	Moran,	Trent,
Cooper,	Hersch,	Moser,	Trout,
Cordier,	Hewitt,	Muir,	Turbett,
Corrigan,	Hocke,	Munley,	Van Allsburg,
Costa,	Hoffman,	Murray,	Verona,
Coulson,	Hoggard,	Nowak,	Wachhaus,
Croop,	Holmes,	O'Brien,	Wagner, K. H.,
Cullen,	Hoopes,	O'Connor,	Wagner, P. L.,
Dague,	Hunter, B. F.,	O'Dare,	Wallin,
Dalrymple,	Hunter, W. M.,	O'Neill,	Walton,
Denman,	Huntley,	Owens,	Watkins,
Dennison,	Imbrie,	Petrosky,	Weiss,
Depuy,	Irvin,	Pettit,	Welsh,
Dillon,	James,	Polaski,	Winner,
Dix,	Jones,	Powers	Wood, L. H.,
Duffy,	Kennedy,	Readinger,	Wood, N.,
Elder,	Kirley,	Reagan,	Worley,
Elliott,	Kitchen,	Reese, D. P.,	Wright,
Ely,	Kline,	Reese, R. E.,	Yeakel,
Erb,	Kolankiewicz,	Regan,	Yester,
Ewing,	Kowalski,	Reilly,	Fiss,
Figlock,	Krepps,	Reynolds,	Speaker.
Finnerty,	Krise,	Riley,	

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative, and the amendments were concurred in.

Ordered, That the Clerk inform the Senate accordingly.

BILLS SIGNED BY SPEAKER

Bills numbered and entitled as follows having been prepared for presentation to the Governor, and the same being correct, the titles were publicly read as follows:

HOUSE BILL No. 143.

An Act validating certain expenditures heretofore made by county commissioners in order to furnish filing cabinets or other office equipment to rationing boards

HOUSE BILL No. 150.

An Act to further amend clause (17) of subsection (4) of subsection (j) of section four of the act approved the fifth day of December one thousand nine hundred thirty-six (1937 P. L. 2897) entitled "An act establishing a system of unemployment compensation to be administered by the Department of Labor and Industry and its existing and newly created agencies with personnel (with certain exceptions) selected on a civil service basis requiring employers to keep records and make reports and certain employers to pay contributions based on payrolls to provide moneys for the payment of compensation to certain unemployed persons providing procedure and administrative details for the determination payment and collection of such contributions and the payment of such compensation providing for cooperation with the Federal Government and its agencies creating certain special funds in the custody of the State Treasurer and prescribing penalties" excluding services of real estate salesmen real estate brokers and unsalaried newspaper correspondents from the definition of "employment"

HOUSE BILL No. 198.

An Act to amend section nine hundred fifteen of the act approved the first day of May one thousand nine hundred thirty-three (P. L. 103) entitled "An act concerning townships of the second class and amending revising consolidating and changing the law relating thereto" continuing the liability of taxpayers after the tax collector has been exonerated

HOUSE BILL No. 317.

An Act to further amend section two of the act approved the fourth day of June one thousand nine hundred and fifteen (P. L. 828) entitled "An act to provide revenue by imposing a State tax upon sales or agreements to sell or memoranda of sales of stock and upon deliveries or transfers of shares or certificates of stock in domestic and foreign corporations copartnership associations and joint-stock associations providing the manner of collecting such tax and prescribing penalties" by further extending the exemptions from the tax imposed by the said act

HOUSE BILL No. 360.

An Act to further amend the first three paragraphs of section one thousand two hundred one of the act approved

the eighteenth day of May one thousand nine hundred eleven (P. L. 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" making wartime emergency provisions for substitute teachers

HOUSE BILL No. 361.

An Act to amend section six hundred fifteen of the act approved the eighteenth day of May one thousand nine hundred eleven (P. L. 309) entitled "An act to establish a public school systen in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" by changing the requirement for approval of repairs of school buildings in districts of the third and fourth class

HOUSE BILL No. 372.

An Act to amend clause eight of section seven hundred and two of the act approved the first day of May one thousand nine hundred and thirty-three (P. L. 103) entitled "An act concerning townships of the second class and amending revising consolidating and changing the law relating thereto" by empowering townships of the second class to levy a tax under certain circumstances for the purpose of paying for the removal and disposal of ashes garbage and other refuse material.

HOUSE BILL No. 545.

An Act to further amend section four of the act approved the twenty-first day of May one thousand nine hundred thirty-one (P. L. 149) entitled "An act imposing a State tax payable by those herein defined as distributors on liquid fuels used or sold and delivered within the Commonwealth which are ordinarily practically and commercially usable in internal combustion engines for the generation of power providing for the collection and lien of the tax and the distribution and use of the proceeds thereof requiring such distributors to secure permits to file corporate surety bonds and reports and to retain certain records imposing duties on retail dealers common carriers county commissioners and such distributors providing for rewards imposing certain costs on counties conferring powers and imposing duties on certain State officers and departments providing for refunds imposing penalties and making an appropriation" by imposing and continuing the additional emergency tax on liquid fuels for a further limited period of time.

Whereupon,

The SPEAKER, in the presence of the House, signed the same.

LEAVE OF ABSENCE

By unanimous consent leave of absence was granted as follows:

Mr. CHARLES H. BRUNNER, Jr. for himself for part of today's session.

REPORTS FROM COMMITTEES

Mr. IMBRIE from the Committee on Appropriations reported as committed, Senate Bill No. 25, entitled:

An Act making an appropriation to the Monongahela Memorial Hospital Association of Monongahela City Pennsylvania.

Mr TAHL from the Committee on Appropriations reported as committed, Senate Bill No. 30, entitled:

An Act making an appropriation to The Franklin Institute of the State of Pennsylvania at Philadelphia.

Mr. O'NEILL from the Committee on Appropriations reported as committed, Senate Bill No. 77, entitled:

An Act making an appropriation to the Water and Power Resources Board for the reconstruction of the dam near the village of Seelyville in Wayne County which was recently dynamited to eliminate a flood hazard and authorized said board to undertake and complete the reconstruction of the aforesaid dam.

Mr. SORG from the Committee on Constitutional Amendments reported as committed, Senate Bill No. 99, entitled:

A Joint Resolution proposing an amendment to Section one of article Fourteen of the Constitution of the Commonwealth of Pennsylvania by making sheriffs eligible to succeed themselves.

Mr. MUIR from the Committee on Appropriations reported as committed, Senate Bill No. 121, entitled:

An Act to further amend the title and sections one and three of, and to add section four to, the act, approved the tenth day of April, one thousand nine hundred thirty-one (P. L. 23), entitled as amended "An act providing for the acceptance by the Commonwealth of a gift of lands from the American Petroleum Institute, located on the left bank of Oil Creek, in Oil Creek Township or Cherry Tree Township, or both, Venango County, to establish the Drake Well Memorial Park, under the control and supervision of the Department of Forests and Waters; empowering the Department of Property and Supplies to acquire additional lands for such Memorial Park without cost to the Commonwealth; and making an appropriation, changing the name of said memorial and placing it under the supervision and control of the Pennsylvania Historical Commission, defining the powers and duties of the commission relative thereto, authorizing the employment of certain employes and the payment of their salaries; and making an appropriation.

Mr. SOLLENBERGER from the Committee on Appropriations reported as committed, Senate Bill No. 145, entitled:

An Act making an appropriation to the Trustees of the Pennsylvania State College for the use of the School of Mineral Industries for research and investigation of problems affecting mineral industries.

Mr. LLOYD H. WOOD, from the Committee on Appropriations, reported as committed, Senate Bill No. 171, entitled:

An Act making an appropriation to the Department of Forests and Waters to be used for the purchase of lands in the vicinity of the tract now owned by the Commonwealth containing the birthplace of James Buchanan in Franklin County.

Mr. STANK, from the Committee on Appropriations, reported as committed, Senate Bill No. 172, entitled:

An Act authorizing the Department of Property and Supplies with the approval of the Governor and the Board of Trustees of the Pennsylvania Soldiers' Orphan School to acquire a certain tract of land for the use of said school and making an appropriation therefor.

Mr. IMBRIE, from the Committee on Appropriations, reported as committed, Senate Bill No. 336, entitled:

An Act making an appropriation for The Dixmont Hospital Dixmont Allegheny County to provide for the repayment of a loan heretofore made by said hospital to provide funds necessary in the maintenance of said hospital.

Mr. IMBRIE, from the Committee on Appropriations, reported as committed, Senate Bill No. 338, entitled:

An Act making a certain deficiency appropriation to the Department of Welfare for The Dixmont Hospital Dixmont Allegheny County.

Mr. IMBRIE, from the Committee on Appropriations, reported as committed, Senate Bill No. 339, entitled:

An Act making an appropriation to the Department of Welfare for the payment of the cost of an additional steam boiler a fire alarm a fire sprinkler system and certain repairs and improvements at The Dixmont Hospital Dixmont Allegheny County.

Mr. O'BRIEN, from the Committee on Appropriations, reported as committed, Senate Bill No. 349, entitled:

An Act making an appropriation to the Department of Forests and Waters to be used by the Navigation Commission for the Delaware River and its Navigable Tributaries for the removal of sunken wrecks from the tideway of the Delaware River and its navigable tributaries.

Mr. IMBRIE, from the Committee on Appropriations, reported as committed, Senate Bill No. 378, entitled:

An Act making an appropriation to the Department of Forests and Waters for use by the Water and Power Resources Board in making necessary repairs to the Pymatuning Swamp project and for the purpose of making further surveys in connection therewith.

Mr. STANK, from the Committee on Appropriations, reported as committed, Senate Bill No. 412, entitled:

An Act authorizing the Department of Property and Supplies, with the approval of the Governor and the Board of Trustees of the Farview State Hospital, to acquire a certain tract of land for the use of said hospital, and making an appropriation therefor

Mr. O'DARE from the Committee on Appropriations reported as committed, Senate Bill No. 417, entitled:

An Act authorizing the Department of Property and Supplies with the approval of the Governor and the Board of Trustees of Pennhurst State School to acquire a certain tract of land for the use of the State Institution for the Feeble-Minded and Epileptic of Eastern Pennsylvania at Pennhurst and making an appropriation therefor.

Mr. LLOYD H. WOOD from the Committee on Appropriations re-reported as committed, Senate Bill No. 440, entitled:

An Act creating a Commission for the Port of Chester providing for the appointment of the members of said commission defining its powers and duties and making an appropriation to defray its expenses.

Mr. TAHL from the Committee on Appropriations reported as committed, Senate Bill No. 449, entitled:

An Act making an appropriation to the Board of Finance and Revenue from the State Stores Fund for refund of distillers' licenses.

Mr. O'DARE from the Committee on Appropriations reported as committed, Senate Bill No. 463, entitled:

An Act making an appropriation to the Department of Welfare for the purchase of furniture and equipment for the Philadelphia State Hospital.

Mr. SOLLENBERGER from the Committee on Appropriations reported as committed, Senate Bill No. 465, entitled:

An Act authorizing the Department of Welfare to enter into contracts for foodstuffs to supply State institutions, and to purchase the same in open market, and to process the same for preservation; providing for transfers from appropriations made to such institutions in payment therefor; authorizing dehydrating plants and equipment at State institutions, and the use of inmate labor thereat; conferring power and imposing duties on the Department of Property and Supplies; and making an appropriation

Mr. SOLLENBERGER from the Committee on Appropriations reported as committed, Senate Bill No. 499, entitled:

An Act making an appropriation to the Department of Health for use in demonstration work dealing with the improvement of nutritional status of industrial workers and other civilians.

Mr. IMBRIE from the Committee on Appropriations re-reported as committed, Senate Bill No. 498, entitled:

An Act creating a commission to make a study and investigation of strip mining directing such commission to make a report and recommendations to the General Assembly conferring certain powers upon such commission including the power to issue subpoenas administer oaths and affirmations retain employes and expend funds and making an appropriation.

Mr. CORDIER from the Committee on Appropriations reported as committed, Senate Bill No. 515, entitled:

An Act making an appropriation to the Department of Highways out of the Motor License Fund for the purpose of rebuilding certain bridges in the County of Wayne destroyed by flood in said county during the month of May one thousand nine hundred forty-two.

Mr. STANK from the Committee on Appropriations reported as committed, Senate Bill No. 547, entitled:

An Act making an appropriation for the expenses of the Committee of the Senate created by Senate Resolution Number three (Serial No. 66) adopted the twelfth day of July, one thousand nine hundred forty-one, to investigate rioting in Donaldson, Schuylkill County.

Mr. LEISEY from the Committee on Education reported as committed, Senate Bill No. 572, entitled:

An Act to add section 617.2 to the act approved the eighteenth day of May one thousand nine hundred eleven (P. L. 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" authorizing school districts of the third and fourth class to continue work on school buildings abandoned as projects by the Works Projects Administration or other Federal agency on contracts entered into pursuant to solicited bids in order to protect such buildings from loss or damage by the elements.

Mr. WELSH from the Committee on Education reported as committed, Senate Bill No. 575, entitled:

An Act to amend clause (d) of section six hundred two and one-tenth of the act approved the eighteenth day of May one thousand nine hundred and eleven (P. L. 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" further regulating the power of directors of school districts in the sale of unused and unnecessary lands and buildings.

Mr. O'BRIEN from the Committee on Appropriations reported as committed, Senate Bill No. 582, entitled:

An Act making an appropriation to the Department of Forests and Waters for the permanent improvement and maintenance of the Delaware division of the Pennsylvania Canal.

Mr. LEE from the Committee on Public Utilities reported as committed, Senate Bill No. 626, entitled:

An Act to regulate persons partnerships and corporations engaged in the business of renting motor vehicles authorizing the Public Utility Commission to administer and enforce the provisions of this Act and imposing penalties.

Mr. SORG from the Committee on Ways and Means reported as committed, House Bill No. 1112, entitled:

An Act to further amend section two of the act approved the twentieth day of June, one thousand nine hundred nineteen (P. L. 521), entitled, as amended "An act providing for the imposition and collection of certain taxes upon the transfer of property passing from a decedent who was a resident of this Commonwealth at the time of his death, and of property within this Commonwealth of a decedent who was a nonresident of the Commonwealth at the time fo his death; defining and taxing transfers made in contemplation of death; defining as a transfer and taxing the right of survivorship in property as to which such right exists; and making it unlawful for any corporation of this Commonwealth, or national banking association located therein, to transfer the stock of such corporation or banking association, standing in the name of any such decedent, until the tax on the transfer thereof has been paid; and providing penalties; and citing certain acts for repeal," by providing that when the transfer is by the intestate laws, and at the expiration of seven years from the death of the intestate, the estate has not been distributed, the taxes imposed shall be at the rate of eighty per centum upon the clear value of the property passing to a first cousin or other relative more remote in degree than a first cousin and that such taxes shall be imposed upon every transfer of an estate or portion thereof which has not been distributed prior to the passage of this act.

Mr. GROSS from the Committee on Public Health and Sanitation reported as committed, Senate Bill No. 602, entitled:

An Act making it lawful during the continuance of the present war and for six months thereafter for drug stores and pharmacies to operate subject to certain conditions and for limited periods without the necessity for a registered pharmacist or assistant pharmacist in attendance.

Mr. ROWLEY from the Committee on Public Health and Sanitation reported as amended, Senate Bill No. 258, entitled:

An Act to amend section two of the act approved the twenty-ninth day of April one thousand nine hundred twenty-five (P. L. 358) entitled "An act for the identification of infants born in places where maternity cases are handled providing for the taking of finger or foot prints of infants and the filing of the same and charging persons in charge of such places with the enforcement thereof" by providing for the taking of finger prints of the mother of each such infants.

Mr. KOWALSKI from the Committee on Appropriations reported as amended, Senate Bill No. 350, entitled:

An Act authorizing the Department of Property and Supplies to acquire by gift from the Pennsylvania State College on behalf of the Commonwealth of Pennsylvania that certain tract of land in Northumberland Borough County of Northumberland upon which is located the home of Joseph Priestly and now the property of the Pennsylvania State College providing for the control management and maintenance thereof by the said department and the Pennsylvania Historical Commission authorizing the Pennsylvania Historical Commission to accept in trust from the American Chemical Society and other interested societies or individuals such moneys as they may see fit to present to the Commonwealth to assist in the maintenance and development of this property as a permanent memorial authorizing the Pennsylvania Historical Commission to accept as gifts, or loans such books, manuscripts, pamphlets relics and furniture as interested societies or individuals may provide for the permanent utilization of the property as a museum of science and making an appropriation.

Mr. ROWLEY from the Committee on Public Health and Sanitation reported as amended, Senate Bill No. 371, entitled:

An Act to further amend Section three of an act, approved the thirteenth day of May, one thousand nine hundred and twenty-seven (P. L. 988), entitled "An act providing for and regulating the state registration of nurses and licensed attendants, the annual recording of registration certificates; and regulating the profession of nursing; and repealing certain existing laws," providing for emergency registration of nurses to meet the present war emergency and a period thereafter.

Mr. McKINNEY from the Committee on Appropriations reported as amended, Senate Bill No. 497, entitled:

An Act authorizing the Department of Property and Supplies with the approval of the Governor and the Navigation Commission of the Delaware River and its navigable tributaries to secure accommodations ashore for use by said commission in the conduct of the nautical school now located at the Port of Philadelphia and making an appropriation.

Mr. MUIR from the Committee on Appropriations rereported as amended, Senate Bill No. 54, entitled:

An Act providing for the Pennsylvania Register for the publication and distribution of certain orders regulations rules notices proclamations and similar instruments imposing powers and duties on the Legislative Reference Bureau and the Department of Property and Supplies creating the Pennsylvania Register Board and defining its powers and duties and making an appropriation for payment of expenses and costs of publication and distribution of the Pennsylvania Register.

BILLS ON FIRST READING

By unanimous consent the following bills were read the first time.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 25, entitled:

An Act making an appropriation to the Monongahela Memorial Hospital Association of Monongahela City Pennsylvania.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of Senate Bill No. 30, entitled:

An Act making an appropriation to The Franklin Institute of the State of Pennsylvania at Philadelphia.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of Senate Bill No. 77, entitled:

An Act making an appropriation to the Water and Power Resources Board for the reconstruction of the dam near the village of Seelyville in Wayne County which was recently dynamited to eliminate a flood hazard and authorizing said board to undertake and complete the reconstruction of the aforesaid dam.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of Senate Bill No. 99, entitled:

A Joint Resolution proposing an amendment to Section one of article Fourteen of the Constitution of the Commonwealth of Pennsylvania by making sheriffs eligible to succeed themselves.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of Senate Bill No. 121, entitled:

An Act to further amend the title and sections one and three and to add section four to the act approved the tenth day of April one thousand nine hundred thirty-one (P. L. 23) entitled as amended "An act providing for the acceptance by the Commonwealth of a gift of lands from the American Petroleum Institute located on the left bank of Oil Creek in Oil Creek Township or Cherry Tree Township or both Venango County to establish the Drake Well Memorial Park under the control and supervision of the Department of Forests and Waters empowering the Department of Property and Supplies to acquire additional lands for such Memorial Park without cost to the Commonwealth and making an appropriation" changing the name of said memorial and placing it under the supervision and control of the Pennsylvania Historical Commission defining the powers and duties of the commission relative thereto authorizing the employment of certain employes and the payment of their salaries and making an appropriation.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of Senate Bill No. 145, entitled:

An Act making an apprporiation to the Trustees of the Pennsylvania State College for the use of the School of Mineral Industries for research and investigation of problems affecting mineral industries

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of Senate Bill No. 171, entitled:

An Act making an appropriation to the Department of Forests and Waters to be used for the purchase of lands in the vicinity of the tract now owned by the Commonwealth containing the birthplace of James Buchanan in Franklin County.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of Senate Bill No. 172, entitled:

An Act authorizing the Department of Property and Supplies with the approval of the Governor and the Board of Trustees of the Pennsylvania Soldiers' Orphan School to acquire a certain tract of land for the use of said school and making an appropriation therefor.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of Senate Bill No. 336, entitled:

An Act making an appropriation for the Dixmont Hospital Dixmont Allegheny County to provide for the repayment of a loan heretofore made by said hospital to provide funds necessary in the maintenance of said hospital.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of Senate Bill No. 338, entitled:

An Act making a certain deficiency appropriation to the Department of Welfare for The Dixmont Hospital Dixmont Allegheny County.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of Senate Bill No. 339, entitled:

An Act making an appropriation to the Department of Welfare for the payment of the cost of an additional steam boiler a fire alarm a fire sprinkler system and certain repairs and improvements at The Dixmont Hospital Dixmont Allegheny County.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of Senate Bill No. 349, entitled:

An Act making an appropriation to the Department of Forests and Waters to be used by the Navigation Commission for the Delaware River and its Navigable Tributaries for the removal of sunken wrecks from the tideway of the Delaware River and its navigable tributaries.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 378, entitled:

An Act making an appropriation to the Department of Forests and Waters for use by the Water and Power Resources Board in making necessary repairs to the Pymatuning Swamp project and for the purpose of making further surveys in connection therewith.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 412, entitled:

An Act authorizing the Department of Property and Supplies with the approval of the Governor and the Board of Trustees of the Fairview State Hospital to acquire a certain tract of land for the use of said hospital and making an appropriation therefor.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 417, entitled:

An Act authorizing the Department of Property and Supplies with the approval of the Governor and the Board of Trustees of Pennhurst State School to acquire a certain tract of land for the use of the State Institution for the Feeble-Minded and Epileptic of Eastern Pennsylvania at Pennhurst and making an appropriation therefor.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 449, entitled:

An Act making an appropriation to the Board of Finance and Revenue from the State Stores Fund for refund of distillers' licenses.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 463, entitled:

An Act making an appropriation to the Department of Welfare for the purchase of furniture and equipment for the Philadelphia State Hospital.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 465, entitled:

An Act authorizing the Department of Welfare to enter into contracts for foodstuffs to supply State institutions and to purchase the same in open market and to process the same for preservation providing for transfers from appropriations made to such institutions in payment therefor authorizing dehydrating plants and equipment at State institutions and the use of inmate labor thereat conferring power and imposing duties on the Department of Property and Supplies and making an appropriation.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 499, entitled:

An Act making an appropriation to the Department of Health for use in demonstration work dealing with the improvement of nutritional status of industrial workers and other civilians.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 515, entitled:

An Act making an appropriation to the Department of Highways out of the Motor License Fund for the purpose of rebuilding certain bridges in the County of Wayne destroyed by flood in said county during the month of May one thousand nine hundred forty-two.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 547, entitled:

An Act making an appropriation for the expenses of the Committee of the Senate created by Senate Resolution Number three (Serial No. 66) adopted the twelfth day of July one thousand nine hundred forty-one to investigate rioting in Donaldson Schuylkill County.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 572, entitled:

An Act to add section 617.2 to the act approved the eighteenth day of May one thousand nine hundred eleven (P. L. 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" authorizing school districts of the third and fourth class to continue work on school buildings abandoned as projects by the Works Projects Administration or other Federal agency on contracts entered into pursuant to solicited bids in order to protect such buildings from loss or damage by the elements.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 575, entitled:

An Act to amend clause (d) of section six hundred two and one-tenth of the act approved the eighteenth day of May one thousand nine hundred and eleven (P. L. 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" further regulating the power of directors of school districts in the sale of unused and unnecessary lands and buildings.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 582, entitled:

An Act making an appropriation to the Department of Forests and Waters for the permanent improvement and maintenance of the Delaware division of the Pennsylvania Canal.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 626, entitled:

An Act to regulate persons partnerships and corporations engaged in the business of renting motor vehicles authorizing the Public Utility Commission to administer and enforce the provisions of this Act and imposing penalties.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1112, entitled:

An Act to further amend section two of the act approved the twentieth day of June, one thousand nine hundred nineteen (P. L. 521), entitled, as amended "An act providing for the imposition and collection of certain taxes upon the transfer of property passing from a decedent who was a resident of this Commonwealth at the time of his death, and of property within this Commonwealth of a decedent who was a nonresident of the Commonwealth at the time of his death; defining and taxing transfers made in contemplation of death; defining as a transfer and taxing the right of survivorship in property as to which such right exists; and making it unlawful for any corporation of this Commonwealth, or national banking association located therein, to transfer the stock of such corporation or banking association, standing in the name of any such decedent, until the tax on the transfer thereof has been paid; and providing penalties; and citing certain acts for repeal," by providing that when the transfer is by the intestate laws, and at the expiration of seven years from the death of the intestate, the estate has not been distributed, the taxes imposed shall be at the rate of eighty per centum upon the clear value of the property passing to a first cousin or other relative more remote in degree than a first cousin and that such taxes shall be imposed upon every transfer of an estate or portion thereof which has not been distributed prior to the passage of this act.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

UNANIMOUS CONSENT REQUESTED

Mr. GROSS. Mr. Speaker, reporting Senate Bill No. 602 from Public Health and Sanitation as committed, and I ask unanimous consent that it be read for the first time.

The SPEAKER. Will the House give its unanimous consent to read the bill the first time? Is there objection?

Mr. WALTON. Mr. Speaker, I object.

The SPEAKER. The Chair hears objection and consent is not granted.

COMMUNICATION FROM THE GOVERNOR

The Secretary to the Governor being introduced, presented a communication in writing from His Excellency the Governor, which was read as follows:

APPROVAL OF RESOLUTION RECALLING HOUSE BILL No. 390

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, April 30, 1943.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Concurrent Resolution recalling from the Governor House Bill No. 390, Printer's No. 428, for the purpose of further consideration.

Accordingly, the original bill is herewith returned.

EDWARD MARTIN.

RECONSIDERATION OF VOTE

Mr. SCHUSTER. Mr. Speaker, I move that the vote by which this bill passed finally be reconsidered.

Mr. YESTER. Mr. Speaker, I second the motion.

The SPEAKER. How did the gentleman from Allegheny, Mr. Schuster, vote on the final passage of this bill?

Mr. SCHUSTER. Mr. Speaker, I voted in the majority.

The SPEAKER. How did the gentleman from Allegheny, Mr. Yester, vote on the final passage of this bill?

Mr. YESTER. Mr. Speaker, I voted in the majority.

On the question,

Will the House agree to the motion?

It was agreed to.

Mr. SCHUSTER. Mr. Speaker, I move that the vote by which this bill passed third reading be reconsidered.

The motion was agreed to.

On the question recurring,

Will the House agree to the bill on third reading?

Messrs. SCHUSTER and BARRETT. Mr. Speaker, we ask unanimous consent to offer amendments at this time.

The SPEAKER. The amendments will be read by the Clerk for information.

The Clerk read the amendments as follows:

Amend page 2, line 9 of the title, by inserting after the word "dogs" and before the word "and", the following: "providing additional penalties."

Amend page 2, line 10 of the title, by striking out after the word "made" and before the word "the", with bold face brackets, the word: "[to]", and inserting in lieu thereof the word: "by".

The SPEAKER. Will the House give unanimous consent to the offering of amendments at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill as amended lie over for printing.

RECESS

Mr. LICHTENWALTER. Mr. Speaker I move that the House do now recess until 1 p. m.

The motion was agreed to.

AFTER RECESS

The House reconvened at 1 p. m.
The SPEAKER (Ira T. Fiss) in the Chair.

BILLS SIGNED BY SPEAKER

Bills numbered and entitled as follows having been prepared for presentation to the Governor, and the same being correct, the titles were publicly read as follows:

SENATE BILL No. 105.

An Act to amend section two thousand three of the Act approved the ninth day of April one thousand nine hundred and twenty-nine (P. L. 177) entitled 'An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" authorizing the Department of Highways to condemn rights-of-way as agent for the Federal Government

SENATE BILL No. 108.

An Act to authorize cities boroughs incorporated towns townships and school districts to file suggestions of nonpayment and averments of default or to sue out writs of scire facias on certain tax or municipal claims and to revive judgments where the lien of such claims or the judgments thereon have been lost and providing for the reinstatement of the liens of such claims and judgments.

SENATE BILL No. 207.

An Act providing for commissioning as police officers certain employes of institutions maintained in whole or in part by the Commonwealth conferring upon them the powers of constables in certain cases and imposing duties on wardens and keepers of jails police stations and lockups.

SENATE BILL No. 209.

An Act to further amend section eleven (b) of the act, approved the nineteenth day of March, one thousand nine hundred nine (P. L. 46), entitled "An act to regulate the practice of osteopathy in the State of Pennsylvania; to provide for the establishment of a State Board of Osteopathic Examiners; to define the powers and duties of said Board of Osteopathic Examiners; to provide for the examining and licensing of osteopaths in this State; and to provide penalties for the violation of this act," by further regulating the requirements for license as an osteopathic surgeon.

SENATE BILL No. 218.

An Act to further amend Section 601, 602 and 605 of and to add Sections 601.1, 601.2 and 601.3 to the act approved the fourth day of May, one thousand nine hundred twenty-seven, (P. L. 519), entitled "An act concerning boroughs and revising amending and consolidating the law relating to boroughs," changing and further providing procedure to create change or establish boundaries of wards in boroughs imposing additional duties on borough councils, providing in certain cases for local option and terminating unfinished proceedings heretofore commenced for such purposes.

SENATE BILL No. 244.

An Act reducing for a limited period of time the training period of interneship in osteopathic hospitals in order to qualify for examination for license by the Osteopathic Surgeons' Examining Board to practice major surgery and suspending inconsistent laws.

SENATE BILL No. 248.

An Act regulating and providing fees of the clerks of quarter sessions of counties of the fourth class.

SENATE BILL No. 268.

An Act to amend section seventeen of the act approved the seventh day of June one thousand nine hundred and seventeen (P. L. 363) entitled "An act relating to the organization jurisdiction and procedure of the orphans courts the powers and duties of the judges thereof and appeals therefrom" by prescribing procedure in cases affecting the interest of any lunatic weak-minded persons presumed decedent or any person who may be unknown or unborn or under disability or out of the jurisdiction under such circumstances that actual notice cannot reasonably be given to such person.

SENATE BILL No. 359.

An Act to amend section sixteen of the act approved the twelfth day of July one thousand nine hundred thirteen (P. L. 711) entitled" An act establishing a court for the county of Philadelphia prescribing its jurisdiction and powers providing for the service of its writs process or warrants by the proper officers of the county or city of Philadelphia regulating the procedure therein and appeals therefrom and providing for the expenses thereof" by extending its powers to include the issuance of writs of habeas corpus.

Whereupon,
The SPEAKER, in the presence of the House, signed the same.

The SPEAKER. The Chair requests the gentleman from Potter, Mr. Hall, to preside.

MR. HALL IN THE CHAIR

BILLS ON FIRST READING

Agreeably to order,
The House proceeded to the first reading and consideration of Senate Bill No. 149, entitled:

An Act to amend section two of the act approved the twenty-third day of May, one thousand nine hundred seven (P. L. 206), entitled "An act to regulate and improve the civil service of the cities of the second class in the Commonwealth of Pennsylvania; making violations of its provisions to be misdemeanors, and providing penalties for violations thereof," providing for the appointment of members of the civil service commissions by the court of common pleas.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of Senate Bill No. 239, entitled:

An Act to amend sections one and two of the act, approved the tenth day of July, one thousand nine hundred thirty-five (P. L. 641), entitled "An act providing for the eradication of mosquitoes; authorizing the establishment of county mosquito extermination commissions after popular referendum, and the appointment of their members by the county commissioners; prescribing the powers and duties of such commissions," by providing for abolition of existing mosquito extermination commissions after popular referendum.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 494, entitled:

An Act to amend Article VI of the act approved the twenty-fourth day of June, one thousand nine hundred thirty-nine (P. L. 872), entitled "An act to consolidate, amend and revise the penal laws of the Commonwealth," by making it unlawful to throw certain articles upon the land of another and providing penalties.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 532, entitled:

An Act to further amend the last paragraph of section five of the act approved the twelfth day of May one thousand nine hundred eleven (P. L. 295) entitled "A supplement to an act entitled 'An act for the government of cities of the second class' approved the seventh day of March Anno Domini one thousand nine hundred and one providing for the levy collection and disbursement of taxes and water-rents or rates and conferring certain powers and duties in reference thereto upon the city treasurer the board of water assessors and the collector of delinquent taxes and repealing certain acts relating to matters herein provided for" requiring the board of water assessors to furnish information to departments of the city government.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 554, entitled:

An Act to amend sections two five seven ten eleven twelve fifteen seventeen nineteen twenty-one twenty-two twenty-six and thirty-one and to repeal sections nine twenty-four and thirty-six of the act approved the sixth day of August one thousand nine hundred forty-one (P. L. 861) entitled "An act to create a uniform and exclusive system for the administration of parole in this Commonwealth establishing the 'Pennsylvania Board of Parole' conferring and defining its jurisdiction duties powers and functions including the supervision of persons placed upon probation in certain designated cases providing for the method of appointment of its members regulating the appointment removal and discharge of its officers clerks and employes dividing the Commonwealth into administrative districts for purposes of parole fixing the salaries of members of the board and of certain other officers and employes thereof making violations of certain provisions of this act misdemeanors providing penalties therefor and for other cognate purposes and making an appropriation" by reducing the membership of said board further conferring revising and defining its jurisdiction duties powers and functions changing the appointment removal and discharge of certain officers decreasing the salaries of members of the board and fixing the salaries of certain officers and employes.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 565, entitled:

An Act to amend section one of the act approved the sixteenth day of May one thousand nine hundred thirty-nine (P. L. 139) entitled "An act authorizing counties cities boroughs townships of the first and second class and school districts to issue and sell bonds for certain purposes and for a certain period of time providing for a trust fund and a sinking fund for the payment thereof and defining the duties of the officers and governing bodies of the said municipalities or quasi municipalities in relation to said funds and fixing a penalty for the violation thereof" extending the provisions thereof to meet increased operating expenses during the war emergency.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

The SPEAKER pro tempore. Senate Bill No. 579 was reported from Committee yesterday. Through error it was not included on the Calendar for today. If there is no objection the bill will be read for the first time. The Chair hears none.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill 579, entitled:

An Act to further amend section one thousand one hundred forty-seven of the act approved the first day of May one thousand nine hundred thirty-three (P. L. 103) entitled "An act concerning townships of the second class and amending revising consolidating and changing the law relating thereto" by providing as to certain additional roads streets lanes and alleys which may be accepted as public highways by boards of supervisors of townships of the second class.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

BILLS NOT ON FILE

The SPEAKER pro tempore. House Bill No. 894, Printer's No. 704, on page 3 and House Bill No. 899, Printer's No. 707, on page 4 are not on file and will be passed over.

THE SPEAKER (Ira T. Fiss) IN THE CHAIR

The SPEAKER. The Chair thanks the gentleman from Potter, Mr. Hall, for presiding.

BILLS ON SECOND READING

BILL PASSED OVER

There being no objection Senate Bill No. 34, Printer's No. 328 was passed over at the request of Mr. LICHTENWALTER.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 305, entitled:

An Act to further amend the act approved the thirtieth day of May one thousand nine hundred thirty-seven (P. L. 115) entitled "An act to provide for the permanent personal registration of electors in cities of the first class

as a condition of their right to vote at elections and primaries and their enrollment as members of political parties as a further condition of their right to vote at primaries prescribing certain procedure for the conduct of elections and primaries and the challenge and proof of qualifications of electors and prescribing the powers and duties of citizens parties bodies of electors registration commissions commissioners registrars inspector of registration and other appointee of registration commission election officers municipal officers departments and bureaus police officers courts judges prothonotaries sheriffs county commissioners peace officers county treasurers county controller registrars of vital statistics real estate brokers rental agents certain public service companies persons firms and corporations operating vehicles for moving furniture and household goods and boards of school directors and imposing penalties" by changing certain provisions of said act relating to removal notices and eliminating electors' rights to file removal notices in certain cases.

The first section was read.

On the question,

Will the House agree to the section?

BILL RECOMMITTED

Mr. WATKINS. Mr. Speaker, I move that this bill be recommitted to the Committee on Elections for the purpose of further study and possible amendment.

On the question.

Will the House agree to the motion?

Mr. WATKINS. Mr. Speaker, I am under the impression that certain Members of the House wish to offer amendments to this particular bill, and I would request them to get in touch with the committee at the time announced for the committee to meet tomorrow. We would like to have consideration of the bill before we bring it back on the floor.

On the question recurring,

Will the House agree to the motion?

It was agreed to.

BILLS PASSED OVER

There being no objection

Senate Bill No. 53, Printer's No. 357;

Senate Bill No. 71, Printer's No. 239;

Senate Bill No. 587, Printer's No. 282 and

Senate Bill No. 444, Printer's No. 207

were passed over at the request of Mr. WALTER E. ROSE.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 570, entitled:

An Act relating to assesment for taxation in counties of the fourth fifth sixth seventh and eighth classes designating the subjects property and persons subject to and exempt from taxation for county borough town township school except in cities and county institution district purposes and providing for and regulating the assessment and valuation thereof for such purposes creating in each such county a board for the assessment and revision of taxes defining the powers and duties of such boards providing for the acceptance of this act by cities regulating the office of ward borough town and township assessors abolishing the offices of assistant assessor and assistant triennial assessor in townships of the first class providing for the appointment of a chief assessor assistant assessors and other employes providing for their compensation payable by such counties prescribing certain duties of and certain fees to be collected by the recorder of deeds and eliminating the triennial assessment

The first, second, third and fourth articles were separately read and agreed to.

The fifth article was read.

On the question,

Will the House agree to the article?

Mr. LICHTENWALTER offered the following amendments:

Amend section 501, page 14, line 10, by inserting after the word "assessor" the following: "and an asisstant assessor."

Amend section 501, page 14, line 15, by striking out the words "offices of assistant assessor and" and inserting in lieu thereof: "office of".

Amend section 501, page 14, line 16, by striking out the word "are" and inserting in lieu thereof: "is".

It was agreed to.

The article was agreed to as amended.

The sixth, seventh and eighth articles were separately read and agreed to.

The title was read.

On the question,

Will the House agree to the title?

Mr. LICHTENWALTER offered the following amendment:

Amend title, line 13, page 1, by striking out the words "offices of assistant assessor and" and inserting in lieu thereof: "office of".

It was agreed to.

And said bill having been read at length the second time and agreed to as amended.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 474, entitled:

An Act to further amend section five hundred sixty-one of the act approved the eighteenth day of May one thousand nine hundred eleven (P. L. 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" changing the penalty to be added to delinquent school taxes in third and fourth class districts

And said bill having been read at length the second time and agreed to

Ordered, To be transcribed for a third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 496, entitled:

An Act authorizing the Department of Property and Supplies to acquire by purchase gift lease or condemnation on behalf of the Commonwealth of Pennsylvania land adjacent to the Daniel Boone Homestead or so much thereof as may be necessary to properly honor the pioneer Daniel Boone on the farm where he was born providing for the control management improvement preservation restoration and maintenance thereof authorizing the Pennsylvania Historical Commission to make and enforce rules and regulations for the preservation and visitation thereof and making an appropriation

And said bill having been read at length the second time and agreed to

Ordered, To be transcribed for a third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1086, entitled:

An Act making an appropriation to Philadelphia Camp Number 200 Sons of Union Veterans for repairs and maintenance of Post 2 Grand Army of Republic Memorial Hall Philadelphia and contents thereof

And said bill having been read at length the second time and agreed to

Ordered, To be transcribed for a third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 837, entitled:

An Act to further amend section two hundred twenty-six of the act approved the eighteenth day of May one thousand nine hundred eleven (P. L. 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" by permitting a school director to resign and be elected solicitor of the board in certain cases

The first section was read.

On the question,

Will the House agree to the section?

BILL RECOMMITTED

Mr. LICHTENWALTER. Mr. Speaker, I move that this bill be recommitted to the Committee on Education for the purpose of further study.

The motion was agreed to.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 512, entitled:

An Act to further amend section five hundred and sixty-two of the act approved the eighteenth day of May one thousand nine hundred and eleven (P. L. 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" providing for fixing compensation of collectors of delinquent taxes in districts of the second third and fourth class

And said bill having been read at length the second time and agreed to

Ordered, To be transcribed for a third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1069, entitled:

An Act to further amend clauses six and ten of section one of the act approved the twenty-seventh day of June one thousand nine hundred twenty-three (P. L. 858) entitled "An act establishing a State employes' retirement system and creating a retirement board for the administration thereof establishing certain funds from contribution by the Commonwealth and contributing State employes defining the uses and purposes thereof and the manner of payments therefrom and providing for the guaranty by the Commonwealth of certain of said funds imposing powers and duties upon the heads of departments in which State employes serve excepting annuities allowances returns benefits and rights from taxation and judicial process and providing penalties" by further defining "State employe" and in certain cases giving employes credit for service while listed as per diem employes

And said bill having been read at length the second time and agreed to

Ordered, To be transcribed for a third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 250, entitled:

An Act to amend section one of the act approved the eighteenth day of June one thousand nine hundred and forty-one (P. L. 136) entitled "An act authorizing certain officers on active duty with the armed forces of the United States to act as notaries public and requiring certification of their authority" changing the provisions of said act in order to clarify the meaning

And said bill having been read at length the second time and agreed to

Ordered, To be transcribed for a third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 906, entitled:

An Act to further amend section eighteen of the act approved the twenty-second day of June one thousand nine hundred thirty-five (P. L. 414) entitled as amended "An act to provide revenue for State purposes imposing taxes upon certain classes of personal property providing for the assessment collection and lien of the same and the distribution of the proceeds thereof imposing duties on executors administrators register's of wills recorders of deeds prothonotaries and court clerks and on persons copartnerships associations banks national banks trust companies and other corporations receiving deposits of money and on certain corporations and limited partnerships conferring powers and imposing duties on certain State officers and departments imposing penalties and making an appropriation" by requiring holders of evidences of indebtedness to furnish certain information to those issuing such evidences of indebtedness and imposing certain penalties

The first section was read.

On the question,

Will the House agree to the section?

Mr. ROOT offered the following amendments.

Amend Sec. 1 (Sec. 18), page 4, line 1, by striking out the words "the owners"

Amend Sec. 1 (Sec. 18), page 4, line 3, by underscoring the words "the holders possessors or owners of"

Amend Sec. 1 (Sec. 18), page 4, line 4, by underscoring the words "residents of the Commonwealth of Pennsylvania"

Amend Sec. 1 (Sec. 18), page 4, lines 6, 7 and 8, by underscoring the words "in the form" in line 6, all of line 7, and the words "every private and municipal corporation" in line 8.

Amend Sec. 1 (Sec. 18), page 4, line 9, by striking out the words "of the owner"

Amend Sec. 1 (Sec. 18), page 4, lines 9 and 10, by underscoring the words "holder or possessor"

Amend Sec. 1 (Sec. 18), page 4, line 10, by inserting after the word "the" where it appears the second time in said line, the following: "residence and".

Amend Sec. 1 (Sec. 18), page 4, line 10, by inserting after the word "address" the following: "of the owner, holder or possessor of".

Amend Sec. 1 (Sec. 18), page 4, lines 24 to 29, both inclusive, by underscoring all the words in said lines.

Amend Sec. 1 (Sec. 18), page 5, lines 1 to 18, both inclusive by underscoring all the words in said lines.

They were agreed to.

The section was agreed to as amended.

The title was read and agreed to.

And said bill having been read at length the second time and agreed to as amended.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 915, entitled:

An Act authorizing the creation of and providing for and regulating the maintenance and operation of a municipal employes' retirement system in boroughs incorporated towns and townships of the first and second class imposing certain charges on boroughs incorporated towns and townships of the first and second class and fixing penalties

And said bill having been read at length the second time and agreed to

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 942, entitled:

An Act making an appropriation to the Insurance Department for the payment of certain moral claims against the Commonwealth and that department.

And said bill having been read at length the second time and agreed to

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 164, entitled:

An Act creating a Safety Commission as an Independent Administrative Commission of the Commonwealth and defining its powers and duties.

And said bill having been read at length the second time and agreed to

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 538, entitled:

An Act to further amend the act approved the second day of May one thousand nine hundred twenty-nine (P. L. 1278) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto" by empowering counties to acquire real estate by lease purchase or gift for use as fairgrounds authorizing county commissioners to do all things necessary for the establishment and maintenance of county agricultural fairs and fairgrounds including the appropriation of funds joint action with other political subdivisions the levy and collection of taxes the creation of county fair boards and the acceptance of State contributions.

The first section was read and agreed to.

The second section was read.

On the question,

Will the House agree to the section?

Messrs. DENMAN and LOVETT offered the following amendments.

Amend Sec. 2 (Sec. 650), page 2, line 17, by inserting a light-faced bracket before and after the word "of"

Amend Sec. 2 (Sec. 650), page 2, line 17, by inserting after the word "or" the following: "may in".

Amend Sec. 2 (Sec. 650), page, 2, line 17, by inserting a light-faced bracket before and after the word "may"

Amend Sec. 2 (Sec. 650), page 2, line 18, by striking out the words "agricultural fairgrounds"

Amend Sec. 2 (Sec. 650), page 2, line 20, by inserting after the word "centers" the following: "and in counties of the third class as agricultural fairgrounds".

Amend Sec. 2 (Sec. 651), page 3, line 2, by striking out the words "fair board"

Amend Sec. 2 (Sec. 651), page 3, line 2, by inserting after the word "board" where it appears the last time in said line, the following: "and in counties of the third class in a fair board".

Amend Sec. 2 (Sec. 652), page 3, lines 16 and 17, by striking out the words "fair board"

Amend Sec. 2 (Sec. 652), page 3, line 17, by inserting after the word "board" where it appears the last time in said line, the following: "or in counties of the third class by a fair board".

They were agreed to.

The section was agreed to as amended.

The third section was read and agreed to.

The fourth section was read.

On the question,

Will the House agree to the section?

Messrs. DENMAN and LOVETT offered the following amendments.

Amend Sec. 4 (Sec. 654), page 4, line 21, by inserting a light-faced bracket before the word "may"

Amend Sec. 4 (Sec. 654), page 4, line 23, by inserting a light-faced bracket after the word "district"

Amend Sec. 4 (Sec. 654), page 4, line 23, by inserting after the word "district" the following: "authorized by this act to".

Amend Sec. 4 (Sec. 654), page 4, line 26, by inserting after the word "centers" the following: "may acquire property for such purposes, and operate and maintain the same jointly with any other county or any city, borough, township or school district"

Amend Sec. 4 (Sec. 656), page 5, line 14, by inserting after the word "operating" the following: "such".

Amend Sec. 4 (Sec. 656), page 5, line 17, by striking out the word "The" and inserting in lieu thereof: "In counties of the third class, the".

They were agreed to.

The section was agreed to as amended.

The fifth section was read and agreed to.

The title was read.

On the question,

Will the House agree to the title?

Messrs. DENMAN and LOVETT offered the following amendments.

Amend title, page 1, line 6 of title, by inserting after the word "counties" the following: "of the third class".

Amend title, page 1, line 8 of title, by inserting after the word "commissioners" the following: "of such counties".

They were agreed to.

The title was agreed to as amended.

And said bill having been read at length the second time and agreed to as amended.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 492, entitled:

An Act appropriating moneys received from the Federal Government for housing and maintaining naval military or other personnel at the Soldiers' and Sailors' Home at Erie to the Department of Military Affairs for the maintenance and operation of said home.

And said bill having been read at length the second time and agreed to

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 589, entitled:

An Act creating a Joint Legislative Committee for the purpose of gaining knowledge and information concerning the planning and operation of housing and housing projects by the examination and study of existing housing and housing projects in the Commonwealth authorizing the employment of necessary assistants the subpoenaing of witnesses and records and making an appropriation.

And said bill having been read at length the second time and agreed to

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1100, entitled:

A Joint Resolution proposing an amendment to section four article three of the Constitution of the Commonwealth of Pennsylvania.

And said bill having been read at length the second time and agreed to

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 139, entitled:

An Act providing for the inssuance of certified copies of death birth and marriage certificates and divorce decrees by county officers free of charge to disabled war veterans and their dependents in death and compensation cases and prescribing penalties.

And said bill having been read at length the second time and agreed to

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 346, entitled:

An Act suspending for the duration of the present national emergency and for six months thereafter the statutory provisions as to advertising and competitive bidding on contracts of counties institution districts cities first class townships and boroughs for the purchase of goods materials and merchandise which are rationed or on which a maximum price ceiling has been fixed under regulations of the Federal Government and providing for the award of contracts in such cases to the lowest and best bidder after due inquiry.

And said bill having been read at length the second time and agreed to

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1073, entitled:

An Act creating a commission to investigate racketeering in the operation of labor organizations in the Commonwealth conferring powers upon said commission and making an appropriation.

And said bill having been read at length the second time and agreed to

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 571, entitled:

An Act to further amend sections twenty-six and thirty-five of the act approved the eleventh day of May one thousand nine hundred twenty-one (P. L. 522) entitled as amended "An act relating to dogs and the protection of live stock poultry and game birds raised in captivity from damage by dogs providing for the licensing of dogs by the Secretary of Agriculture providing for the enumeration of dogs by assessors regulating the keeping of dogs and authorizing their destruction in certain cases providing for the protection of licensed dogs and for dogs temporarily imported for trial show and breeding purposes prescribing certain privileges for hunting dogs and dogs owned or used by the Board of Game Commissioners providing for the assessment of damages done to live stock poultry and game birds by dogs and for live stock killed by or dying from rabies and for the illegal killing of licensed dogs and the payment of such damages by the Commonwealth imposing powers and duties on certain State county city borough town and township officers and employes directing the payment of all moneys collected into the State Treasury and providing penalties" providing for payment by the Commonwealth for the Pasteur treatment against rabies and fixing the Commonwealth's liability for enforcement of said act

And said bill having been read at length the second time and agreed to

Ordered, To be transcribed for a third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 238, entitled:

An Act to amend sections four and six of and to add section 7.1 to the act approved the tenth day of July one thousand nine hundred thirty-five (P. L. 641) entitled "An act providing for the eradication of mosquitoes authorizing the establishment of county mosquito extermination commissions after popular referendum and the appointment of their members by the county commissioners prescribing the powers and duties of such commissions" providing that the Secretary of Agriculture cooperate with and be a member ex-officio of the county mosquito extermination commissions prescribing powers and duties of the Secretary of Agriculture and said commissions providing that costs of abating nuisances from breeding of mosquito larvae may be assessed against lands where breeding exists and providing that said act shall not apply to counties of the first class

And said bill having been read at length the second time and agreed to

Ordered, To be transcribed for a third reading.

BILLS ON FINAL PASSAGE RECALLED FROM GOVERNOR

Agreeably to order,

The House proceeded to the consideration on final passage of House Bill No. 72, as follows:

An Act to further amend subsection (a) of section four of the act approved the twenty-fourth day of June one thousand nine hundred thirty-seven (P. L. 2045) entitled "An act relating to the support of indigent persons publicly cared for or assisted providing for the support of such persons by certain relatives and for the recovery of public moneys expended for care and assistance from the property and estates of such persons providing for guardians of the person and property of such persons providing for the arrest and seizure and sale of the property of deserters and providing procedure" providing for the divestiture of judgments obtained thereunder by county commissioners sales heretofore or hereafter made

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Subsection (a) of section four of the act approved the twenty-fourth day of June one thousand nine hundred thirty-seven (P. L. 2045) entitled "An act relating to the support of indigent persons publicly cared for or assisted providing for the support of such persons by certain relatives and for the recovery of public moneys expended for care and assistance from the property and estates of such persons providing for guardians of the person and property of such persons providing for the arrest and seizure and sale of the property of deserters and providing procedure" as amended by the act approved the ninth day of June one thousand nine hundred thirty-nine (P. L. 310) is hereby further amended to read as follows

Section 4 Property of Indigent Persons Liable for Expenses Incurred for Support and Assistance (a) The real and personal property of any indigent person shall be liable for the expenses of his support maintenance assistance and burial incurred by any public body or public agency if such property was owned during the time such expenses were incurred or if the right to ownership of such property existed or was acquired during the time such expenses were incurred Any public body or public agency may sue for moneys so expended and any judgment obtained shall be a lien upon the real estate of such indigent person and be collected as other judgments except as to the real and personal property comprising the home and furnishings of such indigent person which home shall be subject to the lien of such judgment but shall not be subject to execution on such judgment during the lifetime of the indigent person surviving spouse or dependent children Any judgment so obtained shall be divested by a sale of the property bound thereby heretofore or hereafter made by the county commissioners in any case where the property had been purchased by the county at tax sale

Section 2 This act shall become effective immediately upon final enactment

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—202.

Alspach,	Flack,	Lane,	Robertson,
Auker,	Fleming,	Laughner,	Root,
Baker,	Flynn,	Lee,	Rose, S.
Barrett,	Foor,	Leisey,	Rose, W. E.,
Barton,	Fox,	Leonard,	Rowley,
Bentley,	Freed,	Levy,	Royer,
Bentzel,	Fullerton,	Leydic,	Salus,
Boies,	Garber,	Lichtenwalter,	Sarge,
Bonawitz,	Gardner,	Livingstone,	Sarraf,
Boorse,	Gates,	Longo,	Scanlon,
Boory,	Gillan,	Lovett,	Schuster,
Bower,	Goodling,	Lyons,	Serrill,
Boyd,	Goodwin,	Madigan,	Simons,
Bradley,	Gorman,	Mahany,	Skale,
Bretherick,	Grant,	Maxwell,	Smith,
Brice,	Green,	McAtee,	Snider,
Brigerman,	Greenwood,	McClester,	Sollenberger,
Brown,	Gross,	McKinney,	Sorg,
Brunner, C. H.,	Gyger,	McMillen,	Stank,
Brunner, P. A.,	Haberlen,	McSurdy,	Stockham,
Burns,	Hall,	Menna,	Stonier,
Cadwalader,	Hamilton,	Mihm,	Swope,
Calvin,	Hannon,	Miller,	Tahl,
Campbell,	Hare,	Mintess,	Tate,
Chervenak,	Harris,	Mock,	Taylor,
Chudoff,	Haudenshield,	Modell,	Thompson,
Cohen,	Heatherington,	Mooney,	Thrasher,
Coleman,	Helm,	Moore,	Tiemann,
Cook,	Herman,	Moran,	Trent,
Cooper,	Hersch,	Moser,	Trout,
Cordier,	Hewitt,	Muir,	Turbett,
Corrigan,	Hocke,	Munley,	Van Allsburg,
Costa,	Hoffman,	Murray,	Verona,
Coulson,	Hoggard,	Nowak,	Wachhaus,
Croop,	Holmes,	O'Brien,	Wagner, K. H.,
Cullen,	Hoopes,	O'Connor,	Wagner, P. L.,
Dague,	Hunter, B. F.,	O'Dare,	Wallin,
Dalrymple,	Hunter, W. M.,	O'Neill,	Walton,
Denman,	Huntley,	Owens,	Watkins,
Dennison,	Imbrie,	Petrosky,	Weiss,
Depuy,	Irvin,	Pettit,	Welsh,
Dillon,	James,	Polaski,	Winner,
Dix,	Jones,	Powers,	Wood, L. H.,
Duffy,	Kennedy,	Readinger,	Wood, N.,
Elder,	Kirley,	Reagan,	Worley,
Elliott,	Kitchen,	Reese, D. P.,	Wright,
Ely,	Kline,	Reese, R. E.,	Yeakel,
Erb,	Kolankiewicz,	Regan,	Yester,
Ewing,	Kowalski,	Reilly,	Fiss,
Figlock,	Krepps,	Reynolds,	Speaker.
Finnerty,	Krise,	Riley,	

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the consideration on final passage of House Bill No. 285, as follows:

An Act to further amend section one of the act approved the second day of May one thousand nine hundred and twenty-nine (P. L. 1518) entitled as amended "An act regulating the construction equipment maintenance operation and inspection of elevators granting certain authority to and imposing certain duties upon the Department of Labor and Industry providing fees for inspection of elevators certificates of operation and approval of plans providing penalties for violations of this act and repealing all acts or parts of acts inconsistent with this act" by exempting from the provisions of said act elevators used in the coal mines of this Commonwealth and plants connected therewith

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section one of the act approved the second day of May one thousand nine hundred and twenty-nine (P. L. 1518) entitled as amended "An act regulating the construction equipment maintenance operation and inspection of elevators granting certain authority to and imposing certain duties upon the Department of Labor and Industry providing fees for inspection of elevators certificates of operation and approval of plans providing penalties for violations of this act and repealing all acts or parts of acts inconsistent with this act" as last amended by the act approved the twenty-ninth day of July one thousand nine hundred and forty-one (P. L. 581) is hereby further amended to read as follows

Section 1 Definitions Be it enacted et cetera That as used in this act "Department" shall mean the Department of Labor and Industry of the Commonwealth of Pennsylvania

"Elevator" shall mean all the machinery construction apparatus and equipment used in raising and lowering a car cage or platform vertically between permanent rails

or guides and shall include all elevators dumbwaiters escalators gravity elevators hoists and other lifting or lowering apparatus except elevators hoists and lifting or lowering apparatus used in raising and lowering a car cage or platform in the coal mines of this Commonwealth and in the breakers washeries and cleaning plants connected therewith and which are under the jurisdiction of the Department of Mines and the mine inspectors

"Establishment" shall mean any room building or place within this Commonwealth where persons are employed or permitted to work for compensation of any kind to whomever payable and any place of business to which the public has access except private dwellings

"Freight elevator" shall mean an elevator constructed and used for the carrying of materials

"Inspector" shall mean an inspector examined and authorized by the Department of Labor and Industry to inspect elevators and lifting apparatus in this Commonwealth

"Passenger elevator" shall mean an elevator constructed and used for carrying persons

"Man lift" shall mean that type of elevator which operates by an endless vertical belt which revolves over fixed pulleys at the top and bottom limits of travel and to which steps and hand holds are attached so that persons may ride thereon

"Person" shall mean any individual firm partnership unincorporated association corporation or municipality

Wherever the singular is used in this act it shall include the plural and wherever the masculine gender is used it shall include the feminine and neuter

On the question,

Shall the bill pass finally?

Mr. COHEN. Mr. Speaker, many times Members of the House through no fault of their own vote on legislation which appears on the face of it to be not harmful and innocuous, and I would say, when this bill was before the House before I voted for it on the basis of certain information that I received and certain assurances that went with it. Since that time, however, I have found out the real reason for the bill. Usually, every bill that comes before us has a real story behind it because it would be an insult to Members of the House to suspect that they were interested in a bill that had no purpose.

Very briefly, the background of this bill is that some time ago an elevator inspector of the Department of Labor and Industry was inspecting an elevator in one of the coal mines in Pennsylvania, and because of certain recommendations he wanted to make, the foreman of the mine and the inspector got into a very violent dispute, and the angry charge was then made by the mine foreman "We'll get rid of you fellows on inspecting these elevators, and don't you think we won't. We'll make sure that you inspectors won't bother us up here any more."

The result is this bill. I have no quarrel with what the mine foreman and what the elevator inspector had to say between them, but on further inquiry I find that this is what the situation will be in the future: the men who work in the Department of Labor and Industry in the elevator inspection bureau are all qualified elevator men who know the elevator business from many years of experience in industry and in this department. This bill will take inspection of the elevators in mines away from that department where they have experienced men, and the inspection will be made by mine inspectors under the supervision of the Secretary of Mines. This is no accusation against the Secretary of Mines, nor is it a statement derogatory to the ability of the mine inspectors, but I submit, that mine inspectors are not elevator inspectors, and that the complex mechanism of elevators not within the ken of the mine inspector.

The proposal is that the elevator inspection bureau give to the miner inspectors a printed list of the things to look for and things to check when they inspect the elevators in the mines. I submit that mine inspectors, as cautious and as honest as they may be do not have the qualifications to inspect these elevators. The result will be that as conscientious as the mine inspector wants to be, he is not fitted for the proper technical tests and proper inspection of the mine elevators, and my only fear, is that should one elevator in a mine be not properly inspected there could be an awful calamity, because when a mine elevator falls it has no respect for whoever happens to be riding on it.

It is for that reason that I find I must reverse my stand on having originally voted for this measure and now vote against it and I ask all the Members of the House to do the same.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—107.

Alspach,	Fox,	Kline,	Root,
Auker,	Freed,	Kowalski,	Rose, W. E.,
Barton,	Garber,	Krepps,	Royer,
Bonawitz,	Gardner,	Krise,	Salus,
Boorse,	Gillan,	Lee,	Sarge,
Bower,	Goodling,	Leisey,	Serrill,
Boyd,	Gorman,	Leydic,	Simons,
Bretherick,	Greenwood,	Lichtenwalter,	Sollenberger,
Brunner, C. H.,	Gross,	Lyons,	Stockham,
Cadwalader,	Gyger,	Madigan,	Stonier,
Calvin,	Hall,	Mahany,	Tahl,
Campbell,	Hannon,	McAtee,	Taylor,
Cook,	Hare,	McClester,	Thrasher,
Cooper,	Haudenshield,	McKinney,	Tiemann,
Costa,	Helm,	McMillen,	Trout,
Coulson,	Hewitt,	Menna,	Turbett,
Dague,	Hocke,	Miller,	Van Allsburg,
Dennison,	Hoffman,	Mintess,	Wagner, K. H.,
Depuy,	Hoopes,	Moore,	Wallin,
Dix,	Hunter, W. M.,	Moser,	Walton,
Elder,	Huntley,	Muir,	Winner,
Ely,	Imbrie,	Murray,	Wood, L. H.,
Erb,	Irvin,	O'Dare,	Wood, N.,
Ewing,	James,	Reagan,	Worley,
Figlock,	Jones,	Reese, D. P.,	Yeakel,
Fleming,	Kennedy,	Riley,	Fiss,
Foor,	Kitchen,	Robertson,	Speaker.

NAYS—82.

Baker,	Finnerty,	Longo,	Rowley,
Barrett,	Fullerton,	Lovett,	Sarraf,
Bentzel,	Gates,	Maxwell,	Scanlon,
Boory,	Goodwin,	McSurdy,	Schuster,
Bradley,	Grant,	Mihm,	Skale,
Brice,	Green,	Modell,	Smith,
Brigerman,	Haberlen,	Mooney,	Snider,
Brown,	Hamilton,	Moran,	Sorg,
Brunner, P. A.,	Harris,	O'Brien,	Stank,
Chervenak,	Heatherington,	O'Connor,	Swope,
Chudoff,	Herman,	Owens,	Tate,
Cohen,	Hersch,	Petrosky,	Thompson,
Coleman,	Hoggard,	Pettit,	Trent,
Cordier,	Holmes,	Polaski,	Verona,
Corrigan,	Hunter, B. F.,	Powers,	Wachhaus,
Croop,	Kirley,	Readinger,	Wagner, P. L.,
Cullen,	Kolankiewicz,	Reese, R. E.,	Watkins,
Denman,	Lane,	Reilly,	Welsh,
Dillon,	Laughner,	Reynolds,	Wright,
Duffy,	Leonard,	Rose, S.	Yester,
Elliott,	Levy,		

The majority required by the Constitution having voted

in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

BILLS ON FINAL PASSAGE

BILL PASSED OVER

There being no objection Senate Bill No. 296, Printer's No. 330, was passed over at the request of Mr. LICHTENWALTER.

Agreeably to order,

The House proceeded to the consideration on final passage of House Bill No. 958, entitled:

An Act making an appropriation to the State Council for the Blind for use in supplying medical treatment surgical operations eyeglasses or other necessary aids or services to needy blind persons or persons with impaired vision and to supplement local aid for these purposes

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The sum of one hundred twenty-five thousand dollars ($125,000) or as much thereof as may be necessary is hereby specifically appropriated to the State Council for the Blind for the two fiscal years beginning June first one thousand nine hundred and forty-three to be used for supplying medical treatment surgical operations eyeglasses and other necessary aids or services including transportation to needy blind persons or persons with impaired vision for the purpose of improving or restoring their vision

Section 2 No person shall be refused the aid provided for under section one hereof because of the fact that he or she resides in an area where other agencies are carrying on the work hereby provided for

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—202.

Alspach,	Flack,	Lane,	Robertson,
Auker,	Fleming,	Laughner,	Root,
Baker,	Flynn,	Lee,	Rose, S.,
Barrett,	Foor,	Leisey,	Rose, W. E.,
Barton,	Fox,	Leonard,	Rowley,
Bentley,	Freed,	Levy,	Royer,
Bentzel,	Fullerton,	Leydic,	Salus,
Boies,	Garber,	Lichtenwalter,	Sarge,
Bonawitz,	Gardner,	Livingstone,	Sarraf,
Boorse,	Gates,	Longo,	Scanlon,
Boory,	Gillan,	Lovett,	Schuster,
Bower,	Goodling,	Lyons,	Serrill,
Boyd,	Goodwin,	Madigan,	Simons,
Bradley,	Gorman,	Mahany,	Skale,
Bretherick,	Grant,	Maxwell,	Smith,
Brice,	Green,	McAtee,	Snider,
Brigerman,	Greenwood,	McClester,	Sollenberger,
Brown,	Gross,	McKinney,	Sorg,
Brunner, C. H.,	Gyger,	McMillen,	Stank,
Brunner, P. A.,	Haberlen,	McSurdy,	Stockham,
Burns,	Hall,	Menna,	Stonier,
Cadwalader,	Hamilton,	Mihm,	Swope,
Calvin,	Hannon,	Miller,	Tahl,
Campbell,	Hare,	Mintess,	Tate,
Chervenak,	Harris,	Mock,	Taylor,
Chudoff,	Haudenshield,	Modell,	Thompson,
Cohen,	Heatherington,	Mooney,	Thrasher,
Coleman,	Helm,	Moore,	Tiemann,
Cook,	Herman,	Moran,	Trent,
Cooper,	Hersch,	Moser,	Trout,
Cordier,	Hewitt,	Muir,	Turbett,
Corrigan,	Hocke,	Munley,	Van Allsburg,
Costa,	Hoffman,	Murray,	Verona,
Coulson,	Hoggard,	Nowak,	Wachhaus,
Croop,	Holmes,	O'Brien,	Wagner, K. H.,
Cullen,	Hoopes,	O'Connor,	Wagner, P. L.,
Dague,	Hunter, B. F.,	O'Dare,	Wallin,
Dalrymple,	Hunter, W. M.,	O'Neill,	Watkins,
Denman,	Huntley,	Owens,	Walton,
Dennison,	Imbrie,	Petrosky,	Weiss,
Depuy,	Irvin,	Pettit,	Welsh,
Dillon,	James,	Polaski,	Winner,
Dix,	Jones,	Powers,	Wood, L. H.,
Duffy,	Kennedy,	Readinger,	Wood, N.,
Elder,	Kirley,	Reagan,	Worley,
Elliott,	Kitchen,	Reese, D. P.,	Wright,
Ely,	Kline,	Reese, R. E.,	Yeakel,
Erb,	Kolankiewicz,	Regan,	Yester,
Ewing,	Kowalski,	Reilly,	Fiss,
Figlock,	Krepps,	Reynolds,	Speaker.
Finnerty,	Krise,	Riley,	

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the consideration on final passage of Senate Bill No. 502 as follows:

An Act authorizing the Department of Property and Supplies to sell and convey a lot or piece of land in Delaware County

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The Department of Property and Supplies with the approval of the Governor is hereby authorized and empowered to sell and convey for such consideration as may be agreed upon and to make and execute a deed conveying an unimproved lot or piece of ground in the Township of Middletown County of Delaware being bounded and described as follows

Beginning at a point on the line of lands of the School District in the Township of Middletown a corner of lands of John L Booth and wife at the distance of Two hundred seventy-four and twenty-one and one-hundredths feet measured South forty-nine degrees thirty minutes West from the center line of the Edgmont or Middletown Road which last said point is a corner common to the lands of the School District and of the said John L Booth and wife thence by said lands South forty-nine degrees thirty minutes West One hundred ninety-nine and seventy-three one-hundredths feet more or less to a point thence North thirty-seven degrees thirty minutes West One hundred fifty-four and seventy-seven one-hundredths feet thence North fifty-two degrees thirty minutes East One hundred ninety-nine and seventy-three one-hundredths feet to a corner of lands of the Pennsylvania Department of Highways and John L Booth and wife thence by the latter South thirty-seven degrees thirty minutes East One hundred forty-four and three-tenths feet to the point and place of beginning

The deed of conveyance to the purchaser thereof shall be prepared by the Attorney General and shall be executed by the Secretary of Property and Supplies in the name of the Commonwealth of Pennsylvania The price received as the purchase price of said plot of ground shall be paid into the General Fund of the State Treasury

Section 2 The provisions of this act shall become effective immediately upon final enactment

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—202.

Alspach,	Flack,	Lane,	Robertson,

Auker,	Fleming,	Laughner,	Root,
Baker,	Flynn,	Lee,	Rose, S.,
Barrett,	Foor,	Leisey,	Rose, W. E.,
Barton,	Fox,	Leonard,	Rowley,
Bentley,	Freed,	Levy,	Royer,
Bentzel,	Fullerton,	Leydic,	Salus,
Boies,	Garber,	Lichtenwalter,	Sarge,
Bonawitz,	Gardner,	Livingstone,	Sarraf,
Boorse,	Gates,	Longo,	Scanlon,
Boory,	Gillan,	Lovett,	Schuster,
Bower,	Goodling,	Lyons,	Serrill,
Boyd,	Goodwin,	Madigan,	Simons,
Bradley,	Gorman,	Mahany,	Skale,
Bretherick,	Grant,	Maxwell,	Smith,
Brice,	Green,	McAtee,	Snider,
Brigerman,	Greenwood,	McClester,	Sollenberger,
Brown,	Gross,	McKinney,	Sorg,
Brunner, C. H.,	Gyger,	McMillen,	Stank,
Brunner, P. A.,	Haberlen,	McSurdy,	Stockham,
Burns,	Hall,	Menna,	Stonier,
Cadwalader,	Hamilton,	Mihm,	Swope,
Calvin,	Hannon,	Miller,	Tahl,
Campbell,	Hare,	Mintess,	Tate,
Chervenak,	Harris,	Mock,	Taylor,
Chudoff,	Haudenshield,	Modell,	Thompson,
Cohen,	Heatherington,	Mooney,	Thrasher,
Coleman,	Helm,	Moore,	Tiemann,
Cook,	Herman,	Moran,	Trent,
Cooper,	Hersch,	Moser,	Trout,
Cordier,	Hewitt,	Muir,	Turbett,
Corrigan,	Hocke,	Munley,	Van Allsburg,
Costa,	Hoffman,	Murray,	Verona,
Coulson,	Hoggard,	Nowak,	Wachhaus,
Croop,	Holmes,	O'Brien,	Wagner, K. H.,
Cullen,	Hoopes,	O'Connor,	Wagner, P. L.,
Dague,	Hunter, B. F.,	O'Dare,	Wallin,
Dalrymple,	Hunter, W. M.,	O'Neill,	Walton,
Denman,	Huntley,	Owens,	Watkins,
Dennison,	Imbrie,	Petrosky,	Weiss,
Depuy,	Irvin,	Pettit,	Welsh,
Dillon,	James,	Polaski,	Winner,
Dix,	Jones,	Powers,	Wood, L. H.,
Duffy,	Kennedy,	Readinger,	Wood, N.,
Elder,	Kirley,	Reagan,	Worley,
Elliott,	Kitchen,	Reese, D. P.,	Wright,
Ely,	Kline,	Reese, R. E.,	Yeakel,
Erb,	Kolankiewicz,	Regan,	Yester,
Ewing,	Kowalski,	Reilly,	Fiss,
Figlock,	Krepps,	Reynolds,	Speaker.
Finnerty,	Krise,	Riley,	

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

BILL PASSED OVER

There being no objection Senate Bill No. 241, Printer's No. 420, was passed over at the request of Mr. LICHTENWALTER.

BILLS ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 944, as follows:

An Act to further amend the first paragraph of section nine of the act approved the twelfth day of July one one thousand nine hundred thirteen (P. L. 711) entitled "An act establishing a court for the county of Philadelphia prescribing its jurisdiction and powers providing for the service of its writs process or warrants by the proper officers of the county or city of Philadelphia regulating the procedure therein and appeals therefrom and providing for the expenses thereof" by providing for the appointment of a director of probation and other employes and providing for the fixing of their salaries

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The first paragraph of section nine of the act approved the twelfth day of July one thousand nine hundred thirteen (P. L. 711) entitled "An act establishing a court for the county of Philadelphia prescribing its jurisdiction and powers providing for the service of its writs process or warrants by the proper officers of the county or city of Philadelphia regulating the procedure therein and appeals therefrom and providing for the expenses thereof" as last amended by the act approved the twenty-seventh day of June one thousand nine hundred twenty-three (P. L. 850) is hereby further amended to read as follows

Section 9 The board of judges of the municipal court shall appoint a [chief] director of probation [officer whose salary shall not exceed five thousand dollars ($5,000) a year] and such additional probation officers and employes as it may determine at salaries [not to exceed two thousand five hundred dollars ($2,500) a year] fixed by the board of judges of the municipal court of Philadelphia whose powers and duties shall be similar to those heretofore appointed by the court of quarter sessions of the peace for said county.

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. CHUDOFF. Mr. Speaker, I desire to interrogate the gentleman from Philadelphia, Mr. Gorman.

The SPEAKER. Will the gentleman from Philadelphia permit himself to be interrogated?

Mr. GORMAN. I will, Mr. Speaker.

Mr. CHUDOFF. Mr. Speaker, I should like to know from the gentleman from Philadelphia, Mr. Gorman, whether this bill would automatically give the judges of the municipal court of Philadelphia the right to pay a probation officer employed by that court any salary that they felt like?

Mr. GORMAN. In a way it would, Mr. Speaker. There is nothing contained in the bill about salaries. This bill is a simple home rule bill for the purpose of allowing the judges in Philadelphia to set the salaries and number of employes. There is nothing in the bill about salaries.

Mr. CHUDOFF. I should like to know, Mr. Speaker, from the gentleman from Philadelphia if it is not true that now under the present law which this act seeks to amend, the ceiling on salaries of probation officers is not $2,500, and does not this bill further provide that the $2,500 ceiling shall be taken out and the judge can pay an unlimited salary to a probation officer?

Mr. GORMAN. Will the gentleman please repeat his question?

Mr. CHUDOFF. Mr. Speaker, I say is it not true that the bill in its present form without amendment sets a ceiling of $2,500 on the pay of probation officers under the act, and this bill would take that ceiling of $2,500 off and give the judges of the court the right to pay any salary that they felt like?

Mr. GORMAN. Yes, Mr. Speaker.

Mr. CHUDOFF. And is it not true that the Commonwealth of Pennsylvania contributes over $200,000 to the municipal courts of Philadelphia?

Mr. GORMAN. For what, Mr. Speaker?

Mr. CHUDOFF. For payment of salaries of judges, Mr. Speaker.

Mr. GORMAN. Probation officers?

Mr. CHUDOFF. Of judges, Mr. Speaker.

Mr. GORMAN. Yes, it does, Mr. Speaker.

Mr. CHUDOFF. Now, Mr. Speaker, I would further like to know from the gentleman as to whether or not under House Bill No. 2 which was passed by this House in the early days of this session, each and every probation officer in the municipal court of Philadelphia would receive a pay raise of $400?

Mr. GORMAN. Yes, Mr. Speaker.

Mr. CHUDOFF. And this, Mr. Speaker, would permit the judges to give them a further pay raise? Is that not correct?

Mr. GORMAN. No, Mr. Speaker.

Mr. CHUDOFF. Allow me to read the bill, Mr. Speaker: Section 9 of the act of 1913 which establishes a municipal court in Philadelphia now reads as follows:

> The board of judges of the municipal court shall appoint a probation officer whose salary shall not exceed $5,000 a year and such additional probation officers and employes as may be determined at a salary not to exceed $2,500 per year, fixed by the board of municipal judges in Philadelphia.

This amendment of Mr. Gorman's strikes out "not to exceed $2,500 a year" and would provide an unlimited amount as far as the probation officers are concerned.

I should like to know further from the gentleman from Philadelphia if it is not true that one hundred thirty-seven employes in the courts of Philadelphia received raises of $54,100 for the year of 1943 as the result of House Bill No. 2?

Mr. GORMAN. Approximately that, Mr. Speaker, as a bonus.

Mr. CHUDOFF. I thank the gentleman from Philadelphia.

Mr. Speaker, I am trying to find a name to describe this bill. Early in the session we into the General Assembly and decided that due to the increased cost of living employes of the courts in Philadelphia and elsewhere in the Commonwealth should receive a cost of living increase. As a result of this House Bill No. 2 was passed by the House, the Senate and was signed by the Governor, so that the city council of Philadelphia could give to each of the employes of the courts of Philadelphia a raise of $400.

Now there comes before us another bill that tries to sneak an additional raise to employes of the municipal courts, and especially the probation officers. There are ninety-eight probation officers in the municipal courts of Philadelphia, and under this bill the judges of the municipal courts could pay a probation officer $10,000 or $15,000 a year and there would be nothing to stop them.

I am not against the cost of living increase; I believe that the cost of living has increased sufficiently in this Commonwealth and that these employes are entitled to an increase in the amount of $400, but if we are going to give the board of judges of the municipal courts the right to take the ceiling of $2,500 off the probation officers, we might as well give that right to all the judges in the courts of Philadelphia.

I say that this bill is an insult to the intelligence of the people of Pennsylvania, it is a sneaker—I think you might call it a "lallapaloosa;" it is an attempt by the Board of Judges of the Municipal Court of Philadelphia to give a double raise to their employes by this bill, and I ask all the Members of the House to vote against it.

Mr. TAHL. Mr. Speaker, it seems to me that the gentleman from Philadelphia has misconstrued the import of this bill. The motive of this bill is to give the judges the authority to fix salaries of probation officers. It is not intended to raise the salaries. As a matter of fact, Mr. Chudoff knows that the judges of the municipal courts are almost equally divided between Democrats and Republicans, and it has been found more practical to give the judges authority to fix salaries of their officers rather than that they be fixed by the Legislature. It is well known that the men constituting the Board of Judges of the Municipal Court are men of learning and integrity and we know that those men would not abuse the power that the Legislature gives them, and for that reason I ask that the bill be approved.

Mr. TATE. Mr. Speaker, I desire with the indulgence of the House at this time to refer to the section of the bill that is amended. I shall read the bill prior to the proposed amendments and under each section the salaries that are now fixed.

Under the present law the

> Board of Judges of the Municipal Court shall appoint a chief probation officer whose salary shall not exceed five thousand dollars a year, and such additional probation officers and employes as it may determine at salaries not to exceed twenty-five hundred dollars a year, whose powers and duties shall be similar to those heretofore appointed by the Court of Quarter Sessions of the Peace of said county.

The amendment permits the appointment of a Director of Probation instead of the Chief Probation Officer, and eliminates all stipulation as to his salary, and the amendment strikes out the ceiling of twenty-five hundred dollars and states that the salaries may be fixed by the Board of Judges of the Municipal Court.

Now, I have no quarrel with the Board of Judges as such in the Municipal Courts of Philadelphia County. They are all very fine gentlemen, they are all learned in the law and they do a good job, but nevertheless the people of the City of Philadelphia have elected a City Council to determine the budget policies of the city of Philadelphia. This City Council sits for many months each year hearing arguments pro and con from the various departments of the city and county of Philadelphia as to the relative merits of their budget requests. In many cases the requests are adjusted to the advantage of the department and in many cases it is pointed out that it is not possible to grant an increase.

I recall full well during the dark days of the depression and when the city and county government was sorely pressed because of the delinquencies in the collection of taxes, because people were unable to pay their taxes because of the depression, that the President Judge of the Municipal Court refused to back down on his budget request and said "Gentlemen, these salaries are fixed by the Legislature of Pennsylvania and you cannot change them one iota." That has been the attitude of the President Judge of the Municipal Court who controls that court, and he tells the people of the City of Philadelphia "The Legislature has fixed these salaries and you can't change them."

Now, he comes knocking at the door of the Legislature and he wants control, because there is a ceiling of twenty-five hundred dollars in the present law. He wants it fixed that he can control those salaries at any sum that he may see fit, and the people of Philadelphia must pay the freight. I say in all fairness to the people of Philadelphia with its two million residents that are already overburdened with a wage tax that this bill should not pass.

On the question recurring,

Shall the bill pass finally?

The roll was called by the Clerk.

Mr. TATE. Mr. Speaker, I ask for a verification of the roll.

The SPEAKER. Will the gentleman yield? The time has arrived for the special order fixed for this time.

Mr. TATE. I will, Mr. Speaker, on the condition that the roll be verified.

The SPEAKER. The roll will be verified when we resume consideration of this bill.

SPECIAL ORDER ON THIRD READING AND FINAL PASSAGE

The SPEAKER. The Chair lays before the House the special order of business fixed for this time, on page 1 of today's calendar, House Bill No. 1111, Printer's No. 705, bill on third reading and final passage.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1111, as follows:

An Act providing for the payment by the State Treasurer of one-half of the amount of the tax on premiums paid by foreign casualty insurance companies to the treasurers of the several cities boroughs towns and townships and for the payment thereof into police pension funds and in certain cases into the State Employes' Retirement Fund for certain purposes

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 On and after the first day of January one thousand nine hundred and forty-four and annually thereafter there shall be paid by the State Treasurer to the treasurers of the several cities townships towns and boroughs within the Commonwealth one-half of the net amount received from the two per centum tax paid upon premiums by foreign casualty insurance companies The amount to be paid to each of the treasurers of the several cities townships towns and boroughs shall be based upon the return of said two per centum tax upon premiums received from foreign casualty insurance companies doing business within the said cities townships towns and boroughs as shown by the report made to the Department of Revenue Each city borough town or township receiving any payment from the State Treasurer hereunder shall forthwith pay the amount received into the police pension fund of such city borough town or township or into the county police pension fund maintained for the benefit among others of the police of such city borough town or township where in either case such police pension fund exists or is hereafter established if the said police pension fund is duly recognized as such by the council commissioners or supervisors as the case may be of such city borough town or township In any city borough town or township in which there is no police pension fund the amount received by the treasurer of the city borough town or township from said tax shall be forthwith paid into the State Employes' Retirement Fund and shall be credited to the accumulated deductions of members of the Pennsylvania State Police in proportion to the respective amounts contributed by such members during the period said tax was collected Warrants for the above purposes shall be drawn by the Auditor General payable to the treasurers of the several cities townships towns and boroughs in accordance with this act whenever there are sufficient funds in the State Treasury to pay the same

Section 2 All acts and parts of acts inconsistent with the provisions of this act are hereby repealed

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. COHEN. Mr. Speaker, the history of this bill should be reviewed very briefly. As originally introduced the contents of this bill were in another bill as an amendment to an act which provides for the payment of moneys from a tax levied on fire insurance and fire insurance premiums for the benefit of the firemen's pension fund in this State. At the time the bill was originally considered in the House protests came in from various parts of the State on behalf of the firemen's pension fund. At my suggestion, and with the approval of the sponsor of the bill, Mr. Tiemann, we agreed to drop that bill and redraw a new bill which has to do with policemen only. The only thought in doing that was to make certain that the firemen's rights and privileges were in no way affected by the passage of what is contained in this bill. The bill now comes before us on its own.

Only a few moments ago I heard some disturbing rumors that some of the Members of the House on both sides were under the misapprehension or the belief that this bill would affect the firemen's pension money. Let me say that the firemen's pension money comes from a two per cent tax on the fire insurance premiums only; that House Bill No. 1111 provides that half of the two per cent tax on casualty companies, which are in no sense fire insurance companies, shall be paid into the fund for the benefit of the policemen. It was our fervent hope that the discussion and the passage of this bill would in no way, shape or form, have anything to do with the firemen's matters. I believe the treatment accorded to the firemen was proper, and I believe that the treatment accorded to the policemen should be on the same basis, and I sincerely say to you that this does not affect the firemen in any shape, manner or form; it is for policemen only and has nothing to do with the fire companies or fire policies or anything to do with fire. I want that to be clear, and the gentleman from Philadelphia, Mr. Tiemann, joins with me, that this is for policemen and policemen alone.

Mr. TIEMANN. Mr. Speaker, I wish to state that what Mr. Cohen of Philadelphia has said is correct, and I ask all the Members on both sides of the House to vote for this bill and help the policemen.

Mr. LICHTENWALTER. Mr. Speaker, I just want to say for the majority side of the House, that we on this side in no way want to interfere with the firemen's funds that they are now receiving from the foreign fire insurance tax paid into the Commonwealth, and when those objections were raised, we on this side of the House did everything possible to speed the enactment of this new bill which was drawn to take care of the policemen's pension fund. We at that time agreed and promised that we

would in no way block a speedy passage in the House, and I want to state and to go on record as saying that in doing that I feel we have shown our interest in the work of these men throughout the Commonwealth of Pennsylvania and their efforts to protect human life and property.

Mr. SALUS. Mr. Speaker, I want to call to the attention of all the Members of the House that the Mayor of Philadelphia, the Director of Public Safety and all the people in Philadelphia, Democrats and Republicans are in favor of the passage of this bill.

Mr. HEATHERINGTON. Mr. Speaker, I desire to interrogate the sponsor of the bill.

The SPEAKER. Will the gentleman from Philadelphia, Mr. Tiemann, permit himself to be interrogated?

Mr. TIEMANN. I shall, Mr. Speaker.

Mr. HEATHERINGTON. Mr. Speaker, I should like to ask the gentleman, in a borough or township where you do not have a pension fund, what are you going to do with this money there?

Mr. TIEMANN. If you do not have a pension fund the bill provides that the money is to be turned over to the state police, Mr. Speaker.

Mr. HEATHERINGTON. What fund is it going to go into, Mr. Speaker? You understand the state police have two pension funds. Which one of those funds is going to get this money?

Mr. TIEMANN. The State Employment Retirement Fund, Mr. Speaker.

Mr. HEATHERINGTON. Then it can be used for all state employes after it is in there, is that right?

Mr. TIEMANN. I will read from the act:

> In any city, borough, town or township in which there is no police pension fund, the amount received by the treasurer of the city, borough, town or township from said tax shall forthwith be paid into the State Employes' Retirement Fund and shall be credited to the accumulated deductions of members of the Pennsylvania State Police in proportion to the respective amounts contributed by such members during the period said tax was collected.

Mr. HEATHERINGTON. They contribute to two funds, do they not, the state police?

Mr. TIEMANN. I do not know, Mr. Speaker.

Mr. HEATHERINGTON. In a county like Allegheny county where the police are already under a pension fund, supposing they organize another pension fund; would they be entitled to money under this act?

Mr. TIEMANN. Provided they are recognized by the council, commissioners or supervisors. It states that in the bill.

Mr. HEATHERINGTON. They are already under a pension fund now. They form another pension fund of their own, and then get a certain amount of money under that, is that right?

Mr. TIEMANN. They must be recognized by the council, commissioners or supervisors.

Mr. HEATHERINGTON. That is all, Mr. Speaker, I thank the gentleman.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—200

Alspach,	Fleming,	Laughner,	Robertson,
Auker,	Flynn,	Lee,	Root,
Baker,	Foor,	Leisey,	Rose, S.,
Barrett,	Fox,	Leonard,	Rose, W. E.,
Barton,	Freed,	Levy,	Rowley,
Bentley,	Fullerton,	Leydic,	Royer,
Bentzel,	Garber,	Lichtenwalter,	Salus,
Boies,	Gardner,	Livingstone,	Sarge,
Bonawitz,	Gates,	Longo,	Sarraf,
Boorse,	Gillan,	Lovett,	Scanlon,
Boory,	Goodling,	Lyons,	Schuster,
Bower,	Goodwin,	Madigan,	Serrill,
Boyd,	Gorman,	Mahany,	Simons,
Bradley,	Grant,	Maxwell,	Skale,
Bretherick,	Green,	McAtee,	Smith,
Brice,	Greenwood,	McClester,	Snider,
Brigerman,	Gross,	McKinney,	Sollenberger,
Brown,	Gyger,	McMillen,	Sorg,
Brunner, P. A.,	Haberlen,	McSurdy,	Stank,
Burns,	Hall,	Menna,	Stockham,
Cadwalader,	Hamilton,	Mihm,	Stonier,
Calvin,	Hannon,	Miller,	Swope,
Campbell,	Hare,	Mintess,	Tahl,
Chervenak,	Harris,	Mock,	Tate,
Chudoff,	Haudenshield,	Modell,	Taylor,
Cohen,	Helm,	Mooney,	Thompson,
Coleman,	Herman,	Moore,	Thrasher,
Cook	Hersch,	Moran,	Tiemann,
Cooper,	Hewitt,	Moser,	Trent,
Cordier,	Hocke,	Muir,	Trout,
Corrigan,	Hoffman,	Munley,	Turbett,
Costa,	Hoggard,	Murray,	Van Allsburg,
Coulson,	Holmes,	Nowak,	Verona,
Croop,	Hoopes,	O'Brien,	Wachhaus,
Cullen,	Hunter, B. F.,	O'Connor,	Wagner, K. H.,
Dague,	Hunter, W. M.,	O'Dare,	Wagner, P. L.,
Dalrymple,	Huntley,	O'Neill,	Wallin,
Denman,	Imbrie,	Owens,	Walton,
Dennison,	Irvin,	Petrosky,	Watkins,
Depuy,	James,	Pettit,	Weiss
Dillon,	Jones,	Polaski,	Welsh,
Dix,	Kennedy,	Powers,	Winner,
Duffy,	Kirley,	Readinger,	Wood, L. H.,
Elder,	Kitchen,	Reagan,	Wood, N.,
Elliott,	Kline,	Reese, D. P.,	Worley,
Ely,	Kolankiewicz,	Reese, R. E.,	Wright,
Erb,	Kowalski,	Regan,	Yeakel,
Ewing,	Krepps,	Reilly,	Yester,
Figlock,	Krise,	Reynolds,	Fiss,
Finnerty,	Lane,	Riley,	Speaker.
Flack.			

NAYS—1

Heatherington,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

CONSIDERATION OF HOUSE BILL No. 944 RESUMED

The SPEAKER. The House will now resume consideration of House Bill No. 944 on page 15 of today's calendar, bill on third reading.

Messrs. Tate, Heatherington and Chudoff asked for a verification of the roll.

The roll was verified and was as follows:

YEAS—125

Alspach,	Fox,	Krise,	Rose, W. E.,
Auker,	Fullerton,	Laughner,	Rowley,
Barton,	Garber,	Lee,	Royer,
Bonawitz,	Gardner,	Leisey,	Salus,
Boorse,	Gates,	Leydic,	Sarge,
Bower,	Gillan,	Lichtenwalter,	Serrill,
Boyd,	Goodling,	Livingstone,	Simons,
Bretherick,	Gorman,	Lyons,	Sollenberger,
Brice,	Greenwood,	Madigan,	Sorg,
Brunner, C. H.,	Gross,	Mahany,	Stockham,

Cadwalader,	Gyger,	McClester,	Stonier,
Calvin,	Hall,	McKinney,	Tahl,
Campbell,	Hannon,	McMillen,	Taylor,
Cook,	Hare,	McSurdy,	Thrasher,
Cooper,	Haudenshield,	Menna,	Tiemann,
Cordier,	Helm,	Miller,	Trout,
Costa,	Hewitt,	Mintess,	Turbett,
Coulson,	Hocke,	Mock,	Van Allsburg,
Dague,	Hoffman,	Moore,	Wachhaus,
Dalrymple,	Holmes,	Moser,	Wagner, K. H.,
Denman,	Hoopes,	Muir,	Wagner, P. L.,
Dennison,	Hunter, W. M.,	Murray,	Wallin,
Depuy,	Huntley,	Nowak,	Walton,
Dix,	Imbrie,	O'Dare,	Watkins,
Elder,	Irvin,	Reagan,	Winner,
Ely,	James,	Reese, D. P.,	Wood, L. H.,
Erb,	Jones,	Reilly,	Wood, N.,
Ewing,	Kennedy,	Riley,	Worley,
Figlock,	Kitchen,	Robertson,	Yeakel,
Flack,	Kline,	Root,	Fiss,
Fleming,	Kowalski,	Rose, S.	Speaker.
Foor,	Krepps,		

NAYS—74

Baker,	Finnerty,	Longo,	Regan,
Barrett,	Flynn,	Lovett,	Reynolds,
Bentzel,	Freed,	Maxwell,	Sarraf,
Boory,	Goodwin,	Mihm,	Scanlon,
Bradley,	Grant,	Modell,	Schuster,
Brigerman,	Green,	Mooney,	Skale,
Brown,	Haberlen,	Moran,	Smith,
Brunner, P. A.,	Hamilton,	Munley,	Snider,
Burns,	Harris,	O'Brien,	Stank,
Chervenak,	Heatherington,	O'Connor,	Swope,
Chudoff,	Herman,	O'Neill,	Tate,
Cohen,	Hersch,	Owens,	Thompson,
Coleman,	Hoggard,	Petrosky,	Trent,
Corrigan,	Hunter, B. F.,	Pettit,	Verona,
Croop,	Kirley,	Polaski,	Weiss,
Cullen,	Kolankiewicz,	Powers,	Welsh,
Dillon,	Lane,	Readinger,	Wright,
Duffy,	Leonard,	Reese, R. E.,	Yester,
Elliott,	Levy,		

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

BILLS ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 517, as follows:

An Act to further amend section one of the act approved the twenty-eighth day of June one thousand nine hundred and seventeen (P. L. 645) entitled "An act making it unlawful for any individual or individuals to carry on or conduct any business under an assumed or fictitious name style or designation unless upon the filing of a certificate to that effect in the office of the Secretary of the Commonwealth and of the prothonotary requiring county commissioners at the expense of the county to provide books for the entry of such certificates fixing the fees of the Secretary of the Commonwealth and prothonotary and providing penalties" by requiring notice of intention to file such certificates to be given by limiting the assumed or fictitious names which may be adopted and by advertisement and the filing of proofs of such publication

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section one of the act approved the twenty-eighth day of June one thousand nine hundred and seventeen (P. L. 645) entitled "An act making it unlawful for any individual or individuals to carry on or conduct any business under an assumed or fictitious name style or designation unless upon the filing of a certificate to that effect in the office of the Secretary of the Commonwealth and of the prothonotary requiring county commissioners at the expense of the county to provide books for the entry of such certificates fixing the fees of the Secretary of the Commonwealth and prothonotary and providing penalties" as last amended by the act approved the twenty-ninth day of June one thousand nine hundred and twenty-three (P. L. 979) is hereby further amended to read as follows

Section 1 (a) That no individual or individuals shall hereafter carry on or conduct any business in this Commonwealth under any assumed or fictitious name style or designation unless the person or persons conducting or carrying on the same shall have first filed in the office of the Secretary of the Commonwealth and in the office of the prothonotary to be entered in a book to be provided for that purpose a certificate under oath and signed by such persons or persons setting forth the real name or names and addresses of all the persons owning or interested in said business and also the name style or designation under which said business is being or will be carried on or conducted

(b) Where any of the owners of said business live outside of the Commonwealth of Pennsylvania and carry on or conduct any such business through an agent such certificate shall also show the name and address of such agent

(c) The assumed or fictitious name may be in any language but shall be expressed in English letters or characters and shall not contain the word "corporation" "company" or "incorporated" or end with an abbreviation of one of these words except that the word "company" or the abbreviation "Co" may be used if that word or abbreviation is immediately preceded by the word "and" or any symbol or substitute therefor The assumed or fictitious name shall not imply that the person adopting such name is an administrative agency of the Commonwealth or of the United States or is subject to the supervision of the Department of Banking or of the Insurance Department and shall not contain the word "bank" "banking" "bankers" "savings" "trust" "deposit" "insurance" "mutual" "assurance" "indemnity" "casualty" "fiduciary" "benefit" "beneficial" "benevolent" "public service" "public utilties" "building and loan" "surety" "security' "guaranty" "guarantee" "cooperative" "State" "Commonwealth" "National" "Federal" or "United States"

The assumed or fictitious name shall not be the same as or deceptively similar to

(1) The name of any domestic corporation or of any foreign corporation authorized to do business in this Commonwealth or the name of any unincorporated body whatsoever voluntarily registered with the Department of State under any act of Assembly or any other assumed or fictitious name previously filed in the office of the Secretary of the Commonwealth in accordance with the provisions of this act unless such domestic or foreign corporation or unincorporated body is about to change its name or to cease to do business or is being wound up or such foreign corporation is about to withdraw from doing business in this Commonwealth and the written consent of such domestic or foreign corporation or unincorporated body to the adoption of its name or a deceptively similar name has been given and is filed with the certificate or unless such domestic or foreign corporation has filed with the Department of Revenue a certificate of out of existence or unless such domestic or foreign corporation has failed for a period of three successive years to file with the Department of Revenue or with the Department of State a report or return required by law and such failure to file with the Department of Revenue has been certified by the Department of Revenue to the Department of State

(2) The name of an administrative department board or commission or other agency of the Commonwealth

(3) A name the exclusive right to which is at the time reserved by any corporation unincorporated body or person in the manner provided in any act of Assembly

Nothing in this subdivision (c) shall abrogate or limit the law as to unfair competition or unfair practices nor

derogate from the common law the principles of equity or the statutes of this Commonwealth with respect to the right to acquire and protect trade names

The assumption of a name in violation of this section shall not vitiate or otherwise affect the validity of any contract with such person or persons but the court of common pleas of Dauphin County may upon the application of the Attorney General acting on his own motion or at the instance of any administrative department board or commission of the Commonwealth and the court of common pleas of any county having jurisdiction over the corporation may upon the application of any person unincorporated body or corporation adversely affected enjoin such person or persons from using or continuing to use a name assumed in violation of this section

(d) Before any such certificate shall be filed in the office of the Secretary of the Commonwealth or in the office of the prothonotary of the county notice of intention so to file the same shall be given by publication once in a newspaper of general circulation published in the political subdivision of said county in which it is intended to conduct such business (or if no newspaper is there published then in a newspaper of general circulation published in the county) and also in the legal newspaper if any published in said county Such notice shall set forth the name or names and address or addresses of all persons owning or interested in said business the county in which and the date when such certificate will be filed and also the name style or designation under which said business is being or will be carried on or conducted and the location of its principal place of business Proof of publication of such notice shall be filed with such certificate in the office of the Secretary of the Commonwealth and in the office of the prothonotary

Provided That the failure of any such person or persons to file the certificates aforesaid in the office of the Secretary of the Commonwealth or in the office of the prothonotary shall not impair or affect the validity of any contract with such person or persons and actions or proceedings at law or in equity may be instituted and maintained on any such contract but no such action shall be instituted or recovery had by any such person or persons on any such contract either expressed or implied in any of the courts of this Commonwealth or before any justice of the peace or magistrate thereof until such person or persons comply with the provisions of this act And provided further Before any such person or persons can institute any action in any of the courts of this Commonwealth or before any justice of the peace or magistrate thereof on any cause of action arising prior to the filing of the certificate provided for in this section such person or persons shall pay to the Secretary of the Commonwealth for the use of the Commonwealth a license fee or fine of twenty-five ($25.00) dollars This act shall apply to all actions pending at the date of the passage of this act Provided That the plaintiff in any such suit shall pay all costs accrued prior to compliance with the provisions of this act Provided That this act shall not apply to any cases adjudicated at the date of the passage of this act

The certificate of the Secretary of the Commonwealth under the great seal of the Commonwealth showing the filing of the certificates and the payment of fees and fines or the failure to file such certificates or to pay the fees and fines as provided for and required by this act shall be competent and legal evidence and shall be admitted in evidence in any judicial proceeding in any court where the same may be material

Section 2 This act shall become effective immediately upon final enactment

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. SKALE. Mr. Speaker, this is a bill which provides for the advertising of the intention of any association or any business which will do business under a fictitious name. There is presently on the statute books a law which requires the registration of a fictitious name, and the failure to register also has a penalty for said failure. Therefore, I do not see the necessity for this bill except that it entails a cost to every individual or every group of individuals who are doing business under a fictitious name or who want to do business under a fictitious name, by requiring them to advertise their notice of intention to register the name. It is really an unnecessary bit of legislation. In addition I can say that this bill is defective in this respect, that it does not provide any time within which the advertising shall take place. This might mean that the advertising may occur a year prior to the actual registration, or any unlimited time.

I understand that the purpose of this bill is to give an opportunity to the public to know who the members of the firm may be. There is no necessity for that, because when a person under the present law who wants to ascertain the real names of the owners of a business doing business under a fictitious name which has been registered he need only go to the prothonotary of the county where the place is doing business, or to the Secretary of the Commonwealth and there he will find the names and addresses. This bill does not provide anything that would make it easier.

I understand also that this bill is supposed to place the fictitious name law in line with the corporation law, but, gentlemen, it does not do that, because under the present law when the advertising of the incorporating of a corporation takes place, you do not advertise the names and addresses of the incorporators or the directors. You only advertise the name of the corporation and you omit the names and addresses. This bill would only entail an additional and unnecessary cost and be a burden upon the business men who want to do business. The present law is sufficient; the present law has a penalty attached to it for failure to register. Under the present law you can find out the names and the owners very easily and very readily. This bill is only a bill to make it more expensive to go into business. I say to you that this is unnecessary legislation and that it is not proper to be on the statute books.

Mr. McKINNEY. Mr. Speaker, all that this bill does is to put the fictitious names act in conformity with the corporation act as it now stands on the statute books and has stood since 1909.

The constantly growing tendency to operate small businesses under fictitious names rather than in corporate form is traceable directly to the great expense and bother of operation in corporate guise under the federal and state regulations. The result of this tendency has been to deprive the public of the protection given by the legislature in the case of corporations by requiring public notice of each proposed organization.

It is highly desirable that such notice be given also before commencement of business under a fictitious name. There is a real necessity that existing organizations of similar name be given an opportunity to protest adoption of the proposed fictitious name before serious danger has actually been caused. This necessity was recognized in the case of corporations as long ago as 1909 and an appropriate requirement for public notice has been on the

statute books ever since. The amendment of the fictitious names act to be made by this bill conforms to the requirements imposed upon corporations and thus closes a loophole otherwise productive of serious harm.

I ask the membership to vote for this bill.

Mr. SKALE. Mr. Speaker, I desire to interrogate the gentleman from Venango, Mr. McKinney.

The SPEAKER. Will the gentleman from Venango permit himself to be interrogated?

Mr. McKINNEY. I shall, Mr. Speaker.

Mr. SKALE. Mr. Speaker, as I was unable to hear Mr. McKinney clearly, in the reading of his statement, I would like to ask Mr. McKinney whether or not the present law relating to the advertising section of the bill and the filing of corporation records requires also the advertising of the names and addresses of the incorporators and directors?

Mr. McKINNEY. I believe not, Mr. Speaker.

Mr. SKALE. And the filing of the articles of incorporation under the present law is with the Secretary of the Commonwealth and not with the prothonotary in the county where the corporation is to do business, is that correct?

Mr. McKINNEY. That is true, Mr. Speaker.

Mr. SKALE. And under the present fictitious name act is it not true that where a fictitious name is to be registered that it is registered in the county where the owners of the business intend to do business and also with the Secretary of the Commonwealth?

Mr. McKINNEY. That is correct.

Mr. SKALE. And is it not true that those records, those books are open to public inspection?

Mr. McKINNEY. That is true.

Mr. SKALE. And is it not true, Mr. Speaker, that where a fictitious name is registered, the names of the owners appear in the legal section of the newspaper without any cost?

Mr. McKINNEY. No, I believe that is not correct.

Mr. SKALE. Mr. Speaker, I would like to ask the gentleman's indulgence on this bill. I can show him the legal section of the newspaper where that appears and if I am incorrect I will apologize to the gentleman.

Mr. McKINNEY. That may apply, Mr. Speaker, to Philadelphia but in general over the state it is not true.

Mr. SKALE. Mr. Speaker, does the Legal Intelligencer serve the gentleman's county?

Mr. McKINNEY. It does not, Mr. Speaker.

Mr. SKALE. That is all. I thank the gentleman.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken.

Messrs. Levy, Herman and Bently asked for a verification of the roll.

The roll was verified and was as follows:

YEAS—118

Auker,	Freed,	Krepps,	Rowley,
Barton,	Fullerton,	Krise,	Royer,
Bonawitz,	Garber,	Laughner,	Sarge,
Boorse,	Gardner,	Lee,	Serrill,
Bower,	Gates,	Leisey,	Simons,
Boyd,	Gillan,	Leydic,	Smith,
Bretherick,	Goodling,	Lichtenwalter,	Sollenberger,
Brice,	Gorman,	Livingstone,	Sorg,
Cadwalader,	Greenwood,	Lyons,	Stockham,
Calvin,	Gross,	Madigan,	Stonier,
Campbell,	Gyger,	Mahany,	Tahl,
Cook,	Hall,	McKinney,	Taylor,
Cooper,	Hannon,	McMillen,	Thrasher,
Cordier,	Hare,	McSurdy,	Trout,
Costa,	Haudenshield,	Menna,	Turbett,
Coulson,	Helm,	Miller,	Van Allsburg,
Dague,	Hewitt,	Mintess,	Wachhaus,
Dalrymple,	Hocke,	Mock,	Wagner, K. H.,
Dennison,	Hoffman,	Moore,	Wagner, P. L.,
Depuy,	Holmes,	Moser,	Wallin,
Dix,	Hoopes,	Muir,	Walton,
Elder,	Hunter, W. M.,	Murray,	Watkins,
Ely,	Huntley,	Nowak,	Winner,
Erb,	Imbrie,	O'Dare,	Wood, L. H.,
Ewing,	Irvin,	Reagan,	Wood, N.,
Figlock,	James,	Reese, D. P.,	Worley,
Flack,	Jones,	Reilly,	Yeakel,
Fleming,	Kennedy,	Riley,	Fiss,
Foor,	Kline,	Robertson,	Speaker.
Fox,	Kowalski,	Rose, W. E.,	

NAYS—65

Alspach,	Dillon,	Leonard,	Regan,
Baker,	Duffy,	Levy,	Reynolds,
Barrett,	Elliott,	Modell,	Sarraf,
Bentley,	Finnerty,	Mooney,	Scanlon,
Bentzel,	Goodwin,	Moran,	Schuster,
Boory,	Grant,	Munley,	Skale,
Bradley,	Green,	O'Brien,	Snider,
Brigerman,	Hamilton,	O'Connor,	Stank,
Brown,	Harris,	O'Neill,	Swope,
Brunner, P. A.,	Herman,	Owens,	Tate,
Burns,	Hersch,	Petrosky,	Thompson,
Chervenak,	Hoggard,	Pettit,	Trent,
Coleman,	Hunter, B. F.,	Polaski,	Weiss,
Corrigan	Kirley,	Powers,	Welsh,
Croop,	Kolankiewicz,	Readinger,	Wright,
Cullen,	Lane,	Reese, R. E.,	Yester,
Denman,			

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

BILLS PASSED OVER

There being no objection

Senate Bill No. 347, Printer's No. 301;

Senate Bill No. 48, Printer's No. 342 and

Senate Bill No. 49, Printer's No. 164

were passed over at the request of Mr. LICHTENWALTER.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 904, as follows:

An Act exempting beauty and barber shop furniture mechanical appliances and equipment leased hired or conditionally sold from levy and sale on execution or distress for rent under certain conditions

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 That hereafter all beauty and barber shop furniture mechanical appliances and equipment leased or hired under bailment lease to any person residing within this Commonwealth or conditionally sold to any such person under contract of sale reserving the title in the vendor until paid for shall be exempt from levy and sale on execution or distress for rent so long as the title thereto remains in the bailment lessor or conditional vendor Provided however That written notice that such beauty or barber shop furniture mechanical appliances or equipment specifically describing the same have been leased or hired or conditionally sold to any such person shall be given to the landlord or his agent at the time the said beauty or barber shop furniture mechanical appliances or equipment are placed upon the demised

premises or within five (5) days thereafter which notice shall contain a statement of the respective amounts due to the lessor or conditional vendor on each of the articles therein and when so given shall be effective as to such landlord and any future owner or owners of said premises Upon request at any reasonable time the owner or conditional vendor of said beauty or barber shop furniture mechanical appliances or equipment shall advise the landlord as to the status of the account with the tenant relative thereto Nothing herein contained shall prevent the land lord or his agent from levying upon and selling on execution or distress for rent any right or interest of the bailment lessee or conditional vendee under such bailment lease or contract of conditional sale subject to the rights therein of the bailment lessor or conditional vendor

Section 2 All acts or parts of acts inconsistent herewith are hereby repealed

Section 3 This act shall become effective immediately upon final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—124

Alspach,	Freed,	Krepps,	Rose, W. E.,
Barton,	Fullerton,	Krise,	Rowley,
Bonawitz,	Garber,	Laughner,	Royer,
Boorse,	Gardner,	Lee,	Salus,
Bower,	Gates,	Leisey,	Sarge,
Boyd,	Gillan,	Leydic,	Serrill,
Bretherick,	Goodling,	Lichtenwalter,	Simons,
Brice,	Gorman,	Livingstone,	Smith,
Cadwalader,	Greenwood,	Lyons,	Sollenberger,
Calvin,	Gross,	Madigan,	Sorg,
Campbell,	Gyger,	McAtee,	Stockham,
Cook,	Hall,	McClester,	Stonier,
Cooper,	Hannon,	McKinney,	Tahl,
Cordier,	Hare,	McMillen,	Taylor,
Costa,	Haudenshield,	McSurdy,	Thrasher,
Coulson,	Helm,	Menna,	Tiemann,
Dague,	Hewitt,	Miller,	Trout,
Dalrymple,	Hocke,	Mintess,	Turbett,
Denman,	Hoffman,	Mock,	Van Allsburg,
Dennison,	Holmes,	Moore,	Wachhaus,
Depuy,	Hoopes,	Moser,	Wagner, K. H.,
Dix,	Hunter, W. M.,	Muir,	Wagner, P. L.,
Elder,	Huntley,	Murray,	Wallin,
Ely,	Imbrie,	Nowak,	Walton,
Erb,	Irvin,	O'Dare,	Watkins,
Ewing,	James,	Reagan,	Winner,
Figlock,	Jones,	Reese, D. P.,	Wood, L. H.,
Flack,	Kennedy,	Reilly,	Wood, N.,
Fleming,	Kitchen,	Riley,	Worley,
Foor,	Kline,	Robertson,	Yeakel,
Fox,	Kowalski,	Root,	Fiss,
			Speaker.

NAYS—76

Auker,	Duffy,	Levy,	Reese, R. E.,
Baker,	Elliott,	Longo,	Regan,
Barrett,	Finnerty,	Lovett,	Reynolds,
Bentley,	Flynn,	Mahany,	Rose, S.
Bentzel,	Goodwin,	Maxwell,	Sarraf,
Boory,	Grant,	Mihm,	Scanlon,
Bradley,	Green,	Modell,	Schuster,
Brigerman,	Haberlen,	Mooney,	Skale,
Brown,	Hamilton,	Moran,	Snider,
Brunner, P. A.,	Harris,	Munley,	Stank,
Burns,	Heatherington,	O'Brien,	Swope,
Chervenak,	Herman,	O'Connor,	Tate,
Chudoff,	Hersch,	O'Neill,	Thompson,
Cohen,	Hoggard,	Owens,	Trent,
Coleman,	Hunter, B. F.,	Petrosky,	Verona,
Corrigan,	Kirley,	Pettit,	Weiss,
Croop,	Kolankiewicz,	Polaski,	Welsh,
Cullen,	Lane,	Powers,	Wright,
Dillon,	Leonard,	Readinger,	Yester,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 933, entitled:

An Act to amend clauses two, five, six, seven, eight and nineteen of section twelve hundred ten of the act approved the eighteenth day of May, one thousand nine hundred eleven (P. L. 309) entitled, "An act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same; and the method of collecting such revenue; and repealing all laws, general, special or local, or any parts thereof, that are or may be inconsistent therewith" fixing the minimum annual salary and increments of members of the teaching and supervisory staff in all school districts and of county and assistant county superintendents, increasing the percentage of state-aid for districts and providing additional state-aid through an equalization fund created by this act, to be maintained from state appropriations.

On the question,

Will the House agree to the bill on third reading?

Mr. SOLLENBERGER. Mr. Speaker, I ask unanimous consent to offer amendments at this time.

The SPEAKER. The amendments will be read by the Clerk for information.

The Clerk read the amendments as follows:

Amend Sec. 3, page 6, line 5, by striking out "tweltfh" and inserting in lieu thereof: "twelfth."

Amend Sec. 3 (Sec. 1210, Cl. Six), page 7, line 1, by underscoring the word "annual.'

Amend Sec. 4 (Sec. 1210, Cl. Seven), page 8, line 10, by inserting after the word "dollars" the following: "($100)."

Amend Sec. 4 (Sec. 1210, Cl. Seven), page 9, line 3, by inserting a hyphen after the word "forty" as follows: "-".

Amend Sec. 4 (Sec. 1210, Cl. Seven), page 9, line 7, by striking out the word "to" and inserting in lieu thereof: "at."

Amend Sec. 5 (Sec. 1210, Cl. Eight), page 9, line 15, by inserting at the beginning of said, indented as a paragraph, the following: "[8]."

Amend Sec. 5 (Sec. 1210, Cl. Eight), page 9, line 15, by underscoring the word "Eight."

Amend Sec. 5 (Sec. 1210, Cl. Eight), page 9, line 19, by striking out the figure "45,000" and inserting in lieu thereof: "of forty-five thousand (45,000)."

Amend Sec. 6 (Sec. 1210, Cl. Nineteen), page 11, line 7, by striking out the following: "(56-2/%)" and inserting in lieu thereof: "(56-2/3%)."

Amend Sec. 6 (Sec. 1210, Cl. Nineteen), page 11, line 21, by striking out "techear" and inserting in lieu thereof: "teacher."

Amend Sec. 6 (Sec. 1210, Cl. Nineteen), page 12, line 4, by inserting after word "has" the following: "a."

Amend Sec. 6 (Sec. 1210, Cl. Nineteen), page 12, line 11, by striking out the following: "Provided further That where" and inserting in lieu thereof: "Where."

Amend Sec. 6 (Sec. 1210, Cl. Nineteen), page 12, lines 16 and 17, by striking out the following: "Provided further That in" in line 16, and all of line 17, and inserting in lieu thereof: "The."

Amend Sec. 6 (Sec. 1210, Cl. Nineteen), page 12, lines 27 and 28, by striking out the words "in such extension schools and classes."

Amend Sec. 6 (Sec. 1210, Cl. Nineteen), page 13, line 2,

by striking out the following: "[And provided further that for] For" and inserting in lieu thereof: "For."

Amend Sec. 6 (Sec 1210, Cl. Nineteen), page 13, line 4, by inserting after the word "in" the following: "such special education or in."

Amend Sec. 6 (Sec. 1210, Cl. Nineteen), page 13, line 6, by inserting after the word "of" the following: "such exceptional children or."

Amend Sec. 6 (Sec. 1210, Cl. Nineteen), page 13, line 7, by inserting after the word "as" the following: "special classes or."

Amend Sec. 6 (Sec. 1210, Cl, Nineteen), page 13, line 10, by inserting after the word "to" where it appears the second time in said line, the following: "such."

Amend Sec. 6 (Sec. 1210, Cl. Nineteen), page 13, line 11, by striking out the words "in such extension schools and classes."

Amend Sec. 6 (Sec. 1210, Cl. Nineteen), page 13, line 13, by striking out the following: "[And provided further That for] For" and inserting in lieu thereof: "For."

Amend Sec. 6 (Sec. 1210, Cl. Nineteen), page 13, lines 27 and 28, by striking out the following: "[And provided further That] But" and inserting in lieu thereof: "Provided, That."

Amend Sec. 6 (Sec. 1210, Cl. Nineteen), page 14, line 4, by striking out the following: "[Provided further That the]."

Amend Sec. 6 (Sec. 1210, Cl. Nineteen), page 14, line 20, by inserting after the word "made" the following: "to."

Amend Sec. 6 (Sec. 1210, Cl. Nineteen), page 14, line 23, by striking out the following: "[And provided further that]."

Amend Sec. 6 (Sec. 1210, Cl. Nineteen), page 14, line 28, by inserting after the word "minimum" the following: "salaries."

Amend Sec. 6 (Sec. 1210, Cl. Nineteen), page 15, line 6, by striking out the words "Payments required by this proviso" and inserting in lieu thereof: "Such payments."

Amend Sec. 6 (Sec. 1210, Cl. Nineteen), page 16, line 13, by inserting after the word "beginning" the following: "on."

The SPEAKER. Will the House give unanimous consent to the offering of amendments at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill as amended lie over for printing.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 506, as follows:

An Act to further amend section one thousand thirty-three of the act approved the first day of May one thousand nine hundred and twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" extending the provisions of such section for a further period of two years

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section one thousand thirty-three of the act approved the first day of May one thousand nine hundred and twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors streets cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" which was added to said act by the act approved the twenty-ninth day of June one thousand nine hundred and thirty-seven (P. L. 2329) and as last amended by the act approved the tenth day of July one thousand nine hundred and forty-one (P. L. 343) is hereby further amended to read as follows

Section 1033 Vehicles Carrying Other Vehicles (a) No person shall on or after January first one thousand nine hundred and [forty-four] forty-six operate a vehicle on the highways of this Commonwealth having two levels for the carriage of other vehicles

(b) No person shall on or after January first one thousand nine hundred and [forty-four] forty-six operate a vehicle on the highways of this Commonwealth carrying other vehicles any part of which is carried at a height of more than one hundred and fifteen (115) inches above the ground

(c) No person shall operate a vehicle on the highways of this Commonwealth carrying any other vehicle the weight of which is directly above the cab of the carrier vehicle or directly over the head of the operator of such carrier vehicle

(d) No person shall on or after January first one thousand nine hundred and [forty-four] forty-six operate a vehicle on the highways of this Commonwealth carrying any other vehicle any axle of which is more than three (3) feet higher than any other axle on such carried vehicle

Penalty Any person violating any of the provisions of this section shall upon summary conviction before a magistrate be sentenced to pay a fine of twenty-five ($25) dollars and costs of prosecution and in defult of the payment thereof shall undergo imprisonment for not more than five (5) days

Section 2 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—178

Alspach,	Foor,	Lee,	Rose, W. E.,
Baker,	Fox,	Leisey,	Rowley,
Barrett,	Freed,	Levy,	Royer,
Barton,	Fullerton,	Lichtenwalter,	Salus,
Bentley,	Garber,	Livingstone,	Sarge,
Bentzel,	Gardner,	Lovett,	Sarraf,
Boies,	Gillan,	Lyons,	Scanlon,
Bonawitz,	Goodling,	Madigan,	Schuster,
Boorse,	Gorman,	Mahany,	Serrill,
Boory,	Grant,	Maxwell,	Simons,
Bower,	Green,	McAtee,	Skale,
Boyd,	Greenwood,	McKinney,	Snider,
Bradley,	Gross,	McMillen,	Sollenberger,
Bretherick,	Gyger,	McSurdy,	Sorg,
Brice,	Haberlen,	Menna,	Stank,
Brigerman,	Hall,	Mihm,	Stockham,
Brown,	Hannon,	Miller,	Stonier,
Brunner, P. A.,	Hare,	Mintess,	Swope,
Burns,	Harris,	Mock,	Tahl,
Cadwalader,	Haudenshield,	Modell,	Tate,
Calvin,	Heatherington,	Mooney,	Taylor,
Campbell,	Helm,	Moore,	Thompson,
Chudoff,	Herman,	Moser,	Thrasher,
Cohen,	Hersch,	Muir,	Tiemann,
Coleman,	Hewitt,	Murray,	Trent,
Cook,	Hocke,	Nowak,	Trout,
Cooper,	Hoffman,	O'Brien,	Turbett,
Corrigan,	Hoggard,	O'Connor,	Van Allsburg,
Costa,	Holmes,	O'Dare,	Verona,
Coulson,	Hoopes,	O'Neill,	Wachhaus,
Croop,	Hunter, W. M.,	Owens,	Wagner, K. H.,
Cullen,	Huntley,	Petrosky,	Wagner, P. L.,
Dague,	Imbrie,	Polaski,	Wallin,
Denman,	Irvin,	Powers,	Walton,
Dennison,	James,	Reagan,	Watkins,
Dillon,	Jones,	Reese, D. P.,	Welsh,
Dix,	Kirley,	Reese, R. E.,	Winner,
Duffy,	Kitchen,	Regan,	Wood, L. H.,
Elder,	Kline,	Reilly,	Wood, N.,
Ely,	Kolankiewicz,	Reynolds,	Worley,
Ewing,	Kowalski,	Riley,	Wright,
Figlock,	Krepps,	Robertson,	Yeakel,
Finnerty,	Krise,	Root,	Fiss,
Flack,	Lane,	Rose, S.	Speaker.
Flynn,	Laughner,		

NAYS—23

Auker,	Erb,	Kennedy,	Munley,
Chervenak,	Fleming,	Leonard,	Pettit,
Cordier,	Gates,	Leydic,	Readinger,
Dalrymple,	Goodwin,	Longo,	Smith,
Depuy,	Hamilton,	McClester,	Weiss,
Elliott,	Hunter, B. F.,	Moran,	Yester,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1019, as follows:

An Act to add Section 233.2 to the act approved the second day of May one thousand nine hundred twenty-nine (P. L. 1278) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto" authorizing the registers of wills to appoint a solicitor and providing for his salary

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The act approved the second day of May one thousand nine hundred twenty-nine (P. L. 1278) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto" is hereby amended by adding thereto after Section 233.1 which was added to said act by the act approved the ninth day of June one thousand nine hundred thirty-one (P. L. 401) a new section to read as follows

Section 233.2 Solicitor to Register of Wills in Counties of the Third Class The register of wills in counties of the third class is authorized to appoint one person learned in the law as his solicitor said solicitor shall advise the register of wills upon all legal matters that may be submitted to him and shall conduct any litigation connected with the register of wills office when requested so to do by the register of wills The solicitor shall receive a salary to be fixed by the salary board or in counties having no salary board by the county commissioners and paid out of the county treasury

Section 2 The provisions of this act shall become effective on the first Monday of January one thousand nine hundred forty-four

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

MEMBER EXCUSED FROM VOTING

Mr. AUKER. Mr. Speaker, I ask to be excused from voting on the bill.

The SPEAKER. Will the House give its consent to excuse the gentleman from Blair, Mr. Auker, from voting? The Chair hears no objection and the gentleman is excused.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—128

Alspach,	Fullerton,	Krepps,	Robertson,
Barton,	Garber,	Krise,	Root,
Bonawitz,	Gardner,	Laughner,	Rose, W. E.,
Boorse,	Gates,	Lee,	Rowley,
Bower,	Gillan,	Leisey,	Royer,
Boyd,	Goodling,	Leydic,	Salus,
Bretherick,	Goodwin,	Lichtenwalter,	Sarge,
Brice,	Gorman,	Livingstone,	Serrill,
Brown,	Grant,	Lyons,	Simons,
Cadwalader,	Greenwood,	Madigan,	Sollenberger,
Calvin,	Gross,	Mahany,	Sorg,
Campbell,	Gyger,	McAtee,	Stockham,
Cook,	Hall,	McClester,	Stonier,
Cooper,	Hannon,	McKinney,	Tahl,
Cordier,	Hare,	McMillen,	Taylor,
Costa,	Haudenshield,	McSurdy,	Thrasher,
Coulson,	Helm,	Menna,	Tiemann,
Dague,	Hewitt,	Miller,	Trout,
Dalrymple,	Hocke,	Mintess,	Turbett,
Denman,	Hoffman,	Mock,	Van Allsburg,
Dennison,	Holmes,	Moore,	Wachhaus,
Depuy,	Hoopes,	Moser,	Wagner, K. H.,
Elder,	Hunter, W. M.,	Muir,	Wagner, P. L.,
Ely,	Huntley,	Murray,	Wallin,
Erb,	Imbrie,	Nowak,	Walton,
Ewing,	Irvin,	O'Connor,	Watkins,
Figlock,	James,	O'Dare,	Winner,
Flack,	Jones,	Readinger,	Wood, L. H.,
Fleming,	Kennedy,	Reagan,	Wood, N.,
Foor,	Kitchen,	Reese, D. P.,	Worley,
Fox,	Kline,	Regan,	Yeakel,
Freed,	Kowalski,	Riley,	Fiss,
			Speaker.

NAYS—70

Baker,	Elliott,	Lovett,	Rose, S.,
Barrett,	Finnerty,	Maxwell,	Sarraf,
Bentley,	Flynn,	Mihm,	Scanlon,
Boory,	Green,	Modell,	Schuster,
Bradley,	Haberlen,	Mooney,	Skale,
Brigerman,	Hamilton,	Moran,	Smith,

Brunner, P. A.,	Harris,	Munley,	Snider,
Burns,	Heatherington,	O'Brien,	Stank,
Chervenak,	Herman,	O'Neill,	Swope,
Chudoff,	Hersch,	Owens,	Tate,
Cohen,	Hoggard,	Petrosky,	Thompson,
Coleman,	Hunter, B. F.,	Pettit,	Trent,
Corrigan,	Kirley,	Polaski,	Verona,
Croop,	Kolankiewicz,	Powers,	Weiss,
Cullen,	Lane,	Reese, R. E.,	Welsh,
Dillon,	Leonard,	Reilly,	Wright,
Dix,	Levy,	Reynolds,	Yester,
Duffy,	Longo,		

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 853, as follows:

An Act to further amend section one thousand two hundred six of the act approved the eighteenth day of May one thousand nine hundred eleven (P. L. 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" by further regulating leaves of absence for professional employes

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section one thousand two hundred six of the act approved the eighteenth day of May one thousand nine hundred eleven (P. L. 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" as last amended by the act approved the twentieth day of May one thousand nine hundred twenty-one (P. L. 1012) is hereby further amended to read as follows

Section 1206 When a board of school directors is compelled to close any school or schools on account of contagious disease the destruction or damage of the school building by fire or other causes the school district shall be liable for the salaries of the teachers of said school or schools for the terms for which they were engaged Whenever a teacher is prevented from following his or her occupation as a teacher during any period of the school term for any of the reasons in this section specified the school district shall be liable for the salary of such teacher for such period at the rate of compensation stipulated in the contract between the district and the teacher in addition to the time actually occupied in teaching by such teacher

Whenever a teacher is prevented by sickness or some other unavoidable circumstance from following his or her occupation the school district may at the discretion of the directors make such payments of compensation during the period of absence from duty as the exigencies of the case may seem to warrant Provided That in the case of sickness no payment shall be made unless such teacher shall have furnished to the board of school directors a certificate from a physician stating the nature of the sickness and certifying that he or she was unable to perform duties as a teacher

During any school year whenever a professional employe in any school district of the second third or fourth class is prevented by sickness from following his or her occupation the school district shall pay to said professional employe the full salary to which the professional employe may be entitled as if said employe were actually engaged in the performance of duty for a period of five school days one-half salary for an additional period of five school days

Whenever a professional employe in any school district of the second third or fourth class shall be absent from duty because of a death in the immediate family of said employe there shall be no deduction in salary of said employe for an absence not in excess of three school days The board of school directors may extend the period of absence with pay in its discretion as the exigencies of the case may warrant Members of the immediate family shall be defined as father mother brother sister son daughter husband wife parent-in-law or near relative who resides in the same household or any person with whom the professional employe has made his or her home

All compensation required to be paid under the provisions of this act shall be paid to the professional employe in the same manner and at the same time said employe would have received his salary if actually engaged in the performance of his duties

Any board of school directors (or any board of public education) may adopt rules or regulations pertaining to the payment of salaries of professional employes when absent from duty extending the period of leave with pay or increasing the amount of compensation payable in excess of that herein provided and may require the presentation of a doctor's statement of illness setting forth the reason for absence before any payment required by this act shall be made This act is not intended to repeal any rule or regulation of any board of school directors now in effect which does provide for such additional compensation or additional period of leave with pay

All contracts with teachers shall hereafter contain a covenant providing for their payment in cases arising under the circumstances described in this section and at the same rate as is specified for the time actually engaged in teaching

Payments of salaries heretofore or hereafter made for the school year ending June thirtieth one thousand nine hundred and nineteen or any portion thereof in conformity with the provisions of this act are hereby declared to be valid and effectual in law and binding upon the school district

Section 2 This act shall become effective at the beginning of the school year immediately following its final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—201

Alspach,	Fleming,	Laughner,	Robertson,
Auker,	Flynn,	Lee,	Root,
Baker	Foor,	Leisey,	Rose, S.,
Barrett,	Fox,	Leonard,	Rose, W. E.,
Barton,	Freed,	Levy,	Rowley,
Bentley,	Fullerton,	Leydic,	Royer,
Bentzel,	Garber,	Lichtenwalter,	Salus,
Boies,	Gardner,	Livingstone,	Sarge,
Bonawitz,	Gates,	Longo,	Sarraf,
Boorse,	Gillan,	Lovett,	Scanlon,
Boory,	Goodling,	Lyons,	Schuster,
Bower,	Goodwin,	Madigan,	Serrill,
Boyd,	Gorman,	Mahany,	Simons,
Bradley,	Grant,	Maxwell,	Skale,
Bretherick,	Green,	McAtee,	Smith,
Brice,	Greenwood,	McClester,	Snider,
Brigerman,	Gross,	McKinney,	Sollenberger,
Brown,	Gyger,	McMillen,	Sorg,
Brunner, P. A.,	Haberlen,	McSurdy,	Stank,

Burns,	Hall,	Menna,	Stockham,
Cadwalader,	Hamilton,	Mihm,	Stonier,
Calvin,	Hannon,	Miller,	Swope,
Campbell,	Hare,	Mintess,	Tahl,
Chervenak,	Harris,	Mock,	Tate,
Chudoff,	Haudenshield,	Modell,	Taylor,
Cohen,	Heatherington,	Mooney,	Thompson,
Coleman,	Helm,	Moore,	Thrasher,
Cook,	Herman,	Moran,	Tiemann,
Cooper,	Hersch,	Moser,	Trent,
Cordier,	Hewitt,	Muir,	Trout,
Corrigan,	Hocke,	Munley,	Turbett,
Costa,	Hoffman,	Murray,	Van Allsburg,
Coulson,	Hoggard,	Nowak,	Verona,
Croop,	Holmes,	O'Brien,	Wachhaus,
Cullen,	Hoopes,	O'Connor,	Wagner, K. H.,
Dague,	Hunter, B. F.,	O'Dare,	Wagner, P. L.,
Dalrymple,	Hunter, W. M.,	O'Neill,	Wallin,
Denman,	Huntley,	Owens,	Walton,
Dennison,	Imbrie,	Petrosky,	Watkins,
Depuy,	Irvin,	Pettit,	Weiss,
Dillon,	James,	Polaski,	Welsh,
Dix,	Jones,	Powers,	Winner,
Duffy,	Kennedy,	Readinger,	Wood, L. H.,
Elder,	Kirley,	Reagan,	Wood, N.,
Elliott,	Kitchen,	Reese, D. P.,	Worley,
Ely,	Kline,	Reese, R. E.,	Wright,
Erb,	Kolankiewicz,	Regan,	Yeakel,
Ewing,	Kowalski,	Reilly,	Yester,
Figlock,	Krepps,	Reynolds,	Fiss,
Finnerty,	Krise,	Riley,	Speaker.
Flack,	Lane,		

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 142, as follows:

An Act for the extension of Capitol Park in the City of Harrisburg and for the acquisition of real estate in connection therewith and for the demolition of the buildings and structures thereon providing for and imposing powers and duties upon a Capitol Park Extension Commission conferring powers and duties upon the Department of Property and Supplies and making an appropriation

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The Governor shall appoint three citizens of this Commonwealth none of whom shall be directly or indirectly interested in any of the property to be acquired as hereinafter provided for who shall constitue a commission to be known as the Capitol Park Extension Commission which commission shall exist as long as may be necessary for the performance of the work authorized by this act Any vacancy occurring in the membership of this commission shall be filled by an appointment by the Governor The members of said commission shall serve without compensation but shall be entitled to receive their traveling and other expenses actually incurred in the discharge of their duties

Section 2 Said commission is hereby authorized and empowered to select and appoint one person to be known as secretary of the Capitol Park Extension Commission one clerk one stenographer one attorney at law and one real estate expert all of whom shall do such work as the commissoin shall direct to accomplish the purposes set forth in this act and said commission shall fix the respective compensations of the persons so appointed which compensation shall be paid through the Department of Property and Supplies from the funds appropriated by this act

Section 3 The duty of said commission shall be to review all valuations estimates title searches and other proceedings in connection with the proposed acquisition of property as hereinafter provided and to approve of such proposed proceedings and acquisitions only after said commission is satisfied that the interests of the Commonwealth are properly protected and in case of proposed purchases that the proposed purchase price represents a fair valuation of the property under consideration The commission shall keep a full and accurate record of all its proceedings properly indexed and open to the inspection of the public

Section 4 The Department of Property and Supplies is hereby directed with the approval of the Governor to acquire in the name of the Commonwealth by purchase gift or at the exercise of the right of eminent domain in the manner prescribed by the Administrative Code of one thousand nine hundred twenty-nine and the amendments thereto all lands buildings streets and alleys situate within the following described boundaries to provide for the extension of Capitol Park in the City of Harrisburg said area being bounded as follows On the west by the eastern line of Third Street on the north by the southern line of Forster Street on the east by the western line of property of the Pennsylvania Railroad Company and on the south by the northern line of the present Capitol Park Provided however That no property shall actually be taken by the Department until all proceedings land valuations estimates title searches and other proceedings relating to the proposed acquisition of said property shall have been reviewed by the Capitol Park Extension Commission and the proposed acquisition of said property shall have been approved by said commission and provided further That no property shall actually be taken by the Department until the City of Harrisburg shall by proper municipal action release to the Commonwealth any claim which it might have by reason of any action taken under the authority of this act and shall file said release with a certified copy of the proceedings under which it was given with the Department of Property and Supplies And provided further That before such property shall actually be taken the Department of Property and Supplies with the approval of the Governor shall agree with the City of Harrisburg as to the vacation of existing streets and alleys in said area and the widening and improvement of streets and avenues in and bordering on the lands to be acquired

Section 5 When any liens exist upon any estate or interest so acquired the same shall be paid and satisfied out of the purchase money or damages In case said purchase money or damages shall be insufficient to pay said liens or any dispute shall arise as to the validity of any such liens or the amount due thereon the Department of Property and Supplies shall present a petition to the court of common pleas of Dauphin County for permission to pay the amount due for such acquisition into court and after proper order of court shall pay the amount of such purchase money or damages into said court to be distributed among the parties entitled thereto in the same manner as moneys paid into court upon sheriffs' sales are distributed Upon such payment into court of such purchase money or damages said liens shall be extinguished and the court shall direct satisfaction of said liens to be entered of record

Section 6 The Department of Property and Supplies shall cause to be kept a full fair and accurate record of all its proceedings properly indexed and open to the inspection of the public Copies of all records documents and papers when duly certified by the department shall be received in evidence in the courts of the Commonwealth in all cases where the original records documents and papers would be admitted in evidence Provided however That in any judicial controversy before any court either party may have the original records documents or papers produced on the service of proper process for that purpose

Section 7 The demolition of existing structures within the extension area the grading terracing and redevelopment of said area shall be considered as a post-war public works project to assist in absorbing possible unemployment in the period following the end of the war After ac-

quisition of properties within the area and before the redevelopment of the area the Department of Property and Supplies is authorized to utilize said land and structures for the purposes of the Commonwealth or to lease them to suitable tenants under conditions not inconsistent with the purposes of this act Funds received by the Department of Property and Supplies through such leases shall be deposited with the State Treasurer and shall be considered as a supplement to the appropriation provided by this act being available for expenditure by the Department of Property and Supplies for the purpose of this act

Section 8 The sum of three million dollars ($3,000,000) or as much thereof as may be necessary is hereby specifically appropriated to the Department of Property and Supplies for carrying on the work of the Department authorized under this act and for the payment of the lands and buildings acquired as aforesaid and for costs and expenses in connection therewith and for costs and expenses in connection with the maintenance and repair of properties within the extension area prior to the redevelopment of the area Provided however That of the amount so appropriated not more than five hundred thousand dollars ($500,000) shall be spent in any fiscal year unless in the opinion of the Governor an acceleration of the land purchase program is desirable so that the redevelopment of this area may be correctly timed as a postwar public works project and unless the Budget Secretary shall certify that there is sufficient money in the State Treasury not otherwise appropriated to warrant an increase in the annual expenditure to an amount not exceeding the total appropriation made by this act

Section 9 This act shall take effect immediately upon final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—201

Alspach,	Fleming,	Laughner,	Robertson,
Auker,	Flynn,	Lee,	Root,
Baker,	Foor,	Leisey,	Rose, S.,
Barrett,	Fox,	Leonard,	Rose, W. E.,
Barton,	Freed,	Levy,	Rowley,
Bentley,	Fullerton,	Leydic,	Royer,
Bentzel,	Garber,	Lichtenwalter,	Salus,
Boies,	Gardner,	Livingstone,	Sarge,
Bonawitz,	Gates,	Longo,	Sarraf,
Boorse,	Gillan,	Lovett,	Scanlon,
Boory,	Goodling,	Lyons,	Schuster,
Bower,	Goodwin,	Madigan,	Serrill,
Boyd,	Gorman,	Mahany,	Simons,
Bradley,	Grant,	Maxwell,	Skale,
Bretherick,	Green,	McAtee,	Smith,
Brice,	Greenwood,	McClester,	Snider,
Brigerman,	Gross,	McKinney,	Sollenberger,
Brown,	Gyger,	McMillen,	Sorg,
Brunner, P. A.,	Haberlen,	McSurdy,	Stank,
Burns,	Hall,	Menna,	Stockham,
Cadwalader,	Hamilton,	Mihm,	Stonier,
Calvin,	Hannon,	Miller,	Swope,
Campbell,	Hare,	Mintess,	Tahl,
Chervenak,	Harris,	Mock,	Tate,
Chudoff,	Haudenshield,	Modell,	Taylor,
Cohen,	Heatherington,	Mooney,	Thompson,
Coleman,	Helm,	Moore,	Thrasher,
Cook,	Herman,	Moran,	Tiemann,
Cooper,	Hersch,	Moser,	Trent,
Cordier,	Hewitt,	Muir,	Trout,
Corrigan,	Hocke,	Munley,	Turbett,
Costa,	Hoffman,	Murray,	Van Allsburg,
Coulson,	Hoggard,	Nowak,	Verona,
Croop,	Holmes,	O'Brien,	Wachhaus,
Cullen,	Hoopes,	O'Connor,	Wagner, K. H.,
Dague,	Hunter, B. F.,	O'Dare,	Wagner, P. L.,
Dalrymple,	Hunter, W. M.,	O'Neill,	Wallin,
Denman,	Huntley,	Owens,	Walton,
Dennison,	Imbrie,	Petrosky,	Watkins,
Depuy,	Irvin,	Pettit,	Weiss,
Dillon,	James,	Polaski,	Welsh,
Dix,	Jones,	Powers,	Winner,
Duffy,	Kennedy,	Readinger,	Wood, L. H.,
Elder,	Kirley,	Reagan,	Wood, N.,
Elliott,	Kitchen,	Reese, D. P.,	Worley,
Ely,	Kline,	Reese, R. E.,	Wright,
Erb,	Kolankiewicz,	Regan,	Yeakel,
Ewing,	Kowalski,	Reilly,	Yester,
Figlock,	Krepps,	Reynolds,	Fiss,
Finnerty,	Krise,	Riley,	Speaker.
Flack,	Lane,		

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 297, entitled:

An Act to amend Article II section two hundred two and to repeal Article IV section four hundred thirty-three and Article XVIII section one thousand eight hundred ten of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177), entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined."

On the question,

Will the House agree to the bill on third reading?

Mr. WALTER E. ROSE. Mr. Speaker, I ask unanimous consent to offer amendments at this time.

The SPEAKER. The amendments will be read by the Clerk for information.

The Clerk read the amendments as follows:

Amend title, page 1, line 1 of title, by striking out the following: "Article II"

Amend title, page 1, line 2 of title, by striking out the following: "Article IV"

Amend title, page 1, line 3 of title, by striking out the following: "Article XVIII"

Amend title, page 2, last line of title, by inserting at the end of said line, the following: "by abolishing the Lake Erie and Ohio River Canal Board".

Amend Sec. 1, page 2, line 1, by striking out the following: "Article II section" and inserting in lieu thereof: "Section".

Amend Sec. 1, page 3, line 5, by inserting after the quotation marks, the following: "as last amended by the act, approved the sixth day of June, one thousand nine hundred thirty-nine (P. L. 250)".

Amend Sec. 1, page 3, line 5, by inserting after the word "hereby" the following: "further".

Amend Sec. 1 (Sec. 202), page 3, line 21, by striking out the words "State Aeronautics Commission".

Amend Sec. 1 (Sec. 202), page 4, lines 3 to 6, both inclusive by striking out all of said lines.

Amend Sec. 1 (Sec. 202), page 4, line 25, by striking out the words "Normal School" and inserting in lieu thereof: "Teachers' College".

Amend Sec. 1 (Sec. 202), page 5, line 3, by striking out the words "Normal School" and inserting in lieu thereof: "Teachers' College".

Amend Sec. 1 (Sec. 202), page 5, line 14, by striking out the words "State Board of Undertakers"

Amend Sec. 1 (Sec. 202), page 5, by inserting between lines 22 and 23, the following: "State Civil Service Commissions".

Amend Sec. 1 (Sec. 202), page 5, line 27, by striking out the words "State Athletic Commission"

Amend Sec. 1 (Sec. 202), page 6, by inserting between lines 15 and 16, the following: "In the Department of Highways, State Bridge Commission".

Amend Sec. 1 (Sec. 202), page 6, by inserting between lines 17 and 18, the following: "State Board of Undertakers".

Amend Sec. 1 (Sec. 202), page 6, line 18, by striking out the words "Anatomical Board"

Amend Sec. 1 (Sec. 202), page 6, by inserting between lines 22 and 23, the following: "The Industrial Board".

Amend Sec. 1 (Sec. 202), page 6, line 25, by striking out the words "Pennsylvania Alcohol Permit Board"

Amend Sec. 1 (Sec. 202), page 6, lines 28 and 29, by striking out the word "Reformatory" and inserting in lieu thereof: "School, which, upon the completion of the present Pennsylvania Industrial School at Huntingdon for the reception, care, maintenance, detention, employment, and training of defective delinquents, shall thereafter be known as the Board of Trustees of Pennsylvania Institution for Defective Delinquents."

Amend Sec. 1 (Sec. 202), page 7, lines 25 and 26, by striking out the words "Board of Trustees of Cumberland Valley State Institution for Mental Defectives"

Amend Sec. 1 (Sec. 202), page 7, by inserting after line 28, the following:

"In addition to the foregoing, there are hereby created, as departmental administrative boards in the Department of Welfare, boards of trustees for the respective institutions which are acquired by the Commonwealth from counties, cities or institution districts for actual use as State mental hospitals under the provisions of act number twenty-one, approved the twenty-ninth day of September, one thousand nine hundred thirty-eight. Each respective board of trustees shall be known as the Board of Trustees of the .....
.....
(descriptive name of political subdivision in which institution is located)
..... State Hospital;"

Amend Sec. 1 (Sec. 202), page 8, by inserting between lines 4 and 5, the following:

"In the Department of Revenue State Athletic Commission;

"In the Department of Public Assistance State Board of Public Assistance;

"In the Department of Commerce, State Planning Board;"

Amend Sec. 2, page 8, line 8, by striking out the following: "Article IV section" and inserting in lieu thereof: "Section".

Amend Sec. 2, page 8, line 9, by striking out the following: "Article XVIII".

Amend Sec. 2, page 8, line 10, by striking out the word "same" and inserting in lieu thereof: "said".

The SPEAKER. Will the House give unanimous consent to the offering of amendments at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, that the bill as amended lie over for printing.

BILLS PASSED OVER

There being no objection

Senate Bill No. 310, Printer's No. 197;

House Bill No. 809, Printer's No. 612;

Senate Bill No. 478, Printer's No. 352 and

Senate Bill No. 68, Printer's No. 304

were passed over at the request of Mr. LICHTENWALTER.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 956, as follows:

An Act making an appropriation to the Department of Commerce out of the Motor License Fund for the proper conduct of a specific portion of its work

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The sum of three hundred thousand dollars ($300,000) or as much thereof as may be necessary is hereby specifically appropriated to the Department of Commerce out of the Motor License Fund for the two fiscal years beginning June first one thousand nine hundred forty-three for the proper conduct of the work of the department in advertising publicizing and otherwise promoting the tourist travel facilities advantages and attractions of the Commonwealth or any political subdivision thereof in the manner provided in the Commerce Law the sum appropriated by this act shall from time to time be transferred from the Motor License Fund to the General Fund in such amounts as the Secretary of Commerce with the approval of the Governor shall direct and shall be used in continuing the functions formerly exercised by the Pennsylvania State Publicity Commission The sums so transferred shall be credited to the current appropriation made to the Department of Commerce out of the General Fund

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. COHEN. Mr. Speaker, we are about to appropriate $300,000 of good money for a purpose which I insist during war time is unnecessary. The purpose of this bill is to give this money to the Department of Commerce out of the Motor License Fund, which has been raided several times before this session, for the biennium beginning June 1, 1943, for the proper conduct of the work of the department in advertising, publicizing and otherwise promoting the tourist travel facilities, advantages and attractions of the Commonwealth.

Tourist travel in Pennsylvania is on the decline. Those people who live in Pennsylvania know of Pennsylvania's beauty, and they know the many advantages to be offered to Pennsylvanians to tour the state and take advantage of its vacation spots and its lakes and its woods, but, we are going to spend $300,000 to advertise to people all over the nation that Pennsylvania is a good place to come to, and the people all over the country are being asked not to use their automobiles, they are being asked not to use their tires and not to use gasoline. They are being asked not to travel unnecessarily on the roads and the railroads

so that they can be kept open for war purposes. And what we propose here to do is to spend $300,000 to tell these people about the beauties of Pennsylvania, when they should patriotically desist from vacation travel and desist from tourist travel. The bill does not suggest that business facilities of Pennsylvania be advertised; it does not propose anything promoting business in Pennsylvania, but "come and see how beautiful Pennsylvania is". I don't know whether this is for the purpose of keeping the Department of Commerce alive, because recently we passed a post war planning bill which took away from the Department of Commerce these functions that the State Planning Commission has been doing. This was commented upon favorably last year, but early this session we repudiated that by setting up a post war planning commission as a separate agency, and took it away from the Department of Commerce.

Now, we are going to waste $300,000 in advertising Pennsylvania to tourists, when the national administration demands that tourist and other driving be cut to a minimum.

I do not like to say this, Mr. Speaker, but it seems to me that certain publications such as the Saturday Evening Post have got to get their advertising in, and advertising of a useless nature is to be done during the next biennium to the extent of $300,000 of good money. I suggest that when the proper time arrives we should shout Pennsylvania's advantages from the rooftops, we should shout it to the world, because we will then be able to receive and be good hosts to these people who come from other parts of the country, but in war times, the procedure should be different. I suggest that we should defeat this bill and not waste this money.

Mr. LICHTENWALTER. Mr. Speaker, in reply to the gentleman from Philadelphia, Mr. Cohen, I would like to read the section of the act creating the Department of Commerce and conferring powers. Section 4 of the act provides:

> The Department of Commerce, in order to promote and develop business, industry and commerce in the Commonwealth, shall have the power and its duty shall be to plan and conduct a program of information, advertising and publicity relating to the business, industrial, commercial, agricultural, educational, recreational, scenic, historic, highway and residential facilities, advantages and attractions of the Commonwealth, including any political subdivisions thereof.

There certainly has been a change in this Department of Commerce as far as its conduct in spending this appropriation is concerned. I would like first to put out the thought that the word "tourist" is not being used as far as this department is concerned during the duration of this war, because there are many worthwhile projects, many worthwhile things in Pennsylvania that can properly be advertised and publicized, even during war time to the advantage, not only of Pennsylvania but the entire nation, and in so doing we would only be carrying out the provisions of the law under which the Department of Commerce carries on. We have cut this appropriation by $100,000, and I would like to say that I am informed by the Department that there is an amazing demand for facts about Pennsylvania at this time. There has been a particular demand from soldiers in the camps of Pennsylvania, from mothers and fathers that are coming to visit their sons in the camps of Pennsylvania. Requests for route maps covering the entire state and many of the scenic beauties that we have in Pennsylvania,—many letters are received daily by this department from people of that kind who are coming into Pennsylvania probably for the first time and wanting to know certain things about this great Commonwealth of ours.

Then there is also a program being advanced for wartime recreation. We have heard a great deal of talk, even on the floor of this House, as to the number of hours people should spend working every day and every week, and certainly I think advertising of wartime recreation within the Commonwealth of Pennsylvania, while men are putting their full energies to producing war products so badly needed for the boys on the far flung fronts of the world, certainly those men should know the facilities Pennsylvania can give to them.

As I stated there is a war time program of recreation, publicity and advertising. Besides, I believe there has been no ban put on vacationing, but there has been an urge, even by the Federal government, that people should spend their leisure time and the time allotted to them by employers to take vacations, and they should spend that time just as close to their homes as possible. So, therefore, I certainly see a great advantage in the appropriation that we are making to the department, and I for one feel that we will not in any way misuse or misspend this money during war time.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken.

Messrs. Moran, R. E. Reese and B. F. Hunter asked for a verification of the roll.

The roll was verified and was as follows:

YEAS—121

Alspach,	Gates,	Lee,	Royer,
Barton,	Gillan,	Leisey,	Salus,
Bonawitz,	Goodling,	Leydic,	Sarge,
Boorse,	Gorman,	Lichtenwalter,	Serrill,
Bower,	Greenwood,	Livingstone,	Simons,
Boyd,	Gross,	Lyons,	Smith,
Bretherick,	Gyger,	Madigan,	Sollenberger,
Cadwalader,	Hall,	Mahany,	Sorg,
Campbell,	Hannon,	McAtee,	Stockham,
Coleman,	Hare,	McClester,	Stonier,
Cook,	Haudenshield,	McKinney,	Tahl,
Cooper,	Helm,	McMillen,	Taylor,
Corrigan,	Hewitt,	McSurdy,	Thrasher,
Costa,	Hocke,	Menna,	Tiemann,
Dague,	Hoffman,	Miller,	Trout,
Dalrymple,	Holmes,	Mintess,	Turbett,
Dennison,	Hoopes,	Mock,	Van Allsburg,
Depuy,	Hunter, W. M.,	Moore,	Wachhaus,
Dix,	Huntley,	Moser,	Wagner, K. H.,
Elder,	Imbrie,	Muir,	Wagner, P. L.,
Ely,	Irvin,	Murray,	Wallin,
Erb,	James,	Nowak,	Walton,
Ewing,	Jones,	O'Dare,	Watkins,
Figlock,	Kennedy,	Reagan,	Winner,
Flack,	Kitchen,	Reese, D. P.,	Wood, L. H.,
Fleming,	Kline,	Reilly,	Wood, N.,
Foor,	Kowalski,	Riley,	Worley,
Fox,	Krepps,	Robertson,	Yeakel,
Freed,	Krise,	Root,	Fiss,
Garber,	Laughner,	Rose, W. E.,	Speaker.
Gardner,			

NAYS—79

Auker,	Denman,	Lane,	Reese, R. E.,
Baker,	Dillon,	Leonard,	Regan,
Barrett,	Duffy,	Levy,	Reynolds,
Bentley,	Elliott,	Longo,	Rose, S.,

Bentzel,	Finnerty,	Lovett,	Rowley,
Boory,	Flynn,	Maxwell,	Sarraf,
Bradley,	Fullerton,	Mihm,	Scanlon,
Brice,	Goodwin,	Modell,	Schuster,
Brigerman,	Grant,	Mooney,	Skale,
Brown,	Green,	Moran,	Snider,
Brunner, P. A.,	Haberlen,	Munley,	Stank,
Burns,	Hamilton,	O'Brien,	Swope,
Calvin,	Harris,	O'Connor,	Tate,
Chervenak,	Heatherington,	O'Neill,	Thompson,
Chudoff,	Herman,	Owens,	Trent,
Cohen,	Hersch,	Petrosky,	Verona,
Cordier,	Hoggard,	Pettit,	Weiss,
Coulson,	Hunter, B. F.,	Polaski,	Welsh,
Croop,	Kirley,	Powers,	Wright,
Cullen,	Kolankiewicz,	Readinger,	Yester,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

BILLS PASSED OVER

There being no objection

House Bill No. 116, Printer's No. 598 and

Senate Bill No. 208, Printer's No. 224,

were passed over at the request of Mr. LICHTENWALTER.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 842, as follows:

An Act to amend section one to further amend section five and to amend section six of the act approved the twenty-ninth day of April one thousand nine hundred thirty-seven (P. L. 551) entitled "An act prohibiting the employment of miners as herein defined in the bituminous coal mines unless certificated by a miners' examining board providing for the appointment of such boards and defining their powers and duties providing penalties and making an appropriation" by increasing the number of apprentice miners permitted to work with one miner redefining the word "miner" and reducing the number of years of experience necessary to qualify an apprentice to take examination for certificate

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section one of the act approved the twenty-ninth day of April one thousand nine hundred thirty-seven (P. L. 551) entitled "An act prohibiting the employment of miners as herein defined in the bituminous coal mines unless certificated by a miners' examining board providing for the appointment of such boards and defining their powers and duties providing penalties and making an appropriation" is hereby amended to read as follows

Section 1 Be it enacted &c That from and after the [first day of April one thousand nine hundred and thirty-eight] effective date of this act no person shall be employed or engaged as a miner in any bituminous coal mine in this Commonwealth except as hereinafter provided for without first having obtained a certificate of competency and qualification from a miners' examining board appointed under this act Provided however That any miner holding such certificate may have [one person] a maximum of two persons working with him and under his direction as apprentices for the purpose of learning the business of mining and such apprentice of apprentices shall be permitted to work under the direction of such miner at the face without a certificate For the purposes of this act in order to determine who shall be required to possess certificates the term "miner" shall mean [all] only underground workers in bituminous coal mines who cut drill blast or load coal or rock at the face of an entry room pillar or other working place also timbermen and trackmen whose duties require them to set timbers and lay or repair tracks at the working faces except as hereinafter provided

Section 2 Section five of said act as amended by the act approved the twenty-fourth day of June one thousand nine hundred thirty-nine (P. L. 867) is hereby further amended to read as follows

Section 5 All examinations held by miners' examining boards shall be conducted in the English language and shall be of a practical nature so as to determine the competency and qualifications of the applicant to engage in the mining of bituminous coal The board or boards shall examine under oath all applicants as to their previous experience in mines Each member of the examining board or boards shall have power to administer oaths and any false statement wilfully made by an applicant under oath shall be deemed perjury All persons who shall be actually engaged as miners in a bituminous mine in this State at the time of the passage of this act and who shall have reached the age of twenty-one years and have had at least two years' practical experience as mine workers shall be entitled to a certificate without examination upon the payment of a fee of one dollar and after producing satisfactory proof that they have been employed in a bituminous mine in this Commonwealth but no certificates of service shall be issued after the [first day of April one thousand nine hundred and thirty-eight] effective date of this act The form and manner of issuing such certificates shall be designated by the Secretary of Mines Certificates granted by a board shall entitle the holder thereof to be employed as and to do the work of a miner in the bituminous mines of the Commonwealth

All persons possessing certificates of qualification issued by the Commonwealth of Pennsylvania entitling them to act as mine foreman assistant mine foreman or fire boss shall be eligible to engage at any time as miners in bituminous mines of this State Supervisory and technically trained employes of the operator whose work contributes only indirectly to mine operations employes who are not performing the work of a miner as that term is defined in this act and apprentices of miners shall not be required to possess a miner's certificate.

No person shall be qualified to take the examination unless he produces evidence of having had not less than [two years'] one year's practical experience in [the bituminous] coal mines [of this Commonwealth] as a miner or who has served as a miner's apprentice for a period of [two years] not less than one year A certificate shall not be granted unless the applicant appears in person before the board and answers orally intelligently and correctly at least eight practical questions propounded to him

A certificate granted by a board shall not be transferable and a transfer shall be deemed a violation of this act

In case of the loss or destruction of a certificate the Secretary of Mines shall upon presentation of satisfactory evidence of the loss or destruction issue a copy of the certificate to the original possessor on the payment of the sum of fifty cents ($.50)

Certificates shall be issued only at meeting of the board and shall be signed by at least three members of the board and sealed with the seal of the board

Section 3 Section six of said act is hereby amended to read as follows

Section 6 No person shall after the [first day of April one thousand nine hundred and thirty-eight] effective date of this act engaged as a miner as that term is defined for the purposes of this act other than as an appretice in any bituminous coal mine in this Commonwealth without first having obtained a certificate of competency and qualification as provided for in this act except as hereinbefore stated nor shall any person firm or corporation or his or its agent employ as a miner other than as an apprentice any person who does not hold such certificate except as aforesaid Any person firm or corporation violating any of the provisions of this act shall upon conviction in a summary proceeding be sen-

tenced to pay a fine of not less than twenty-five dollars and costs nor more than one hundred dollars and costs and in default of the payment of such fine and costs be imprisoned in the county jail for a period of ten days

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. PETROSKY. Mr. Speaker, I have endeavored to do something in the way of amending House Bill No. 842, Printer's No. 636 in order to make it acceptable to us who are opposed to certain proposals within the measure, which certainly are detrimental to the safety of the miners working in mines of the Commonwealth of Pennsylvania.

Certain differences in this measure have been ironed out by amendments, but may I say to the membership that they have not been taken care of as regards the entire safety of the coal miners of this Commonwealth. The bill which we have before us eliminates the provision that was contained in the act which was endorsed by the membership of a previous session of the Legislature in setting up a procedure in obtaining miners' certificates in order to better safeguard the safety of the lives of those men who toil by the sweat of their brow in the bowels of the earth to eke out a living for themselves and their families. This measure would jeopardize the safety of those people who are today engaged in mining out a fuel that is used for the production of essential war materials. These men certainly need a certain amount of protection, not for their jobs, because they already have that, but for their lives, so that they need not jeopardize themselves and leave behind them families, widows and orphans to the mercy of what little meager sums are contributed to the social units that we have in this Commonwealth.

I oppose this measure on the ground that it discriminates against the safety of the miner in Pennsylvania, and I request the membership on both sides of this House to vote against House Bill No. 842.

Mr. LANE. Mr. Speaker, I desire to interrogate the sponsor of this bill, Mr. Ewing, of Allegheny County.

The SPEAKER. Will the gentleman from Allegheny permit himself to be interrogated?

Mr. EWING. I will, Mr. Speaker.

Mr. LANE. Mr. Speaker, can the gentleman tell me if motormen are classified as miners under this act?

Mr. EWING. They are.

Mr. LANE. Is it necessary that they have the miners' certificates?

Mr. EWING. I think it is necessary.

Mr. LANE. Mr. Speaker, in reading the bill, it is my interpretation, it is not necessary that they be certified miners.

Mr. EWING. I did not hear the question, Mr. Speaker.

Mr. LANE. In reading the bill, it is my interpretation that it is not necessary that they be certified miners or that they possess a miners' certificate. Can the gentleman show me where in the act it is necessary?

Mr. EWING. It is not in the act, Mr. Speaker.

Mr. LANE. Then why, Mr. Speaker, does the gentleman make the statement that they do not need a certificate?

Mr. EWING. Maybe I misunderstood the gentleman in the first place. Mr. Speaker, I misinformed the gentleman as to the motormen. They do not need to have a certificate.

Mr. LANE. Mr. Speaker, does a brattice man have to have a miner's certificate?

Mr. EWING. No, he does not, Mr. Speaker.

Mr. LANE. Does a motorman's helper have to have a miner's certificate?

Mr. EWING. No, Mr. Speaker.

Mr. LANE. Does the wire repairman have to have a miner's certificate?

Mr. EWING. No, Mr. Speaker.

Mr. LANE. Mr. Speaker, as a representative from the bituminous coal mining district of this state, we oppose the bill on the ground that those important persons who work in coal mines are not required to possess a miner's certificate, and therefore they would jeopardize the lives of the other coal miners. I ask the Members on both sides of the House to take this into consideration and defeat this measure. This is not a partisan measure; this is to protect the lives of Republican coal miners as well as Democratic coal miners, and before you vote on this matter, I urge that you give it serious consideration. It is important to the coal mining industry of Pennsylvania, and we do not want to jeopardize the lives of thousand and thousands of coal miners in this state.

Mr. LEONARD. Mr. Speaker, I oppose House Bill No. 842 because mining coal is a dangerous occupation and I am sure everybody in this House has not forgotten the catastrophies that have taken place in the coal mines of our country, wiping out hundreds of lives at a time, leaving wives as widows and children fatherless. Isn't that sufficient evidence that to work in the coal mine the strictest rules should apply? After all that has happened in the coal mines of our country we at this late date have a measure before us that would weaken the restrictions now required to become a coal miner. It is not necessary to go into a lengthy talk in opposition to this bill. We all realize our duty in the matter to help protect the coal miner and his family, and I am asking the House to vote this bill down.

Mr. THRASHER. Mr. Speaker, I as a representative of a coal mining district, not only a representative, but I am a coal miner myself. This law as it stands today provides that a certified coal miner is permitted to take one apprentice in the mines. That apprentice must serve two years under the certified man before he can take an examination. This bill as it is amended reduces the period of time of the apprenticeship to one year. The law as it stands classifies all men in the mines as miners, and they must all have certificates. This bill takes in certain parts of the mine; it takes in the timberman, the tracklayers, the coal loaders, the machine miner, the helper, the driller, the shot firer—at this time the shot firer must have a separate certificate also, also the machine runner. It takes in everybody who works up the face; it does not take in the transportation end. As one of the Members asked the question, does it take in the brattice man? It does not, but as a rule in the coal mines the brattice man is a timber man. That is universally carried out in the bituminous region.

There has been some contention that one man cannot control more men, that is that he cannot supervise two men intelligently. Now, I served fifty-two years in a coal mine and thirty-one years of that as a foreman. and

I feel well satisfied that one man can take care of two men very well. I promised myself one thing, that when I came to the State Legislature if there was anything I could do for the coal miner while I was here that is what I would do.

In this bill I do not see anything that is injurious to any coal miner, but there are other things that might do some good for them. Let us give them a chance if it is needed to take a young man as an apprentice who has not been certified. He can be employed as a snapper—that is what some of you call a brakeman. He can do that work after making two trips just as intelligently as he could after making two hundred trips or serving two years. It is no more than riding on the wagon and sometimes taking off or putting on the brakes, but they will learn that in two or three trips.

In my experience as a mine foreman, I know I can put a young man on as snapper, and I will feel perfectly satisfied after he has been under the instruction of an older snapper over a period of half a day, and I will be perfectly satisfied that that man is competent to perform that work. This bill as amended and presented here to the House for passage, I can't see for the life of me where it can be construed that it is going to be injurious to the coal miner, and I want to reiterate that if I thought it was injurious to them, I would be absolutely against it, because miners are always coal miners, and I am sort of proud of that fact.

Mr. PETROSKY. Mr. Speaker, I wish to elaborate a little further on the experience that is necessary for a motorman and snapper. Under the provisions of this bill the loophole would be open wherein the motorman and snapper could be employed without any necessary experience. To me and to anyone associated with the coal field, we can readily assure you that a motorman and snapper at a time when taking in a man trip, has in his hands the lives of the entire man trip. Certainly an inexperienced motorman and snapper, knowing the condition of the road, the hills and the downgrades that he must travel will certainly jeopardize the lives of those men on the man trip. There is certainly no intelligent person that would dispute that statement, inasmuch as we know it takes an experienced person to drive an automobile out on the street, and so by the same token, Mr. Speaker, it takes an experienced motorman and snapper to drive that man trip in the mine.

The same holds true in the operation of the shifting of coal cars in and about the mines, the rooms, the entries and what have you? Certainly we are not objecting to the feature of the one year apprenticeship to become certified. We feel at this time that it will do good and will add to the production that is so vital today, but in a great many coal mines at this time more so in the third and fifth district of the United Mine Workers, I say to you, there are many mines in those districts which have two men in each room of work, and certainly no certificated man can leave the man and go to an adjoining room. It will take care of certain cases, yes, but I say to the Members of this House that certainly, as we contended before, the safety of the coal miner is jeopardized by the enactment of the provisions of this proposal before us, and I ask the membership on both sides of the House to vote against the bill.

Mr. THRASHER. Mr. Speaker, Mr. Petrosky made a point that it was possible for one certificated miner to take two uncertificated men in the mine with him and place one in one working place and another in another working place. That is not in accordance with the bituminous mine law in Pennsylvania. The certificated miner has no more right to place a man anywhere than you have as Speaker of the House. The law strictly says that it is the duty of the mine foreman and the assistant mine foreman, and I have faith enough in the bituminous mine foremen of Pennsylvania to know that they are not going to place uncertificated men in a place alone and not leave a man there to supervise them. As we work our coal there is no trouble at all in putting three men in the place. That is the way they work them, three and four, and I have faith enough, as I have said, in the foremen of the bituminous region to feel satisfied that they are not going to place uncertificated men to work in a place alone. I think it is an injustice to the mine foremen.

Mr. MAXWELL. Mr. Speaker, I desire to interrogate the gentleman from Fayette, Mr. Thrasher.

The SPEAKER. Will the gentleman from Fayette permit himself to be interrogated?

Mr. THRASHER. I shall, Mr. Speaker.

Mr. MAXWELL. Will the gentleman tell me again, Mr. Speaker, how many years he worked in the coal mines?

Mr. THRASHER. Fifty-one years, Mr. Speaker.

Mr. MAXWELL. Mr. Speaker, would the gentleman also tell me how many of those fifty-one years he served as a boss in the mines?

Mr. THRASHER. Thirty years, Mr. Speaker.

Mr. MAXWELL. I thank the gentleman, Mr. Speaker.

In view of the fact that the gentleman served the latter part of those fifty-one years, probably thirty years as a boss, I think his attitude toward the coal miner probably has changed a little bit in the last thirty years. He is probably looking at this bill from the attitude of the Frick Coke Company. I believe if this bill is allowed to pass, after this war is over these large coal companies will be able to bring in about seventy per cent of uncertified miners in the mines and put them at work and thereby break the coal miners' union in Pennsylvania.

Therefore, Mr. Speaker, I think that anyone who is really, sincerely interested in the miners and the miners' union should be against this measure.

Mr. HEWITT. Mr. Speaker, there is one point that I wish to draw to your attention in particular, and that is that at the present time with the present laws under which we are now operating, passed in 1937, it does not require these motormen and snappers and men of that kind to have miners' certificates. The law is now operating in that manner. The only thing in this bill of any great importance is the reduction from two years to one.

The situation in the coal fields is this, we have a number of men who have worked twelve or thirteen months in a mine, but they must work twenty-four months before they can be certified as miners. The old experienced miner is not opposed to taking in a man with twelve or thirteen months' experience, because that man has to know about as much as he does. The trouble is to get the older men to take younger men in who have never been in a mine before.

If this bill were to pass in its present form it will only do one thing, to take two apprentices instead of one, and

reduce the time from two years to one. Mr. Petrosky says that he doesn't object to the two years reduction to one. That takes in the class of what is known as timbermen, tracklayers, cutters and so forth, men working at the face. The point that I wanted to stress particularly was that the things he is complaining about are now in the law.

To answer the gentleman from Westmoreland, Mr. Maxwell, where he insinuated that this bill was intended to destroy the mine workers' union. When this bill was passed in 1937, the miners were working open shop. Today they are organized into a closed shop. He talks about seventy percent of uncertified men in the mine. The moment they get to the shanty, they automatically become members of the United Mine Workers and step around and pay their dues, so it is not possible to put into the mine a man who does not immediately become a member of the Mine Workers Union.

If this bill is passed it will increase the tonnage by several hundred thousand tons in the mines, and I think in view of what happened in the last week we had better do something to make up this lost tonnage.

Mr. THRASHER. Mr. Speaker, I would like to make this remark, that for the last thirty years I have not served as a foreman. The last five years I have served as a miner, and I belong to the United Mine Workers. I think the statement was unjust saying that I was interested in the H. C. Frick Coke Company. I was sincere, gentlemen, when I told you that my heart is with the coal miners. I want you to believe that, and not accuse me of being in sympathy with any company or corporation.

Mr. FLEMING. Mr. Speaker, there is no one in this House for whom I have a higher regard than the gentleman from Fayette, Mr. Thrasher. I certainly believe that he has the interest of the mine workers at heart. I am sure that in no way would he hurt the mine workers of America. I am positive of that. In fact I have been following his advice on these bills and I have been during the past few weeks contacted by members of the United Mine Workers in my district. For the information of the House, I have between seven thousand and nine thousand coal miners in my district, and these representative miners back home say they are definitely in favor of cutting down the period from two years to one year, but in the Russelton mine in my district it is impossible to replace two uncertificated miners with one certificated miner. They say it is absolutely impossible to do that in lots of places, and for that reason they are opposed to the bill. For that reason I, too, am opposed to the bill. If it is possible to put it down where one certificated man could put one man in there, I would be for it, but in its present form I must oppose it.

Mr. HEWITT. Mr. Speaker, the only feature of any importance in this bill is the reduction of time. It is a very clever idea to use the two apprentices to defeat the bill. A miner in the anthracite region can take in six or seven apprentices, but in the bituminous mines up to this time only one can be taken in. This bill has been on the calendar for some time. I am chairman of the Mines and Mining Committee, and I have yet to receive any contact by letter, telegram or anything directly opposing it.

Mr. LEONARD. Mr. Speaker, I do not understand the statements being made here. I have all kinds of official correspondence from the official representatives of the United Mine Workers telling me that this bill is no good insofar as their mines are concerned.

Mr. PETROSKY. Mr. Speaker, I hesitate to rise at this time, but in order to keep the record straight, under the present act that we are operating on, I say to the membership of the House that a motorman must have a miner's certificate. That man is charged with hauling the men into the mine, and he has in his hands the lives of those men. In conclusion might I say that under this act a person may come into the state of Pennsylvania and obtain a miner's certificate with one year's experience in any mine in the United States or elsewhere, it need not be a bituminous mine in the Commonwealth and therefore a person coming in from an iron ore mine or any other mineral mine would be a qualified candidate for a miner's certificate under the provisions of the act.

Mr. HEWITT. Mr. Speaker, Mr. Petrosky, of Westmoreland county, has traced the hauling of men on what is known as the man trip. In the large mine it is customary to have a certain starting time, where the men would be hauled to their work or to a certain side track nearby from where they can scatter out and go to their different places. The present mining law requires that motormen must not run their motors in excess of sixteen miles an hour, and in all my experience I have never known of a man trip being wrecked.

Further, this law requires that a man must have one year's experience in bituminous mining in this state, not other states. The present law calls for two years of experience in bituminous coal mines in Pennsylvania. A man from an anthracite coal mine cannot come into our bituminous fields and get a certificate to go to work in the bituminous mines of Pennsylvania. A man cannot come from West Virginia. On this matter of reducing the period from two years to one, that one year's experience must be spent in the bituminous coal mines in this state.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken.

Messrs. Lane, Petrosky and Heatherington asked for a verification of the roll.

The roll was verified and was as follows:

YEAS—106

Alspach,	Fox,	Krepps,	Rowley,
Auker,	Freed,	Krise,	Royer,
Barton,	Fullerton,	Laughner,	Salus,
Bentzel,	Garber,	Leisey,	Sarge,
Bonawitz,	Gardner,	Lichtenwalter,	Serrill,
Boorse,	Gillan,	Livingstone,	Snider,
Bower,	Goodling,	Lyons,	Sollenberger,
Boyd,	Gorman,	Madigan,	Sorg,
Bretherick,	Greenwood,	Mahany,	Stockham,
Brice,	Gross,	McAtee,	Stonier,
Cadwalader,	Gyger,	McClester,	Tahl,
Calvin,	Hall,	McKinney,	Taylor,
Campbell,	Hare,	McMillen,	Thompson,
Coleman,	Haudenshield,	Miller,	Tiemann,
Cook,	Hewitt,	Mintess,	Trout,
Cooper,	Hocke,	Mock,	Turbett,
Coulson,	Hoffman,	Moore,	Van Allsburg,
Dalrymple,	Hoopes,	Moser,	Wagner, K. H.,
Dennison,	Hunter, W. M.,	Muir,	Walton,
Depuy,	Huntley,	Nowak,	Winner,
Dix,	Imbrie,	Reagan,	Wood, L. H.,
Elder,	James,	Reese, D. P.,	Wood, N.,
Ely,	Jones,	Reilly,	Worley,

Erb,	Kennedy,	Riley,	Yeakel,
Ewing,	Kitchen,	Robertson,	Fiss,
Flack,	Kline,	Root,	Speaker.
Foor,	Kowalski,	Rose, W. E.,	

NAYS—76

Baker,	Gates,	Longo,	Reynolds,
Barrett,	Goodwin,	Lovett,	Rose, S.,
Boory,	Grant,	Maxwell,	Sarraf,
Bradley,	Green,	McSurdy,	Schuster,
Brigerman,	Haberlen,	Mihm,	Smith,
Brown,	Hamilton,	Modell,	Stank,
Brunner, P. A.,	Hannon,	Mooney,	Swope,
Chervenak,	Harris,	Moran,	Tate,
Chudoff,	Heatherington,	Munley,	Thrasher,
Cohen,	Helm,	O'Brien,	Trent,
Cordier,	Herman,	O'Connor,	Wachhaus,
Croop,	Hoggard,	O'Neill,	Wagner, P. L.,
Cullen,	Holmes,	Owens,	Wallin,
Dague,	Hunter, B. F.,	Petrosky,	Watkins,
Denman,	Kirley,	Pettit,	Weiss,
Elliott,	Kolankiewicz,	Polaski,	Welsh,
Figlock,	Lane,	Powers,	Wright,
Finnerty,	Leonard,	Reese, R. E.,	Yester,
Fleming,	Levy,	Regan,	

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

UNANIMOUS CONSENT REQUESTED

Mr. PETROSKY. Mr. Speaker, I ask unanimous consent to address the House.

The SPEAKER. The gentleman from Westmoreland asks unanimous consent to address the House.

Mr. LICHTENWALTER. I object, Mr. Speaker.

The SPEAKER. The Chair hears objection.

Mr. LICHTENWALTER. Mr. Speaker, I don't mind at a later time in the day to have the gentleman ask for unanimous consent, but we would like to complete some of our calendar.

BILLS ON THIRD READING

BILLS PASSED OVER

There being no objection

Senate Bill No. 472, Printer's No. 369;
Senate Bill No. 165, Printer's No. 329;
Senate Bill No. 11, Printer's No. 162;
Senate Bill No. 63, Printer's No. 165;
Senate Bill No. 64, Printer's No. 166;
Senate Bill No. 65, Printer's No. 167;
Senate Bill No. 86, Printer's No. 221 and
Senate Bill No. 220, Printer's No. 74,

were passed over at the request of Mr. LICHTENWALTER.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 913, as follows:

An Act relating to vital statistics and to make uniform the law with reference thereto

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Definitions As used in this act

(1) "Vital statistics" includes the registration preparation transcription collection compilation and preservation of data pertaining to births adoption legitimations deaths stillbirths divorces marital status and data incidental thereto

(2) "Live birth" means the birth of a child who shows evidence of life after the child is entirely outside the mother

(3) "Stillbirth" means a birth after twenty weeks of gestation which is not a live birth

(4) "Dead body" means lifeless human body or such parts of the human body or the bones thereof from the state of which it reasonably may be concluded that death recently occurred

(5) "Person in charge of interment" means any person who places or causes to be placed a stillborn child or dead body or the ashes after cremation in a grave vault urn or other receptacle or otherwise disposes thereof

(6) "Department" means Department of Health

Section 2 Duties of Department of Health The Department of Health

(1) May pursuant to the provisions of the Act of April 9 1929 P. L. 177 as amended cited as "The Administrative Code of 1929" establish a bureau of vital statistics with suitable offices properly equipped for the preservation of its official records and may designate the head or chief of such bureau as the "State Registrar"

(2) Shall install a statewide system of vital statistics

(3) May make and amend necessary regulations give instructions and prescribe forms for collecting transcribing compiling and preserving vital statistics and

(4) Shall enforce this act and the regulations made pursuant thereto

Section 3 Registration Districts The department shall divide the state from time to time into registration districts which shall conform to political subdivisions or combinations thereof or of parts thereof

Section 4 Duties of Department The department shall have charge of vital statistics and be the custodian of all vital statistics files and records

Section 5 Local Registrars and Deputies The department shall appoint local registrars A local registrar with the approval of the department may appoint deputies The local registrar shall immediately report to the department violations of this act or the regulations of the department

Section 6 Compulsory Registration of Births Within the time prescribed by the department a certificate of every birth shall be filed with the local registrar of the district in which the birth occurred by the physician midwife or other legally authorized person in attendance at the birth or if not so attended by one of the parents

Section 7 Local Registrar to Prepare Birth Certificate If neither parent of the newborn child whose birth is unattended as above provided is able to prepare a birth certificate the local registrar shall secure the necessary information from any person having knowledge of the birth and prepare and file the certificate The department shall prescribe the time within which a supplementary report furnishing information omitted from the original certificate may be returned for the purpose of completing the certificate Certificates of birth completed by a suplementary report shall not be considered "delayed" or "altered"

Section 8 Registration of Foundlings Foundling Report

(1) Whoever assumes the custody of a child of unknown parentage shall immediately report to the local registrar in writing

(a) The date and place of finding or assumption of custody

(b) Sex color or race and approximate age of child

(c) Name and address of the person or institution with whom the child has been placed for care and

(d) Name given to the child by the finder or custodian

(2) The place where the child was found or custody assumed shall be known as the place of birth and the date of birth shall be determined by approximation

(3) The report shall constitute the certificate of birth

(4) If the child is identified and a regular certificate of birth is found or obtained the report shall be sealed and filed and may be opened only by court order

Section 9 Registration of Deaths and Still-births A certificate of every death or stillbirth shall be filed with

the local registrar of the district in which the death or stillbirth occurred within three days after the occurrence is known or if the place of death or stillborn is not known then with the local registrar of the district in which the body is found within twenty-four hours thereafter In every instance a certificate shall be filed prior to interment or other disposition of the body

Section 10 Death and Stillbirth Certificates

(1) The person in charge of interment shall file with the local registrar of the district in which the death or stillbirth occurred or the body was found a certificate of death or stillbirth within three days after the occurrence

(2) In preparing a certificate of death or stillbirth the person in charge of interment shall obtain and enter on the certificate the personal data required by the department from the persons best qualified to suppily them He shall present the certificate of death to the physician last in attendance upon the deceased or to the coroner having jurisdiction who shall thereupon certify the cause of death according to his best knowledge and belief He shall present the certificate of stillbirth to the physician midwife or other person in attendance at the stillbirth who shall certify the stillbirth and such medical data pertaining thereto as he can furnish

(3) Thereupon the person in charge of interment shall notify the appropriate local registrar if the death occurred without medical attendance or if the physician last in attendance fails to sign the death certificate In such event the local registrar shall inform the local coroner and refer the case to him for immediate investigation and certification of the cause of death prior to issuing a permit for burial cremation or other disposition of the body When the local coroner is not a physician or when there is no coroner the local registrar may complete the certificate on the basis of information received from relatives of the deceased or others having knowledge of the facts If the circumstances suggest that the death or stillbirth was caused by other than natural causes the local registrar shall refer the case to the coroner for investigation and certification

Section 11 Delayed Determination of Cause of Death If the cause of death cannot be determined within three days the certification of its cause may be filed after the prescribed period but the coroner shall give the local registrar of the district in which the death occurred written notice of the reason for the delay in order that a permit for the disposition of the body may be issued

Section 12 Form of Certificates The forms of certificates shall include as a minimum the items required by the respective standard certificates as recommended by the United States Bureau of the Census subject to approval of and modification by the department The form and use of such certificates shall be subject to the provisions of Section 21

Section 13 Certificates as Evidence Certificates filed within six months after the time prescribed therefor shall be prima facie evidence of the facts therein stated Data therein pertaining to the father of a child are prima facie evidence only if the alleged father is the husband of the mother if not the data pertaining to the father of a child are not evidence in any proceeding adverse to the interests of the alleged father or of his heirs next of kin devises legatees or other successors in interest if the paternity is controverted

Section 14 Certified Copies

(1) Subject to the requirements of Sections 18, 19, and 20 the department shall upon request furnish to any applicant a certified copy of any certificate or any part thereof

(2) Copies of the contents of any certificate on file in the department or any part thereof certified by the department shall be considered for all purposes the same as the original subject to the requirements of Sections 18 19 and 20

Section 15 Fees for Copies and Searches The department shall prescribe the fees if any to be paid for certified copies of certificates or for the search of the files or records when no certified copy is made Subject to Sections 18 19 and 20 the United States Bureau of the Census may obtain transcripts or without payment of fees certified copies provided the State is put to no expense in connection therewith

Section 16 Accounting for Fees The department shall keep an account of all fees received and turn the same over to the State Treasurer through the Department of Revenue

Section 17 Delayed or Altered Certificates A person born in this State may file or amend a certificate after the time herein prescribed upon submitting such proof as shall be required by the department

Section 18 Delayed and Altered Certificates Procedure

(1) Certificates accepted subsequent to six months after the time prescribed for filing and certificates which have been altered after being filed with the state register shall contain the date of the delayed filing and the date of the alteration and be marked "delayed" or "altered"

(2) A summary statement of the evidence submitted in support of the acceptance for delayed filing or alteration shall be endorsed on the certificate

Section 19 Delayed or Altered Certificates as Evidence The probative value of a "delayed" or "altered" certificate shall be determined by the judicial or administrative body or official before whom the certificate is offered as evidence

Section 20 Disclosure of Records

(1) The vital statistic records and files of the department are open to inspection subject to the provisions of this act and regulations of the department but it is unlawful for any officer or employe of the State to disclose data contained in vital statistical records except as authorized by this act and by the department

(2) Disclosure of illegitimacy of birth or of information from which it can be ascertained may be made only upon order of a court in a case where such information is necessary for the determination of personal or property rights and then only for such purpose

(3) The department shall not permit inspection of the records or issue a certified copy of a certificate or part thereof unless it is satisfied that the applicant therefor has a direct interest in the matter recorded and that the information therein contained is necessary for the determination of personal or property rights Its decision shall be subject however to review by a court under the limitations of this section

(4) The department may permit the use of data contained in vital statistical records for research purposes only but no identifying use thereof shall be made

(5) Subject to the provisions of this section the department may direct local registrars to make a return upon the filing of birth death and stillbirth certificates with them of certain data shown thereon to Federal State or municipal agencies Payment by such agencies for such services may be made to local registrars as the department shall direct

Section 21 Adoption In cases of adoption the department upon the receipt of a certified copy of an order or decree of adoption shall prepare a supplementary certificate in the new name of the adopted person and seal and file the original certificate of birth with said certified copy attached thereto Such sealed documents may be opened by the department only upon the demand of the adopted person if of legal age or by an order of court Upon receipt of a certified copy of a court order of annulment of adoption the department shall restore the original certificate to its original place in the files

Section 22 Legitimation In cases of legitimation the department upon receipt of proof thereof shall prepare a new certificate of birth in the new name of the legitimated child The evidence upon which the new certificate is made and the original record shall be sealed and filed and may be opened only upon order of court

Section 23 Persons Required to Make Records Persons in charge of institutions for care or correction or for treatment of disease injury or childbirth shall record and report all statistical data required by this act relating to their inmates or patients

Section 24 Permit for Removal Burial or Other Disposition When a death or stillbirth occurs or a dead

body is found the body shall not be disposed of or removed from the registration district until a permit has been issued by the local registrar

Section 25 Foreign Permit for Removal Burial or Other Disposition of Body When death or stillbirth occurs outside this State and the body is accompanied by a permit for burial removal or other disposition issued in accordance with the law and regulations in force where the death or stillbirth occurred the permit shall authorize the transportation of the body into or through this State but before burial cremation or other disposal of the body within this State the permit shall be endorsed by the local registrar who shall keep a record thereof

Section 26 Prerequisites for Permits No permit under Section 25 shall issue until a certificate of death or stillbirth as far as it can be completed under the circumstances of the case has been filed and until all the regulations of the department in respect to the issuance of such permit have been complied with

Section 27 Transmittal of Certificates to State Registrar Local registrars shall transmit all certificates filed with them to the department in accordance with regulations of the department

Section 28 Compensation of Local Registrars Each local registrar shall be paid the sum of fifty cents for each complete birth death or stillbirth certificate returned by him to the department in accordance with the regulations of the department In case no birth death or stillbirth was registered during any calendar month the local registrar shall so report and be paid the sum of fifty cents for the report The department is authorized to change by regulation the amounts specified herein to be paid to local registrars and the department shall limit the aggregate amount of fees to be paid per annum to any local registrar either by setting an annual aggregate maximum of such fees or by graduating the fees according to the number of registrations

Section 29 Payment of Fees Upon certification by the department the fees of local registrars shall be paid by the treasurer of the proper county out of the general fund of the county The department monthly shall certify to the treasurer of the several counties the number of births stillbirths and deaths certified from his county with the names of the local registrars and the amount due each

Section 30 Registration of Marriages Marriage Certificates Filed Every person who performs a marriage ceremony shall prepare and sign a certificate of marriage in duplicate one of which shall be given to the parties and the other filed by him within ten days after the ceremony with the officer who issued the marriage license Every officer who issues a marriage license shall forward to the department on or before the 15th day of each calendar month the certificates of marriage which were filed with him during the preceding calendar month

Section 31 Marriage License Fees Every officer authorized to issue marriage licenses shall be paid a recording fee of fifty cents for each marriage certificate filed with him and forwarded by him to the department The recording fee shall be paid by the applicant for the license and be collected together with the fee for the license

Section 32 Registration of Divorces Annulments and Adoptions For each divorce annulment of marriage adoption or annulment of adoption the clerk of the court shall prepare within thirty days after the decree becomes final certificate of such decree on a form furnished by the department and before the 15th day of each calendar month the clerk shall forward to the department the certificates prepared by him during the preceding calendar month

Section 33 Clerk of Court to be Paid Statistical Recording Fee The clerk of the court shall be paid fifty cents for each certificate prepared and forwarded by him to the department as above provided

Section 34 Penalties

(1) Any person who wilfully makes or alters any certificate or certified copy thereof provided for in this act except in accordance with the provisions of this act shall be fined not more than one thousand dollars ($1,000.00) or be imprisoned not exceeding six (6) months or both fined and imprisoned

(2) Any person who knowingly transports or accepts for transportation interment or other disposition a dead body without an accompanying permit issued in accordance with the provisions of this act shall be fined not more than five hundred dollars ($500.00)

(3) Except where a different penalty is provided in this section any person who violates any of the provisions of this act or neglects or refuses to perform any of the duties imposed upon him by this act shall be fined not more than one hundred dollars ($100.00)

Section 35 Severability If any provision of this act or the application thereof to any person or circumstances is held invalid such invalidity shall not affect other provisions or applications of the act which can be given effect without the invalid provision or application and to this end the provisions of this act are declared to be severable

Section 36 Uniformity of Interpretation This act shall be so construed as to effectuate its general purpose to make uniform the laws of those states which enact it

Section 37 Short Title This act may be cited as the "Uniform Vital Statistics Act"

Section 38 Repeal All acts and parts of acts which are inconsistent with the provisions of this act are hereby repealed

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—201

Alspach	Flack,	Lane,	Robertson,
Auker,	Fleming,	Laughner,	Root,
Barton,	Flynn,	Lee,	Rose, S.,
Baker,	Foor.	Leisey,	Rose, W. E.,
Barrett,	Fox.	Leonard,	Rowley,
Bentley,	Fullerton,	Levy,	Royer,
Bentzel,	Freed,	Leydic,	Salus,
Boies,	Garber,	Lichtenwalter,	Sarge,
Bonawitz,	Gardner,	Livingstone,	Sarraf,
Boorse,	Gates,	Longo,	Scanlon,
Boory,	Gillan,	Lovett,	Schuster,
Bower,	Goodling,	Lyons,	Serrill,
Boyd,	Goodwin,	Madigan,	Simons,
Bradley,	Gorman,	Mahany,	Skale,
Bretherick,	Grant,	Maxwell,	Smith,
Brice,	Green,	McAtee,	Snider,
Brigerman,	Greenwood,	McClester,	Sollenberger,
Brown,	Gross,	McKinney,	Sorg,
Brunner, C. H.,	Gyger,	McMillen,	Stank,
Brunner, P. A.,	Haberlen,	McSurdy,	Stockham,
Burns,	Hall,	Menna,	Stonier,
Cadwalader,	Hamilton,	Mihm,	Swope,
Calvin,	Hannon,	Miller,	Tahl,
Campbell,	Hare,	Mintess,	Tate,
Chervenak,	Harris,	Mock,	Taylor,
Chudoff,	Haudenshield,	Modell,	Thompson,
Cohen,	Heatherington,	Mooney,	Thrasher,
Coleman,	Helm,	Moore,	Tiemann,
Cook,	Herman,	Moran,	Trent,
Cooper,	Hersch,	Moser,	Trout,
Cordier,	Hewitt,	Muir,	Turbett,
Corrigan,	Hocke,	Munley,	Van Allsburg,
Costa,	Hoffman,	Murray,	Verona,
Coulson,	Hoggard,	Nowak,	Wachhaus,
Croop,	Holmes,	O'Brien,	Wagner, K. H.,
Cullen,	Hoopes,	O'Connor,	Wagner, P. L.,
Dague,	Hunter, B. F.,	O'Dare,	Wallin,
Dalrymple,	Hunter, W. M.,	O'Neill,	Walton,
Denman,	Huntley,	Owens,	Watkins,
Dennison,	Imbrie,	Petrosky,	Weiss,
Depuy,	Irvin,	Pettit,	Welsh,
Dillon,	James,	Polaski,	Winner,
Dix,	Jones,	Powers,	Wood L. H.,
Duffy,	Kennedy,	Readinger,	Wood, N.,
Elder,	Kirley,	Reagan,	Worley,
Elliott,	Kitchen,	Reese, D. P.,	Wright,
Ely,	Kline,	Reese, R. E.,	Yeakel,
Erb,	Kolankiewicz,	Regan,	Yester,
Ewing,	Kowalski,	Reilly,	Fiss,

Figlock,	Krepps,	Reynolds,	Speaker.
Finnerty,	Krise,	Riley,	

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 592, as follows:

An Act to further amend section six hundred twenty-one of the act approved the first day of May one thousand nine hundred and twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolly omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" by permitting certain minors under eighteen years of age to operate certain commercial motor vehicles as paid operators for the duration of the present war and six months thereafter

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section six hundred twenty-one of the act approved the first day of May one thousand nine hundred and twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" as amended by the act approved the twenty-second day of June one thousand nine hundred and thirty-one (P. L. 751) is hereby further amended to read as follows

Section 621 Unlawful for Person Under [Eighteen (18)] Years to Operate Motor Vehicle as a Paid Employe Exceptions It shall be unlawful for any person under the age of [eighteen (18)] seventeen (17) years to operate a motor vehicle upon any highway as a paid employe or for any person under the age of eighteen (18) years but not under the age of seventeen (17) years to operate any motor vehicle other than a commerical motor vehicle of the R or S class upon any highway as a paid employe and it shall be unlawful for the duration of the present war and six months thereafter for any person to cause or permit any such operation Before any person under the age of eighteen (18) years shall be issued an operator's license under the provisions of this section he shall furnish proof of his age satisfactory to the secretary

Penalty Any person violating any of the provisions of this section shall upon summary conviction before a magistrate be sentenced to pay a fine of ten ($10) dollars and costs of prosecution and in default of the payment thereof shall undergo imprisonment for not more than five (5) days

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. LEONARD. Mr. Speaker, it will only take half a minute for me to tell you why this bill should again be defeated. This bill has been before the House as much as any bill that has been on the calendar; it has been on the calendar since January 5th and when it finally was defeated on third reading it got seventy-five votes, and from that time to the present time I haven't heard one single person say that he wants the bill, except those who are sponsoring the bill. Even the sponsor of the bill, I am satisfied is not in favor of the bill today, because he ought to know those who asked him to present the bill and congratulate him on the efforts to have the bill passed, that now since the bill has been defeated, everything was in O.K. shape as far as we were concerned.

The bill has been off the calendar, and on the calendar, and here it is again. I don't know just what to think when the provisions of this bill are being taken care of right now. These boys are driving these trucks with the provision in their minds that if anything goes wrong through their carelessness their family, their father and mother will be responsible. Those in favor of this bill want to take that responsibility away and tell those young boys of sixteen years of age: "Go ahead, drive as you please with that truck and the law will protect you."

In last Thursday's Philadelphia Bulletin there is quite an article showing numbers of people hurt, especially when a young boy drives an automobile. You and I with our wives are walking along the street, feeling perfectly safe, and along comes a boy with an automobile, tears up over the curb and sends us to the hospital and in many cases to the morgue.

I am sure that if we ourselves are careless and are able to walk out when this young fellow comes along, all right, but let us be big enough to protect this boy from doing the things that he won't do if we restrain him. Let us not turn him loose. I am again asking those who helped to defeat this bill the last time it was presented in the House, that they help me this time to again vote the bill down.

Mr. ERB. Mr. Speaker, this bill is of no benefit to me personally at all. This bill was introduced by request. I have several letters in my file from all over the state of Pennsylvania, not only my own county, but several counties asking why this bill cannot be brought out and passed into law. Last week I made a visit to our county

jail. I have checked on drunken drivers. There are some of them confined in our county jail for drunken driving, and yet not one of those men is of the age of twenty-one; they are all over that age, so therefore I will say that this bill has been amended to meet the approval of the majority of the Members of the House.

I volunteered to go along with the amendments of Mr. Gillan, Mr. Cook and Mr. Hewitt in correction of conditions in their respective counties. Now, I feel that this bill has been studied long enough, has been well studied and this bill should be now passed to help out as a war measure. The gentlemen on the other side of the House, I feel, want to do their part in winning this war. Here is a privilege and an opportunity for them to do so in voting for this bill. We need these men, the boys of seventeen. The army and Uncle Sam are taking these boys over eighteen, and why shouldn't we who are eager also to win the war let these boys go on and drive the truck? I am not afraid of them, and if this bill has been amended to read seventeen and not sixteen as the gentleman across the Hall said, these automobiles can be driven by boys and girls over sixteen after passing examination; therefore I do not believe there is any harm. I am not asking any Member to go out and do any act but to go along and support this bill. I thank you.

Mr. LOVETT. Mr. Speaker, I desire to interrogate the gentleman from Blair, Mr. Erb.

The SPEAKER. Will the gentleman from Blair permit himself to be interrogated?

Mr. ERB. I shall, Mr. Speaker.

Mr. LOVETT. Mr. Speaker, the gentleman stated that he had quite a number of letters from people all over this state asking for this particular bill. Is that correct?

Mr. ERB. I have, sir.

Mr. LOVETT. May I ask if those letters are from farmers?

Mr. ERB. They are from factory men, from bakers, from mailmen, farmers, yes sir.

Mr. LOVETT. Fathers of the boys or employers of the boys?

Mr. ERB. Fathers of the boys, Mr. Speaker.

Mr. LOVETT. In the cities?

Mr. ERB. Yes sir, in the cities, Mr. Speaker.

Mr. LOVETT. And from the farms?

Mr. ERB. Yes sir, of forty-one counties, Mr. Speaker.

Mr. LOVETT. That is all. I thank the gentleman.

Mr. LEONARD. Mr. Speaker, I know that the United States government is taking the eighteen year old boys into the army, but where are they going? They are going to school, that's where they are going. I know where they are going. They are not going in there with the men twenty-one years old.

I want to make a point here, and I say it in all sincerity, I brought to your attention last Thursday in Philadelphia a seventeen year old boy who ran up over the curb into two old people and killed one and seriously injured the other. If I were to vote for this bill I would consider their blood upon my head. That is exactly the way I would feel if I gave them the right, or rather remove the responsibility that still hangs over a boy sixteen years old.

Mr. TAYLOR. Mr. Speaker, for the information of the gentleman from Allegheny county I would like to advise him that I have a son eighteen years old in the Solomon Islands and three or four other buddies with him.

Mr. MAHANY. Mr. Speaker, in order to clarify the opinion of Mr. Leonard, the gentleman from Allegheny County, we are not removing the responsibility of a person seventeen years of age when he has an accident. When any of these boys drive trucks for employers they are the agents of the employers and the employer would have the responsibility for any negligence of which that boy was guilty, and anyone who was injured could sue the employer. Under the present law where the boy seventeen years of age is driving the car on his own business, his parents are not responsible, but he alone is responsible, and if he had no property or no insurance on it there would be no chance to recover any money from the boy, so therefore I think this places the legal responsibility on the employer or the boy who drives the truck.

I know there are several specific examples of boys seventeen years of age who ran into somebody, but so also we might cite examples of people of every age, thirty or forty or up to seventy years of age driving recklessly and running into somebody and killing them, and if we are going to have cars on the road, we are going to have accidents regardless of the age of the people who are driving. I feel that if these boys are old enough to go into the army and fly planes going four hundred miles an hour they are certainly qualified to drive a truck at thirty-five to forty miles an hour. I think this is a proper law to enact at this time in order to help us win this war.

On the question recurring.

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—116

Alspach,	Fox,	Krise,	Rose, W. E.,
Auker,	Freed,	Laughner,	Rowley,
Barton,	Fullerton,	Lee,	Royer,
Bonawitz,	Garber,	Leisey,	Salus,
Boorse,	Gardner,	Leydic,	Serrill,
Bower,	Gates,	Lichtenwalter,	Smith,
Boyd,	Gillan,	Livingstone,	Sollenberger,
Bretherick,	Goodling,	Lyons,	Sorg,
Brice,	Gorman,	Madigan,	Stockham,
Calvin,	Grant,	Mahany,	Stonier,
Campbell,	Greenwood,	McClester,	Tahl,
Cook,	Gross,	McKinney,	Taylor,
Cooper	Gyger,	McMillen,	Thrasher,
Cordier,	Hall,	McSurdy,	Tiemann,
Corrigan,	Hannon,	Menna,	Trout,
Costa,	Hare,	Miller,	Turbett,
Coulson,	Haudenshield,	Mintess,	Van Allsburg,
Dague,	Helm,	Moore,	Wachhaus,
Dalrymple,	Hewitt,	Moser,	Wagner, K. H.,
Denman,	Hocke,	Muir,	Wallin,
Dennison,	Holmes,	Murray,	Walton,
Depuy,	Hoopes,	Nowak,	Watkins,
Dix,	Hunter, W. M.,	O'Dare,	Winner,
Elder,	Imbrie,	Reagan,	Wood, L. H.,
Ely,	Irvin,	Reese, D. P.,	Wood, N.,
Erb,	James,	Reilly,	Worley,
Ewing,	Jones,	Riley,	Yeakel,
Figlock,	Kennedy,	Robertson,	Fiss,
Fleming,	Kowalski,	Root,	Speaker.
Foor,	Krepps,		

NAYS—64

Baker,	Haberlen,	Maxwell,	Rose, S.,
Barrett,	Hamilton,	Mihm,	Sarraf,
Bentzel,	Harris,	Modell,	Scanlon,
Boory,	Heatherington,	Moran,	Schuster,
Bradley,	Herman,	Munley,	Skale,

Brigerman,	Hersch,	O'Connor,	Snider,
Brunner, P. A.,	Hoggard,	O'Neill,	Stank,
Chervenak,	Hunter, B. F.,	Owens,	Swope,
Chudoff,	Huntley,	Petrosky,	Tate,
Cohen,	Kirley,	Pettit,	Thompson,
Coleman,	Kolankiewicz,	Polaski,	Trent,
Cullen,	Lane,	Powers,	Verona,
Elliott,	Leonard,	Readinger,	Weiss,
Finnerty,	Levy,	Reese, R. E.,	Welsh,
Goodwin,	Longo,	Regan,	Wright,
Green,	Lovett,	Reynolds,	Yester,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

The SPEAKER. The Chair requests the gentleman from Mercer, Mr. Lyons, to preside.

MR. LYONS IN THE CHAIR

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 267, as follows:

An Act to add section nine hundred seventy-eight and one-tenth to the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1333) entitled "An act concerning elections including general municipal special and primary elections the nomination of candidates primary and election expenses and election contests creating and defining membership of county boards of elections imposing duties upon the Secretary of the Commonwealth courts county boards of elections county commissioners imposing penalties for violation of the act and codifying revising and consolidating the laws relating thereto and repealing certain acts and parts of acts relating to elections" requiring persons nominated for office at a primary election who have not paid the filing fee required for the filing of nomination petitions for such office to pay such fee and declaring vacancies in party nominations for failure to pay the same

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Article nine of the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1333) entitled "An act concerning elections including general municipal special and primary elections the nomination and candidates primary and election expenses and election contests creating and defining membership of county boards of elections imposing duties upon the Secretary of the Commonwealth courts county boards of elections county commissioners imposing penalties for violation of the act and codifying revising and consolidating the laws relating thereto and repealing certain acts and parts of acts relating to elections" is hereby amended by adding between sections nine hundred seventy-eight and nine hundred seventy-nine a new section to read as follows

Section 978.1 Vacancy in Party Nomination by Failure to Pay Filing Fee Every person nominated at any primary election as the candidate of any political party for any office who has not paid the filing fee required by section nine hundred thirteen of this act as amended for the filing of a nomination petition for such office shall pay the amount of such fee to the State Treasurer or to the county treasurer as the case may be at least sixty-five days previous to the day of the general election or at least twenty-five days previous to the day of the municipal election at which such candidate's name would appear on the ballot Failure to pay such fee within the time herein prescribed shall result in a vacancy in such party nomination Such vacancy shall be filled in the manner hereinafter provided for the filling of such vacancies happening by reason of the death or withdrawal of any candidate

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—201.

Alspach,	Fleming,	Lane,	Robertson,
Auker,	Flynn,	Lee,	Root,
Baker,	Foor,	Leisey,	Rose, S.,
Barrett,	Fox,	Leonard,	Rose, W. E.,
Barton,	Freed,	Levy,	Rowley,
Bentley,	Fullerton,	Leydic,	Royer,
Bentzel,	Garber,	Lichtenwalter,	Salus,
Boies,	Gardner,	Livingstone,	Sarge,
Bonawitz,	Gates	Longo,	Sarraf,
Boorse,	Gillan,	Lovett,	Scanlon,
Boory,	Goodling,	Lyons,	Schuster,
Bower,	Goodwin,	Madigan,	Serrill,
Boyd,	Gorman,	Mahany,	Simons,
Bradley,	Grant,	Maxwell,	Skale,
Bretherick,	Green,	McAtee,	Smith,
Brice,	Greenwood,	McClester,	Snider,
Brigerman,	Gross,	McKinney,	Sollenberger,
Brown,	Gyger,	McMillen,	Sorg,
Brunner, P. A.,	Haberlen,	McSurdy,	Stank,
Burns,	Hall,	Menna,	Stockham,
Cadwalader,	Hamilton,	Mihm,	Stonier,
Calvin,	Hannon,	Miller,	Swope,
Campbell,	Hare,	Mintess,	Tahl,
Chervenak,	Harris,	Mock,	Tate,
Chudoff,	Haudenshield,	Modell,	Taylor,
Cohen,	Heatherington,	Mooney,	Thompson,
Coleman,	Helm,	Moore,	Thrasher,
Cook	Herman,	Moran,	Tiemann,
Cooper,	Hersch,	Moser,	Trent,
Cordier,	Hewitt,	Muir,	Trout,
Corrigan,	Hocke,	Munley,	Turbett,
Costa,	Hoffman,	Murray,	Van Allsburg,
Coulson,	Hoggard,	Nowak,	Verona,
Croop,	Holmes,	O'Brien,	Wachhaus,
Cullen,	Hoopes,	O'Connor,	Wagner, K. H.,
Dague,	Hunter, B. F.,	O'Dare,	Wagner, P. L.,
Dalrymple,	Hunter, W. M.,	O'Neill,	Wallin,
Denman,	Huntley,	Owens,	Walton,
Dennison,	Imbrie,	Petrosky,	Watkins,
Depuy,	Irvin,	Pettit,	Weiss,
Dillon,	James,	Polaski,	Welsh,
Dix,	Jones,	Powers,	Winner,
Duffy,	Kennedy,	Readinger,	Wood, L. H.,
Elder,	Kirley,	Reagan,	Wood, N.,
Elliott,	Kitchen,	Reese, D. P.,	Worley,
Ely,	Kline,	Reese, R. E.,	Wright,
Erb,	Kolankiewicz,	Regan,	Yeakel,
Ewing,	Kowalski,	Reilly,	Yester,
Figlock,	Krepps,	Reynolds,	Fiss,
Finnerty,	Laughner,	Riley,	Speaker.
Flack,	Krise,		

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 666, as follows:

An Act to further amend section two thousand five hundred and sixty-six of the act approved the twenty-third day of June one thousand nine hundred and thirty-one (P. L. 932) entitled "An act relating to cities of the third class and amending revising and consolidating the law relating thereto" providing for the appointment of delinquent tax collectors and defining their powers duties and responsibilities

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section two thousand five hundred and sixty-six of the act approved the twenty-third day of June one thousand nine hundred and thirty-one (P. L. 932) entitled "An act relating to cities of the third class and amending revising and consolidating the law relating thereto" as amended by the act approved the twenty-second day of May one thousand nine hundred and thirty-three (P. L. 927) is hereby further amended to read as follows

Section 2566 Satisfaction upon Duplicates Time of Final Settlement Exonerations Delinquent Tax Collectors Upon the payment to the city treasurer as collector of taxes of any taxes assessed against property it shall be his duty to satisfy the property taxes thus paid upon the duplicates in his hands He shall finally settle with the proper authorities all duplicates of city and poor taxes delivered to him on or before the first Monday of July of the year following the date of the delivery of such duplicates and pay over the amount charged against him except such sums as he may be exonerated from collecting by the proper authorities

The city council may annually on or before the first Monday of July in each year appoint one or more suitable persons as delinquent tax collectors of which the city treasurer as tax collector has been exonerated and which remain unpaid upon any tax duplicates

A delinquent tax collector shall upon the certification over to him of such taxes proceed to collect the same from the persons charged therewith and for such purposes he shall have all the authority and power now vested by law in the tax collector of city taxes The city council shall issue to any such delinquent tax collector a warrant authorizing him to collect such taxes A delinquent tax collector shall give such bond as may be required by the city council and shall be paid such commissions on the amounts collected as may be fixed by the said council Every such delinquent tax collector shall be responsible and shall account to the city for all taxes collected by him in like manner and in accordance with existing laws pertaining to city tax collections

Section 2 This act shall become effective immediately upon final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—201.

Alspach,	Fleming,	Laughner,	Robertson,
Auker,	Flynn,	Lee,	Root,
Baker,	Foor,	Leisey,	Rose, S.
Barrett,	Fox,	Leonard,	Rose, W. E.,
Barton,	Freed,	Levy,	Rowley,
Bentley,	Fullerton,	Leydic,	Royer,
Bentzel,	Garber,	Lichtenwalter,	Salus,
Boies,	Gardner,	Livingstone,	Sarge,
Bonawitz,	Gates,	Longo,	Sarraf,
Boorse,	Gillan,	Lovett,	Scanlon,
Boory,	Goodling,	Lyons,	Schuster,
Bower,	Goodwin,	Madigan,	Serrill,
Boyd,	Gorman,	Mahany,	Simons,
Bradley,	Grant,	Maxwell,	Skale,
Bretherick,	Green,	McAtee,	Smith,
Brice,	Greenwood,	McClester,	Snider,
Brigerman,	Gross,	McKinney,	Sollenberger,
Brown,	Gyger,	McMillen,	Sorg,
Brunner, P. A.,	Haberlen,	McSurdy,	Stank,
Burns,	Hall,	Menna,	Stockham,
Cadwalader,	Hamilton,	Mihm,	Stonier,
Calvin,	Hannon,	Miller,	Swope,
Campbell,	Hare,	Mintess,	Tate,
Chervenak,	Harris,	Mock,	Tahl,
Chudoff,	Haudenshield,	Modell,	Taylor,
Cohen,	Heatherington,	Mooney,	Thrasher,
Coleman,	Helm,	Moore,	Thompson,
Cook,	Herman,	Moran,	Tiemann,
Cooper,	Hersch,	Moser,	Trent,
Cordier,	Hewitt,	Muir,	Trout,
Corrigan,	Hocke,	Munley,	Turbett,
Costa,	Hoffman,	Murray,	Van Allsburg,
Coulson,	Hoggard,	Nowak,	Verona,
Croop,	Holmes,	O'Brien,	Wachhaus,
Cullen,	Hoopes,	O'Connor,	Wagner, K. H.,
Dague,	Hunter, B. F.,	O'Dare,	Wagner, P. L.,
Dalrymple,	Hunter, W. M.,	O'Neill,	Wallin,
Denman,	Huntley,	Owens,	Walton,
Dennison,	Imbrie,	Petrosky,	Watkins,
Depuy,	Irvin,	Pettit,	Weiss,
Dillon,	James,	Polaski,	Welsh,
Dix,	Jones,	Powers,	Winner,
Duffy,	Kennedy,	Readinger,	Wood, L. H.,
Elder,	Kirley,	Reagan,	Wood, N.,
Elliott,	Kitchen,	Reese, D. P.,	Worley,
Ely,	Kline,	Reese, R. E.,	Wright,
Erb,	Kolankiewicz,	Regan,	Yeakel,
Ewing,	Kowalski,	Reilly,	Yester,
Figlock,	Krepps,	Reynolds,	Fiss,
Finnerty,	Krise,	Riley,	Speaker.
Flack,	Lane,		

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 718, as follows:

An Act to repeal sections twenty-nine and thirty-two and to amend sections thirty-one and thirty-three of the act approved the sixteenth day of May one thousand nine hundred and twenty-three (P. L. 207) entitled "An act providing when how upon what property and to what extent liens shall be allowed for taxes and for municipal improvements for the removal of nuisances and for water rents or rates sewer rates and lighting rates for the procedure upon claims filed therefor the methods for preserving such liens and enforcing payment of such claims the effect of judicial sales of the properties liened the distribution of the proceeds of such sales and the redemption of the property therefrom for the lien and collection of certain taxes heretofore assessed and of claims for municipal improvements made and nuisances removed within six months before the passage of this act and for the procedure on tax and municipal claims filed under other and prior acts of Assembly" further regulating the sale of real property for the nonpayment of tax and municipal claims where a municipality is the claimant providing for the discharge of all liens mortgages ground rents estates and claims against such property by such sale and eliminating the right of redemption after such sales

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section twenty-nine of the act approved the sixteenth day of May one thousand nine hundred and twenty-three (P. L. 207) entitled "An act providing when how upon what property and to what extent liens shall be allowed for taxes and for municipal improvements for the removal of nuisances and for water rents or rates sewer rates and lighting rates for the procedure upon claims filed therefor the methods for preserving such liens and enforcing payment of such claims the effect of judicial sales of the properties liened the distribution of the proceeds of such sales and the redemption of the property therefrom for the lien and collection of certain taxes heretofore assessed and of claims for municipal improvements made and nuisances removed within six months before the passage of this act and for the procedure on tax and municipal claims filed under other and prior acts of Assembly" and the amendments thereto is thereby repealed

Section 2 Section thirty-one of said act is hereby amended to read as follows

Section 31 The lien of a tax or municipal claim shall not be divested by any judicial sale of the property liened where the amount due is indefinite or undetermined or where the same is not due and payable nor shall the lien of a tax or municipal claim be divested by any judicial sale except the sale provided for in this section of the property liened as respects so much thereof as the proceeds of such sale may be insufficient to discharge nor except as hereinafter provided in this section shall a judicial sale of the property liened under a judgment obtained on a tax or municipal claim discharge the lien of any other tax or municipal claim than that upon which said sale is had except to the extent that the proceeds realized are sufficient for its payment after paying the costs and expenses of the sale and of the writ upon which it was made and any other prior tax or municipal claims to which the fund may first be applicable [On any such sale being made all tax claims shall be paid out of the proceeds thereof first the oldest tax having priority and municipal claims shall be paid next the oldest in point of lien having priority Mortgages ground rents and other charges on or estates in the property which were recorded or created where recording is not required before any tax other than for the current year accrue or before the actual doing of the work in front of or upon the particular property for which the municipal claim is filed shall not be disturbed by such sale unless a prior lien is also discharged thereby

In case the property be not sold for a sum sufficient to pay all taxes and municipal claims together with the costs thereon the plaintiff in any such claim may postpone the sale without payment of costs and file his petition setting forth that more than one year has elapsed since the filing of his claim that he has exposed the property to sheriff's sale thereunder and was unable to obtain a bid sufficient to pay the upset price in full and if a municipal claimant other than a municipality that he will bid sufficient to pay the upset price and upon production of] In addition to the remedy prescribed in section 28 of this act where a municipality is the claimant and has obtained a judgment upon its claim it may file its petition in the court in which the proceeding is pending setting forth the facts necessary to show the right to sell together with searches or a title insurance policy showing the state of the record and the ownership of the property and of all tax and municipal claims mortgages ground rents or other charges on or estates in the land as shown by the official records of the county or district in which the real estate is situate and thereupon the court shall grant a rule upon all parties thus shown to be interested to appear and show cause why a decree should not be made that said property be sold freed and cleared of their respective claims mortgages ground rents charges and estates and without any right of redemption after such sale If upon a hearing thereafter the court is satisfied that service has been made of said rule upon the parties respondent in the manner provided in this act for the service of writs of scire facias to obtain judgments upon tax and municipal claims and that the facts stated in the petition be true it shall order and decree that said property be sold at a subsequent sheriff's sale day to be fixed thereafter by the [court] municipality [without further advertisement] at least one year after the date of the decree clear of all claims liens mortgages ground rents charges and estates to the highest bidder at such sale and the proceeds realized therefrom shall be distributed in accordance with the priority of such claims and the purchaser at such sale shall take and forever thereafter have an absolute title to the property sold free and discharged of all tax and municipal claims liens mortgages ground rents charges and estates of whatsoever kind [subject only to the right of redemption as provided by law] and not thereafter subject to any right of redemption Advertisement of such sale shall be made and the deed to the purchaser shall be executed acknowledged and delivered as in other real estate sales by the sheriff [Any person interested may at any time before the sale pay the petitioner the whole of his claim with interest and costs whereupon the proceedings on petition shall at once determine] With each service of the said rule as above provided there shall be included a notice to the effect that any person interested may at any time prior to the proposed sale pay all the costs of the proceedings including a reasonable fee for the necessary title search or title insurance policy to be fixed by the court and all tax and municipal claims penalties and interest thereon charged against the property whereupon the proceedings on petition shall at once determine

For the purpose of enabling the petitioner in any such proceedings to give the notice required [he] it may take the testimony of the defendant in the claim or of any other person whom [he] it may have reason to believe has knowledge of the whereabouts of any of the parties respondent either by deposition commission or letters rogatory

Any county municipality township [or] school district or other taxing authority being a claimant shall have the right and is hereby empowered to bid and become the purchaser of the property at such sale and while the said property so purchased is held and owned by either a county or a municipality township [or] school district or other taxing authority it shall not be subject to tax claims [unless it be redeemed by the former owner or other person having the right to redeem as provided by law If however a county municipality township or school district shall become the purchaser of said sale the former owner or other person desiring to redeem shall pay all taxes and municipal claims accrued and chargeable against the property prior to the sale thereof together with the costs and interest thereon and also all taxes and claims whether filed or not which would have accrued and become chargeable against the property had the same been purchased at the sale by some party other than the county city or other municipal division]

Upon the delivery by the sheriff of a deed for any property sold under a tax or municipal claim the judgment upon which such sale was had shall thereupon and forever thereafter be final and conclusive [as to all matters of defense which could have been raised in the proceeding including payment and no error or irregularity in obtaining or entering of such judgment shall effect] and the validity thereof shall not be questioned for any cause whatsoever

Section 3 Section thirty-two of said act is hereby repealed

Section 4 Section thirty-three of said act is hereby amended to read as follows

Section 33 Any claim filed or to be filed under the provisions of this act and any judgment recovered thereon may be assigned or transferred to a third party either absolutely or as collateral security and such assignee shall have all the rights of the original holder thereof except that the type of sale described in section 31 of this act shall be available only to a municipality and not to a private individual or corporation

Where the claim has been paid in full by one of the several defendants therein whether originally named as such or allowed to intervene and defend it shall be satisfied of record as to him and marked to his use as against the other defendants pro rata according to their respective interests in the property bound by the claim

Section 5 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—201

Alspach,	Fleming,	Laughner,	Robertson,
Auker,	Flynn,	Lee,	Root,
Baker.	Foor,	Leisey,	Rose, S.,
Barrett,	Fox,	Leonard,	Rose, W. E.,
Barton,	Freed,	Levy,	Rowley,
Bentley,	Fullerton,	Leydic,	Royer,
Bentzel,	Garber,	Lichtenwalter,	Salus,
Boies,	Gardner,	Livingstone,	Sarge,
Bonawitz,	Gates,	Longo,	Sarraf,
Boorse,	Gillan,	Lovett,	Scanlon,
Boory,	Goodling,	Lyons,	Schuster,
Bower,	Goodwin,	Madigan,	Serrill,
Boyd,	Gorman,	Mahany,	Simons,
Bradley,	Grant,	McAtee,	Skale,
Bretherick,	Green,	Maxwell,	Smith,
Brice,	Greenwood,	McClester,	Snider,
Brigerman,	Gross,	McKinney,	Sollenberger,
Brown,	Gyger,	McMillen,	Sorg,
Brunner, P. A.,	Haberlen,	McSurdy,	Stank,
Burns,	Hall,	Menna,	Stockham,
Cadwalader,	Hamilton,	Mihm,	Stonier,
Calvin,	Hannon,	Miller,	Swope,
Campbell,	Hare,	Mintess,	Tahl,
Chervenak,	Harris,	Mock,	Tate,
Chudoff,	Haudenshield,	Modell,	Taylor,
Cohen,	Heatherington,	Mooney,	Thrasher,
Coleman,	Helm,	Moore,	Thompson,
Cook,	Herman,	Moran,	Tiemann,
Cooper,	Hersch,	Moser,	Trent,
Cordier,	Hewitt,	Muir,	Trout,
Corrigan,	Hocke,	Munley,	Turbett,
Costa,	Hoffman,	Murray,	Van Allsburg,
Coulson,	Hoggard,	Nowak,	Verona,
Croop,	Holmes,	O'Brien,	Wachhaus,
Cullen,	Hoopes,	O'Connor,	Wagner, K. H.,
Dague,	Hunter, B. F.,	O'Dare,	Wagner, P. L.,
Dalrymple,	Hunter, W. M.,	O'Neill,	Wallin,
Denman,	Huntley,	Owens,	Walton,
Dennison,	Imbrie,	Petrosky,	Watkins,
Depuy,	Irvin,	Pettit,	Weiss,
Dillon,	James,	Polaski,	Welsh,
Dix,	Jones,	Powers,	Winner,
Duffy,	Kennedy,	Readinger,	Wood, L. H.,
Elder,	Kirley,	Reagan,	Wood, N.,
Elliott,	Kitchen,	Reese, D. P.,	Worley,
Ely,	Kline,	Reese, R. E.,	Wright,
Erb,	Kolankiewicz,	Regan,	Yeakel,
Ewing,	Kowalski,	Reilly,	Yester,
Figlock,	Krepps,	Reynolds,	Fiss,
Finnerty,	Krise,	Riley,	Speaker.
Flack,	Lane,		

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1036, as follows:

An Act providing for the survey and establishment of a relief highway in the County of Dauphin as a part of the State highway system authorizing the taking of streets and roads and the laying out of new streets and roads providing for the taking of private property under the power of eminent domain the determination and payment of damages and the construction reconstruction improvement and maintenance of said highway by the Commonwealth authorizing the Commonwealth to accept voluntary contributions from certain political subdivisions and the use of Federal moneys if available imposing certain duties on the Secretary of Highways and making an appropriation

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The Secretary of Highways is hereby authorized to cause surveys to be made for a proposed relief highway in the County of Dauphin which shall begin at a point on Route 22006 and extend in a general southerly direction in Susquehanna Township and the City of Harrisburg to a point on Maclay Street near the State Farm Show Building thence to a point on Paxton Street a total distance of about five miles Such survey when made shall include a survey of a proposed location of part of said highway on along or over the bed of Paxton Creek

Section 2 Upon the completion of said surveys if the relief highway or any part thereof as herein described and designated is in the judgment of the Secretary of Highways justifiable the Secretary of Highways is hereby authorized to take over existing streets roads and private property as he shall designate for the laying out opening construction reconstruction improvement and maintenance of said relief highway or any part thereof and thereafter to lay out open construct reconstruct improve and maintain the same in the manner in which State highways in townships are authorized to be laid out opened constructed reconstructed improved and maintained as a part of the system of State highways

Section 3 Nothing in this act shall be construed to place upon the Commonwealth with regards to any street or streets taken over constructed reconstructed or improved within the City of Harrisburg under the provisions of this act any duty to police such streets or any duty or authority to regulate traffic parking or the general use by the traveling public of such streets or sections thereof or the duty of snow removal from or the cleaning or lighting of such streets

Section 4 Except as hereinbefore provided in carrying out the provisions of this act the Secretary of Highways shall possess all the powers by law vested in him in relation to the laying out opening location relocation constructing reconstructing improvement and maintenance of State highways in townships and in addition thereto he shall have and is hereby authorized to exercise the right of eminent domain for the purpose of condemning and taking private property for any purpose connected with the laying out opening location relocation widening construction reconstruction improvement or maintenance of said relief highway

Section 5 Before the Secretary of Highways shall undertake the construction reconstruction or improvement authorized by this act he shall when possible enter into an agreement with the owner or owners of said private property to be taken over as to amount of damage to be paid to said owner or owners by the Commonwealth or in case an agreement satisfactory to the secretary and said owner or owners cannot be made the secretary may proceed with the work of construction reconstruction or improvement and the owner or owners of said property damaged thereby or the Commonwealth may present their or its petition to the court of quarter sessions for the appointment of viewers to ascertain and assess such damages as well as any benefits The proceedings upon said petition and by the viewers shall be governed by the laws relating to the ascertainment and assessment of damages as well as any benefits for the relocation of State highways in townships The Commonwealth or the owner or owners or any other party to such proceedings may appeal from the award of the viewers to the court of common pleas and shall be entitled to a trial by jury From the judgment of the court of common pleas an appeal may be had to the Supreme or Superior Court as in other cases Such damages when ascertained shall be paid by the Commonwealth out of the moneys in the Motor License Fund and any moneys in the Motor License Fund necessary to make the payments required by this section are hereby specifically appropriated to the Department of Highways for such purpose

Section 6 The Secretary of Highways with the approval of the Governor and the City of Harrisburg and the County of Dauphin are hereby authorized to enter into agreements whereby the said city and county or either of them shall agree to pay to the Commonwealth

any proportionate part of or make any contribution towards the costs of the laying out location construction reconstruction or improvements of the relief highway herein authorized and in case any such agreement is entered into and any payment made thereunder to the Commonwealth such moneys shall be credited in the Motor License Fund

Section 7 The Secretary of Highways shall undertake the laying out establishment and construction of said relief highway or any part thereof if and when in his judgment funds are available for such project and so much of the money in the Motor License Fund at that time available for such purpose is hereby appropriated therefor

In addition to the moneys in the Motor License Fund as aforesaid the secretary is hereby authorized to use for such purpose any Federal moneys that may at that time be available for the laying out establishment and construction of the said relief highway

Section 8 The act approved the third day of July one thousand nine hundred and forty-one (P. L. 274) entitled "An act establishing certain public roads and streets and certain roads and streets not yet in existence in the City of Harrisburg and the County of Dauphin as a State highway and providing for their laying out opening construction and maintenance by the Department of Highways subject to certain terms and conditions" is hereby repealed

All acts and parts of acts inconsistent with the provisions of this act are hereby repealed

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—125

Alspach,	Freed,	Krise,	Rose, W. E.,
Auker,	Fullerton,	Laughner,	Rowley,
Barton,	Garber,	Lee,	Royer,
Bonawitz,	Gardner,	Leisey,	Salus,
Boorse,	Gates,	Leydic,	Sarge,
Bower,	Gillan,	Lichtenwalter,	Serrill,
Boyd,	Goodling,	Livingstone,	Simons,
Bretherick,	Gorman,	Lovett,	Smith,
Brice,	Greenwood,	Lyons,	Sollenberger,
Cadwalader,	Gross,	Madigan,	Sorg,
Calvin,	Gyger,	Mahany,	Stockham,
Campbell,	Hall,	McAtee,	Stonier,
Cook,	Hannon,	McClester,	Tahl,
Cooper,	Hare,	McKinney,	Taylor,
Cordier,	Haudenshield,	McMillen,	Thrasher,
Costa,	Helm,	McSurdy,	Tiemann,
Coulson,	Hewitt,	Menna,	Trout,
Dague,	Hocke,	Miller,	Turbett,
Dalrymple,	Hoffman,	Mintess,	Van Allsburg,
Denman,	Holmes,	Mock,	Wachhaus
Dennison,	Hoopes,	Moore,	Wagner, K. H.,
Depuy,	Hunter, W. M.,	Moser,	Wagner, P. L.,
Dix,	Huntley,	Muir,	Wallin,
Elder,	Imbrie,	Murray,	Walton,
Ely,	Irvin,	Nowak,	Watkins,
Erb,	James,	O'Dare,	Winner,
Ewing,	Jones,	Reagan,	Wood, L. H.,
Figlock,	Kennedy,	Reese, D. P.,	Wood, N.,
Flack,	Kitchen,	Reilly,	Worley,
Fleming,	Kline,	Riley,	Yeakel,
Foor,	Kowalski,	Robertson,	Fiss,
Fox,	Krepps,	Root,	Speaker.

NAYS—75

Baker,	Duffy,	Levy,	Regan,
Barrett,	Elliott,	Longo,	Reynolds,
Bentley,	Finnerty,	Maxwell,	Rose, S.,
Bentzel,	Flynn,	Mihm,	Sarraf,
Boies,	Goodwin,	Modell,	Scanlon,
Boory,	Grant,	Mooney,	Schuster,
Bradley,	Green,	Moran,	Skale,
Brigerman,	Haberlen,	Munley,	Snider,
Brown,	Hamilton,	O'Brien,	Stank,
Brunner, P. A.,	Harris,	O'Connor,	Swope,
Burns,	Heatherington,	O'Neill,	Tate,
Chervenak,	Herman,	Owens,	Thompson,
Chudoff,	Hersch,	Petrosky,	Trent,
Cohen,	Hoggard,	Pettit,	Verona,
Coleman,	Hunter, B. F.,	Polaski,	Weiss,
Corrigan,	Kirley,	Powers,	Welsh,
Croop,	Kolankiewicz,	Readinger,	Wright,
Cullen,	Lane,	Reese, R. E.,	Yester,
Dillon,	Leonard,		

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1108, as follows:

An Act to further amend the act approved the seventh day of May one thousand nine hundred and twenty-seven (P. L. 859) entitled "A supplement to the act approved the twentieth day of June one thousand nine hundred and nineteen (P. L. 521) entitled 'An act providing for the imposition and collection of certain taxes upon the transfer of property passing from a decedent who was a resident of this Commonwealth at the time of his death and of property within this Commonwealth of a decedent who was a nonresident of the Commonwealth at the time of his death and making it unlawful for any corporation of this Commonwealth or national banking association located therein to transfer the stock of such corporation or banking association standing in the name of any such decedent until the tax on the transfer thereof has been paid and providing penalties and citing certain acts for repeal' imposing additional taxes equal to Federal credits" by further defining and imposing such additional taxes as estate taxes prescribing and changing the method of computing such taxes and decreasing the interest penalty on unpaid taxes

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section one of the act approved the seventh day of May one thousand nine hundred and twenty-seven (P. L. 859) entitled "A supplement to the act approved the twentieth day of June one thousand nine hundred and nineteen (P. L. 521) entitled "An act providing for the imposition and collection of certain taxes upon the transfer of property passing from a decedent who was a resident of this Commonwealth at the time of his death and of property within this Commonwealth of a decedent who was a nonresident of the Commonwealth at the time of his death and making it unlawful for any corporation of this Commonwealth or national banking association located therein to transfer the stock of such corporation or banking association standing in the name of any such decedent until the tax on the transfer thereof has been paid and providing penalties and citing certain acts for repeal' imposing additional taxes equal to Federal credits" as last amended by the act approved the twelfth day of May one thousand nine hundred and thirty-one (P. L. 114) is hereby further amended to read as follows

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That in order that the Commonwealth may receive the full benefit of section three hundred and one (b) of the Federal Revenue Act of one thousand nine hundred and twenty-six or any other legislation of a similar kind or enacted for a like purpose which grants a credit on the Federal estate tax for [inheritance taxes] estate succession and transfer inheritance taxes paid to the State governments [additional transfer taxes for State purposes are hereby imposed upon

the transfer in trust or othewise of any property taxable] an estate tax to be known as the Pennsylvania Estate Tax is hereby imposed upon the estate of every person who at the time of his death is a resident of the Commonwealth provided such estate is in the class of estates which under the laws of the United States is subject to a Federal estate tax Such estate tax shall be in addition to any tax imposed as a result of the death of such resident under the provisions of the transfer inheritance tax law of this Commonwealth approved the twentieth day of June one thousand nine hundred and nineteen (P. L. 521) to which this act is a supplement [entitled "An act providing for the imposition and collection of certain taxes upon the transfer of property passing from a decedent who was a resident of this Commonwealth at the time of his death and of property within this Commonwealth of a decedent who was a nonresident of the Commonwealth at the time of his death and making it unlawful for any corporation of this Commonwealth or national banking association located therein to transfer the stock of such corporation or banking association standing in the name of any such decedent until the tax on the transfer thereof has been paid and providing penalties and citing certain acts for repeal" Such taxes shall be imposed as estate taxes and shall be collected in accordance with the provisions of the transfer inheritance tax laws of the Commonwealth in the following cases viz Whenever in any estate the total tax paid or payable to the Commonwealth and any other State or territory at the rate fixed under the inheritance tax law shall be less than the total credit allowed by the Federal law for taxes paid to the States then the tax imposed by this act upon the transfer of such property shall be an amount equal to the difference between the total credit allowable by the Federal law for taxes payable to the State governments and the total taxes actually paid or payable to the Commonwealth and any other State or territory under the inheritance tax laws] The said Pennsylvania Estate Tax upon the estate of every decedent as aforesaid shall be computed as follows The aggregate transfer inheritance taxes due under the act to which this act is a supplement shall first be ascertained To such amount there shall be added the amount of any estate inheritance legacy or succession taxes actually paid to any other State or territory or the District of Columbia or any possession of the United States in respect to any property owned by such decedent subject to such taxes as a part of or in connection with his estate The sum resulting from such addition shall then be deducted from an amount equal to the amount of the maximum credit allowable to the estate of the decedent by the Federal Estate Tax law or laws for estate inheritance legacy or succession taxes paid to any State or territory or the District of Columbia or any possession of the United States The remainder if any shall constitute and be the Pennsylvania Estate Tax upon the estate of the decedent The tax imposed by this act shall be collected in accordance with the provisions of the act to which this act is a supplement

Every executor administrator or person in actual or constructive possession of the property of an estate subject to the tax imposed by this act shall within thirty days after the filing of his her or its return with the Federal Government for Federal estate tax purposes file a copy of such Federal return with the register of wills of the proper county and shall within thirty days after the receipt by him her or it of any communication from the Federal Government making any final change in the said return or confirming increasing or diminishing the tax thereby shown to be due file a copy of such communication with the register of wills of the proper county The Commonwealth shall have authority in any estate taxable under this act to act to make a provisional estimate for the payment of taxes to the Commonwealth on account and to make an appraisement of the taxes due by any estate under this act when the amount of the Federal tax has been finally determined

Section 2 Section three of said act which was added thereto by the act approved the twenty-fourth day of June one thousand nine hundred and thirty-nine (P. L. 725) is hereby amended to read as follows

Section 3 Any tax imposed under the provisions of this act shall become due and payable at the expiration of eighteen months from the date of death of the decedent If the tax is not paid when due interest at the rate of [twelve] six per centum per annum shall be charged and collected from the time the same became payable [Where because of claims made upon the estate litigation or other unavoidable cause of delay the additional estate tax or any portion thereof payable by the estate of any decedent cannot be ascertained within a period of eighteen months after date of the decedent's death interest at the rate of six per centum per annum shall be charged upon the additional estate tax or any portion thereof that is unascertainable as aforesaid until the same shall become ascertainable] Where real or personal estate withheld by reason of litigation or other unavoidable cause or delay [in the manner aforesaid] from the parties entitled thereto subject to such additional estate tax has not been productive to the extent of six per centum per annum the proper parties shall not pay a greater amount as interest to the Commonwealth than they have realized or shall realize from such estate during the time the same has been or shall be withheld as aforesaid Provided That proof thereof is furnished the Department of Revenue and is satisfactory to the department

Section 3 Nothing herein contained shall be taken or construed to relieve any person whatsoever from the payment of any tax interest or penalty due or owing to the Commonwealth at the time this act becomes effective

Section 4 This act shall become effective immediately upon its final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—201

Alspach,	Fleming,	Laughner,	Robertson,
Auker,	Flynn,	Lee,	Root,
Baker,	Foor,	Leisey,	Rose, S.,
Barrett,	Fox	Leonard,	Rose, W. E.,
Barton,	Freed.	Levy,	Rowley,
Bentley,	Fullerton,	Leydic,	Royer,
Bentzel,	Garber,	Lichtenwalter,	Salus,
Boies,	Gardner,	Livingstone,	Sarge,
Bonawitz,	Gates	Longo,	Sarraf,
Boorse,	Gillan,	Lovett,	Scanlon,
Boory,	Goodling,	Lyons,	Schuster,
Bower,	Goodwin,	Madigan,	Serrill,
Boyd,	Gorman,	Mahany,	Simons,
Bradley,	Grant,	Maxwell,	Skale,
Bretherick,	Green,	McAtee,	Smith,
Brice,	Greenwood,	McClester,	Snider,
Brigerman,	Gross,	McKinney,	Sollenberger,
Brown,	Gyger,	McMillen,	Song,
Brunner, P. A.,	Haberlen,	McSurdy,	Soonk,
Burns,	Hall,	Menna,	Stockham,
Cadwalader,	Hamilton,	Mihm,	Stonier,
Calvin,	Hannon,	Miller,	Swope,
Campbell,	Hare,	Mintess,	Tahl,
Chervenak,	Harris,	Mock,	Tate,
Chudoff,	Haudenshield,	Modell,	Taylor,
Cohen,	Heatherington,	Mooney,	Thompson,
Coleman,	Helm,	Moore,	Thrasher,
Cook,	Herman,	Moran,	Tiemann,
Cooper,	Hersch,	Moser,	Trent,
Cordier,	Hewitt,	Muir,	Trout,
Corrigan,	Hocke,	Munley,	Turbett,
Costa,	Hoffman,	Murray,	Van Allsburg,
Coulson,	Hoggard,	Nowak,	Verona,
Croop,	Holmes,	O'Brien,	Wachhaus,
Cullen,	Hoopes,	O'Connor,	Wagner, K. H.,
Dague,	Hunter, B. F.,	O'Dare,	Wagner, P. L.,
Dalrymple,	Hunter, W. M.,	O'Neill,	Wallin,
Denman,	Huntley,	Owens,	Walton,

Dennison,	Imbrie,	Petrosky,	Watkins,
Depuy,	Irvin,	Pettit,	Weiss,
Dillon,	James,	Polaski,	Welsh,
Dix,	Jones,	Powers,	Winner,
Duffy,	Kennedy,	Readinger,	Wood, L. H.,
Elder,	Kirley,	Reagan,	Wood, N.,
Elliott,	Kitchen,	Reese, D. P.,	Worley,
Ely,	Kline,	Reese, R. E.,	Wright,
Erb,	Kolankiewicz,	Regan,	Yeakel,
Ewing,	Kowalski,	Reilly,	Yester,
Figlock,	Krepps,	Reynolds,	Fiss,
Finnerty,	Krise,	Riley,	Speaker.
Flack,	Lane,		

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 810, as follows:

An Act relating to the filing and revival of liens for taxes and water rates in the office of the prothonotary of common pleas court on real estate within the territorial limits of cities of the second class prescribing duties and fees of prothonotaries establishing the office of solicitor for delinquent tax and water rate liens defining the powers and duties of said office providing for enforced collection of said taxes and water rates imposing duties upon cities of the second class and school districts within the territorial limits of cities of the second class

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 There is hereby established in cities of the second class the office of solicitor for delinquent real estate tax and water rate liens Said solictor shall be appointed by a majority of a board composed of the mayor the president of the board of public education the city solicitor the school solicitor and the collector of delinquent city and school taxes

For the purpose of this act the term "board" shall be deemed to mean the board referred to and created in the preceding paragraph The mayor shall be the chairman of the board and meetings of said board shall be called upon written notice by the mayor or the solicitor to each member A majority of the board shall constitute a quorum

Section 2 Said solicitor shall be charged with the duty of filing and reviving liens in the office of the prothonotary of common pleas court for all delinquent city and school taxes and water rates levied and imposed upon real estate within the territorial limits of cities of the second class The proper authorities of the city and school district shall before the first day of the third year after the year for which such taxes and water rates have been levied furnish the solicitor with a certified report or duplicates of such taxes and water rates showing a description of the property the name or names of the registered owner or owners and the amounts of all taxes and water rates to be filed as liens by said solicitor

Section 3 On or before the first day of January of each year the solicitor shall file with the city and school controller a surety bond in favor of the Commonwealth for the benefit of the city and school district in a sum fixed by the board conditioned for the faithful performance of his duties during the ensuing year The surety of said bond shall be a surety company appearing on the approved list of sureties of the orphans' court of the county

Section 4 The solicitor shall be an attorney engaged in the practice of law for more than ten years and a resident of the city for a like period He shall subject to the approval of the board appoint all necessary clerks and assistants whose number and salaries and the salary of the solicitor shall be fixed by the board The solicitor shall act as attorney for the city and school district in all matters pertaining to liens for city and school taxes and water rates including the filing and revival of such liens and the prosecution of the same to judgment and execution in the collection of such delinquent taxes and rates together with such proceedings as may be considered necessary or desirable in perfecting titles acquired at any tax sale The solicitor shall at all times be under the direction and subject to the control of the board and shall perform such other duties in connection with taxes and rates as the board may direct

Section 5 The solicitor shall upon receiving the certified reports or duplicates from the city and school district as provided for in section two of this act file liens for such taxes and water rates and against the properties shown in such reports in the manner and within the time prescribed by law for the preservation of such liens City taxes school taxes and water rates may be combined in one lien and such taxes and rates for two or more years may be included in one lien The fee of the prothonotary for filing reviving indexing and docketing such joint or combined lien or a consolidated lien as hereinafter provided for shall be the same as that fixed by law for similar service in connection with a single lien

Section 6 In the filing and revival of liens it shall be lawful to file of record a consolidated lien which may include city and school taxes and water rates for which liens had been filed or revived within a period of five years preceding the date of filing such consolidated lien Provided however That the liens which are to be consolidated have been entered against the same defendant or defendants and against the same property Such liens shall be marked "consolidated lien" and in addition to the matters required to be set out in a tax lien under existing law shall show in connection with each prior lien included therein the kind and amount of tax the year for which levied and the number and term of the original lien

The entry of a consolidated lien shall have the effect of reviving each of the liens included therein as of the date of its filing and all proceedings thereafter shall be on the consolidated lien which may be revived from time to time as in the case of other tax claims Such consolidated liens shall be indexed in the proper index by the prothonotary and where the amount claimed would ordinarily appear he shall insert the words "consolidated lien"

The word "consolidated" and the number and term or place of record of the consolidated lien together with the signature of the solicitor shall be stamped or written on the docket entry of the liens which are consolidated

Section 7 The said cities of the second class shall provide said solicitor with suitable office space and the cost of operating said office including furniture equipment stationery supplies postage surety bonds sheriff's costs court and advertising costs salaries or any expense necessary to the performance of the duties of the said office shall be borne by the said city and school district in proportion to their respective tax levy upon the assessable value of real estate within the territorial limits of said city The relative cost to each taxing body shall be on the basis of an estimated budget prepared by such solicitor and approved by the board on or before November first each year for the following year's expenses of said office The manner and method of paying said expense shall be determined by the legislative bodies of the said city and school district and the proper authorities of the city and school district shall provide the necessary facilities and funds upon the request of such legislative bodies

Section 8 All powers and duties of the appropriate authorities of the city and school districts with reference to filing reviving and enforcing payment of liens for city and school taxes or water rates through court action

shall remain under existing laws or laws hereafter passed and are hereby conferred upon said solicitor on behalf of the aforesaid taxing bodies

Section 9 In order to carry out the purpose of this act all laws now enacted or hereacter enacted and not inconsistent herewith relating to the filing reviving and procedure on tax liens and municipal claims or any of the purposes of this act reading in the singular sense shall also be read in the plural sense as if the city and school district were a single entity and entitled to act as a single plaintiff in any lien judgment execution or suit for joint tax claims

Section 10 In order to permit the board to organize the necessary details this act shall take effect immediately upon its final enactment Provided however That it shall not otherwise become effective until the first day of January one thousand nine hundred forty-four

Section 11 All acts or parts of acts inconsistent herewith are hereby repealed

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—201

Alspach,	Fleming,	Laughner,	Robertson,
Auker,	Flynn,	Lee,	Root,
Baker,	Foor,	Leisey,	Rose, S.,
Barrett,	Fox,	Leonard,	Rose, W. E.,
Barton,	Freed,	Levy,	Rowley,
Bentley,	Fullerton,	Leydic,	Royer,
Bentzel,	Garber,	Lichtenwalter,	Salus,
Boies,	Gardner,	Livingstone,	Sarge,
Bonawitz,	Gates,	Longo,	Sarraf,
Boorse,	Gillan,	Lovett,	Scanlon,
Boory,	Goodling,	Lyons,	Schuster,
Bower,	Goodwin,	Madigan,	Serrill,
Boyd,	Gorman,	Mahany,	Simons,
Bradley,	Grant,	Maxwell,	Skale,
Bretherick,	Green,	McAtee,	Smith,
Brice,	Greenwood,	McClester,	Snider,
Brigerman,	Gross,	McKinney,	Sollenberger,
Brown,	Gyger,	McMillen,	Sorg,
Brunner, P. A.,	Haberlen,	McSurdy,	Stank,
Burns,	Hall,	Menna,	Stockham,
Cadwalader,	Hamilton,	Mihm,	Stonier,
Calvin,	Hannon,	Miller,	Swope,
Campbell,	Hare,	Mintess,	Tahl,
Chervenak,	Harris,	Mock,	Tate,
Chudoff,	Haudenshield,	Modell,	Taylor,
Cohen,	Heatherington,	Mooney,	Thompson,
Coleman,	Helm,	Moore,	Thrasher,
Cook,	Herman,	Moran,	Tiemann,
Cooper,	Hersch,	Moser,	Trent,
Cordier,	Hewitt,	Muir,	Trout,
Corrigan,	Hocke,	Munley,	Turbett,
Costa,	Hoffman,	Murray,	Van Allsburg,
Coulson,	Hoggard,	Nowak,	Verona,
Croop,	Holmes,	O'Brien,	Wachhaus,
Cullen,	Hoopes,	O'Connor,	Wagner, K. H.,
Dague,	Hunter, B. F.,	O'Dare,	Wagner, P. L.,
Dalrymple,	Hunter, W. M.,	O'Neill,	Wallin,
Denman,	Huntley,	Owens,	Walton,
Dennison,	Imbrie,	Petrosky,	Watkins,
Depuy,	Irvin,	Pettit,	Weiss,
Dillon,	James,	Polaski,	Welsh,
Dix,	Jones,	Powers,	Winner,
Duffy,	Kennedy,	Readinger,	Wood, L. H.,
Elder,	Kirley,	Reagan,	Wood, N.,
Elliott,	Kitchen,	Reese, D. P.,	Worley,
Ely,	Kline,	Reese, R. E.,	Wright,
Erb,	Kolankiewicz,	Regan,	Yeakel,
Ewing,	Kowalski,	Reilly,	Yester,
Figlock,	Krepps,	Reynolds,	Fiss,
Finnerty,	Krise,	Riley,	Speaker.
Flack,	Lane,		

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 259, as follows:

An Act to validate certain acknowledgments and to regulate the effect thereof

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 All acknowledgments of written instruments made and certified by officers on active duty with the armed forces of the United States holding the rank of at least major or lieutenant commander members of any general or special court martial and summary court officers or judge advocates taken before the effective date of this act are hereby validated and all such instruments in writing so acknowledged may be offered in evidence without further proof and if such instruments so acknowledged convey or relate to or concern any interest in lands they may be recorded in the recorder's office of the county or counties where such lands lie and the record of same made before or after the passage of this act shall be constructive notice of all matters contained therein and such record or exemplification of same duly certified shall be legal evidence in all cases in which the original would be competent evidence

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—201

Alspach,	Fleming,	Laughner,	Robertson,
Auker,	Flynn,	Lee,	Root,
Baker,	Foor,	Leisey,	Rose, S.,
Barrett,	Fox,	Leonard,	Rose, W. E.,
Barton,	Freed,	Levy,	Rowley,
Bentley,	Fullerton,	Leydic,	Royer,
Bentzel,	Garber,	Lichtenwalter,	Sarge,
Boies,	Gardner,	Livingstone,	Sarraf,
Bonawitz,	Gates,	Longo,	Salus,
Boorse,	Gillan,	Lovett,	Scanlon,
Boory,	Goodling,	Lyons,	Schuster,
Bower,	Goodwin,	Madigan,	Serrill,
Boyd,	Gorman,	Mahany,	Simons,
Bradley,	Grant,	Maxwell,	Skale,
Bretherick,	Green,	McAtee,	Smith,
Brigerman,	Greenwood,	McClester,	Snider,
Brice,	Gross,	McKinney,	Sollenberger,
Brown,	Gyger,	McMillen,	Sorg,
Brunner, P. A.,	Haberlen,	McSurdy,	Stank,
Burns,	Hall,	Menna,	Stockham,
Cadwalader,	Hamilton,	Mihm,	Stonier,
Calvin,	Hannon,	Miller,	Swope,
Campbell,	Hare,	Mintess,	Tahl,
Chervenak,	Harris,	Mock,	Tate,
Chudoff,	Haudenshield,	Modell,	Taylor,
Cohen,	Heatherington,	Mooney,	Thompson,
Coleman,	Helm,	Moore,	Thrasher,
Cook,	Herman,	Moran,	Tiemann,
Cooper,	Hersch,	Moser,	Trent,
Cordier,	Hewitt,	Muir,	Trout,
Corrigan,	Hocke,	Munley,	Turbett,
Costa,	Hoffman,	Murray,	Van Allsburg,
Coulson,	Hoggard,	Nowak,	Verona,
Croop,	Holmes,	O'Brien,	Wachhaus,
Cullen,	Hoopes,	O'Connor,	Wagner, K. H.,
Dague,	Hunter, B. F.,	O'Dare,	Wagner, P. L.,
Dalrymple,	Hunter, W. M.,	O'Neill,	Wallin,
Denman,	Huntley,	Owens,	Walton,
Dennison,	Imbrie,	Petrosky,	Watkins,
Depuy,	Irvin,	Pettit,	Weiss,
Dillon,	James,	Polaski,	Welsh,

Dix,	Jones,	Powers,	Winner,
Duffy,	Kennedy,	Readinger,	Wood, L. H.,
Elder,	Kirley,	Reagan,	Wood, N.,
Elliott,	Kitchen,	Reese, D. P.,	Worley,
Ely,	Kline,	Reese, R. E.,	Wright,
Erb,	Kolankiewicz,	Regan,	Yeakel,
Ewing,	Kowalski,	Reilly,	Yester,
Figlock,	Krepps,	Reynolds,	Fiss,
Finnerty,	Krise,	Riley,	Speaker.
Flack,	Lane,		

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 878, as follows:

An Act creating a revolving fund in the State Treasury to be used by the State Council for the Blind for making advancements to blind persons for the purchase of stock equipment and accessories necessary to operate vending or refreshment stands in locations leased or arranged for by said council providing for the repayment of such advancements authorizing the State Council for the Blind to adopt rules and regulations and making an appropriation

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows:

Section 1 There is hereby created in the State Treasury a revolving fund to be designated as the "Employment Fund for the Blind" which shall be used by the State Council for the Blind in carrying out the purposes hereinafter specified All moneys in said fund from time to time are hereby appropriated to the State Council for the Blind for such purposes and shall be paid without further appropriations under requisition and warrants drawn on the State Treasurer in the usual manner

Section 2 The State Council for the Blind is hereby authorized to advance to deserving blind persons out of moneys in the "Employment Fund for the Blind" such reasonable amounts as may be considered proper to enable such blind persons to purchase the merchandise equipment and accessories necessary to put into operation a vending or refreshment stand in some suitable location to be leased or arranged for by the State Council

The leases or permits for the installation and operation of any such stands shall be secured by the State Council for the Blind in its own name

Any moneys advanced to a blind person under the authority of this act shall be repaid by such person in monthly installments which shall in no case be less than two per centum (2%) of the gross monthly sales made at the stand in question The State Council for the Blind shall transmit all such repayments into the State Treasury where they shall be credited to the "Employment Fund for the Blind"

Section 3 The State Council for the Blind is hereby authorized to adopt suitable rules and regulations to facilitate the operation of this act

Section 4 The sum of twenty thousand dollars ($20,000) is hereby appropriated to be paid into the "Employment Fund for the Blind" for use by the State Council for the Blind in carrying out the purposes of this act

Section 5 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—201

Alspach,	Fleming,	Laughner,	Robertson,
Auker,	Flynn,	Lee,	Root,
Baker,	Foor,	Leisey,	Rose, S.,
Barrett,	Fox,	Leonard,	Rose, W. E.,
Barton,	Freed,	Levy,	Rowley,
Bentley,	Fullerton,	Leydic,	Royer,
Bentzel,	Garber,	Lichtenwalter,	Salus,
Boies,	Gardner,	Livingstone,	Sarge,
Bonawitz,	Gates,	Longo,	Sarraf,
Boorse,	Gillan,	Lovett,	Scanlon,
Boory,	Goodling,	Lyons,	Schuster,
Bower,	Goodwin,	Madigan,	Serrill,
Boyd,	Gorman,	Mahany,	Simons,
Bradley,	Grant,	Maxwell,	Skale,
Bretherick,	Green,	McAtee,	Smith,
Brice,	Greenwood,	McClester,	Snider,
Brigerman,	Gross,	McKinney,	Sollenberger,
Brown,	Gyger,	McMillen,	Sorg,
Brunner, P. A.,	Haberlen,	McSurdy,	Stank,
Burns,	Hall,	Menna,	Stockham,
Cadwalader,	Hamilton,	Mihm,	Stonier,
Calvin,	Hannon,	Miller,	Swope,
Campbell,	Hare,	Mintess,	Tahl,
Chervenak,	Harris,	Mock,	Tate,
Chudoff,	Haudenshield,	Modell,	Taylor,
Cohen,	Heatherington,	Mooney,	Thompson,
Coleman,	Helm,	Moore,	Thrasher,
Cook,	Herman,	Moran,	Tiemann,
Cooper,	Hersch,	Moser,	Trent,
Cordier,	Hewitt,	Muir,	Trout,
Corrigan,	Hocke,	Munley,	Turbett,
Costa,	Hoffman,	Murray,	Van Allsburg,
Coulson,	Hoggard,	Nowak,	Verona,
Croop,	Holmes,	O'Brien,	Wachhaus,
Cullen,	Hoopes,	O'Connor,	Wagner, K. H.,
Dague,	Hunter, B. F.,	O'Dare,	Wagner, P. L.,
Dalrymple,	Hunter, W. M.,	O'Neill,	Wallin,
Denman,	Huntley,	Owens,	Walton,
Dennison,	Imbrie,	Petrosky,	Watkins,
Depuy,	Irvin,	Pettit,	Weiss,
Dillon,	James,	Polaski,	Welsh,
Dix,	Jones,	Powers,	Winner,
Duffy,	Kennedy,	Readinger,	Wood, L. H.,
Elder,	Kirley,	Reagan,	Wood, N.,
Elliott,	Kitchen,	Reese, D. P.,	Worley,
Ely,	Kline,	Reese, R. E.,	Wright,
Erb,	Kolankiewicz,	Regan,	Yeakel,
Ewing,	Kowalski,	Reilly,	Yester,
Figlock,	Krepps,	Reynolds,	Fiss,
Finnerty,	Krise,	Riley,	Speaker.
Flack,	Lane,		

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 605, as follows:

An Act authorizing the Pennsylvania Historical Commission to acquire by gift from the Erie County Historical Society a plot of ground in the city of Erie Pennsylvania to be used as a permanent resting place for the Flagship Niagara and making an appropriation to said Commission for the improvement development and preparation of such plot of ground and the removal of the said Flagship thereto

Whereas the Flagship Niagara is an historic shrine of national importance the preservation of which is a sacred duty this Commonwealth owes to her own citizens and to the Nation at large and

Whereas the Commonwealth has restored and pre-

served this sacred reminder of one of this Nation's most glorious naval victories by placing the Flagship Niagara at a permanent mooring place on the shores of Lake Erie adjacent to the City of Erie and

Whereas the said Flagship Niagara located at its present permanent mooring place is constantly menaced by the terrific storms which sweep Lake Erie and endangered by the lack of available fire protection and

Whereas the Commonwealth has the opportunity to acquire by gift from the Erie County Historical Society a plot of ground in the City of Erie which is in all respects suitable for a permanent resting place for the said Flagship Niagara being sheltered from the said storms within reach of fire fighting facilities of the City of Erie and extremely accessible to the public for visitation therefor

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 For the purpose of further perpetuating and preserving the Flagship Niagara in its natural surroundings and in a location where it will be comparatively free from the menace of storms and the dangers of fire the Pennsylvania Historical Commission is hereby authorized to acquire by gift from the Erie County Historical Society a plot of ground in the City of Erie Pennsylvania comprising Inshore Water Lots Numbers 71 and 72 bordering on the West Canal Basin and to improve grade plant develop and maintain said plot of ground as the permament location and resting place of said Flagship Niagara

Section 2 The sum of ten thousand dollars ($10,000) or so much thereof as may be necessary is hereby specifically appropriated to the Pennsylvania Historical Commission to be used for the improvement grading planting and development of said plot of ground so acquired consisting of Water Lots Numbers 71 and 72 in the City of Erie Pennsylvania and the preparation of the same as the permanent location and resting place of the Flagship Niagara and for the purpose of moving the said Flagship from its present mooring place to and properly installing the same on its new location on the said plot of ground acquired as aforesaid The moneys herein appropriated shall be expended for the payment of all costs and expenses incident to the development and improvement of said plot of ground as aforesaid the moving of said Flagship and the placement of the same in a proper and safe position at its new location

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—201

Alspach,	Fleming,	Laughner,	Robertson,
Auker,	Flynn,	Lee,	Root,
Baker,	Foor,	Leisey,	Rose, S.,
Barrett,	Fox,	Leonard,	Rose, W. E.,
Barton,	Freed,	Levy,	Rowley,
Bentley,	Fullerton,	Leydic,	Royer,
Bentzel,	Garber,	Lichtenwalter,	Salus,
Boies,	Gardner,	Livingstone,	Sarge,
Bonawitz,	Gates,	Longo,	Sarraf,
Boorse,	Gillan,	Lovett,	Scanlon,
Boory,	Goodling,	Lyons,	Schuster,
Bower,	Goodwin,	Madigan,	Serrill,
Boyd,	Corman,	Mahany,	Simons,
Bradley,	Grant,	Maxwell,	Skale,
Bretherick,	Green,	McAtee,	Smith,
Brice,	Greenwood,	McClester,	Snider,
Brigerman,	Gross,	McKinney,	Sollenberger,
Brown,	Gyger,	McMillen,	Sorg,
Brunner, P. A.,	Haberlen,	McSurdy,	Stank,
Burns,	Hall,	Menna,	Stockham,
Cadwalader,	Hamilton,	Mihm,	Stonier,
Calvin,	Hannon,	Miller,	Swope,
Campbell,	Hare,	Mintess,	Tahl,
Chervenak,	Harris,	Mock,	Tate,
Chudoff,	Haudenshield,	Modell,	Taylor,
Cohen,	Heatherington,	Mooney,	Thompson,
Coleman,	Helm,	Moore,	Thrasher,
Cook,	Herman,	Moran,	Tiemann,
Cooper,	Hersch,	Moser,	Trent,
Cordier,	Hewitt,	Muir,	Trout,
Corrigan,	Hocke,	Munley,	Turbett,
Costa,	Hoffman,	Murray,	Van Allsburg,
Coulson,	Hoggard,	Nowak,	Verona,
Croop,	Holmes,	O'Brien,	Wachhaus,
Cullen,	Hoopes,	O'Connor,	Wagner, K. H.,
Dague,	Hunter, B. F.,	O'Dare,	Wagner, P. L.,
Dalrymple,	Hunter, W. M.,	O'Neill,	Wallin,
Denman,	Huntley,	Owens,	Walton,
Dennison,	Imbrie,	Petrosky,	Watkins,
Depuy,	Irvin,	Pettit,	Weiss,
Dillon,	James,	Polaski,	Welsh,
Dix,	Jones,	Powers,	Winner,
Duffy,	Kennedy,	Readinger,	Wood, L. H.,
Elliott,	Kirley,	Reagan,	Wood, N.,
Elder,	Kitchen,	Reese, D. P.,	Worley,
Ely,	Kline,	Reese, R. E.,	Wright,
Erb,	Kolankiewicz,	Regan,	Yeakel,
Ewing,	Kowalski,	Reilly,	Yester,
Figlock,	Krepps,	Reynolds,	Fiss,
Finnerty,	Krise,	Riley,	Speaker.
Flack,	Lane,		

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1102, as follows:

An Act to further amend section one of the act approved the twenty-fifth day of May one thousand nine hundred thirty-three (P. L. 1016) entitled "An act relating to aeronautics providing for the maintenance and operation of intermediate landing fields and air navigation facilities by the Commonwealth alone or in cooperation with the United States Government or political subdivision of the Commonwealth providing for the execution of leases or the issuance of licenses to the United States Government or to political subdivisions of the Commonwealth for the maintenance of navigation facilities on intermediate landing fields of the Commonwealth conferring powers and duties on the Department of Revenue with respect thereto and repealing certain acts and parts of acts" by transferring certain powers and duties from the Department of Revenue to the Pennsylvania Aeronautics Commission

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section one of the act approved the twenty-fifth day of May one thousand nine hundred thirty-three (P. L. 1016) entitled "An act relating to areonautics providing for the maintenance and operation of intermediate landing fields and air navigation facilities by the Commonwealth alone or in cooperation with the United States Government or political subdivisions of the Commonwealth providing for the execution of leases or the issuance of licenses to the United States Government or to political subdivisions of the Commonwealth for the maintenance of navigation facilities on intermediate landing fields of the Commonwealth conferring powers and duties on the Department of Revenue with respect thereto and repealing certain acts and parts of acts" as amended by the act approved the sixth day of August one thousand nine hundred forty-one (P. L. 859) is hereby further amended to read as follows

Section 1 Be it enacted &c That the [Department of Revenue] Pennsylvania Aeronautics Commission in connection with the designation and establishment of civil airways within over and above the lands and waters of

this Commonwealth as provided by law shall have the power to the extent to which the General Assembly shall have appropriated funds to it or to the Department of Property and Supplies for the purpose

(a) Either alone or in cooperation with counties cities boroughs or townships to establish operate and maintain along such airways all necessary navigation facilities including airports landing fields and intermediate landing fields

(b) To accept in the name of the Commonwealth donations of airports landing fields or intermediate landing fields or grounds suitable for airports landing fields or intermediate landing field purposes or necessary for safeguarding flying or buildings to be used in connection with airports landing fields or intermediate landing fields

(c) To make recommendations to the Department of Property and Supplies for the acquisition in the name of the Commonwealth by lease purchase or condemnation of lands with or without buildings suitable for the establishment thereon of airports landing fields or intermediate landing fields such lands to be acquired by the Commonwealth acting alone or in cooperation with counties cities boroughs or townships having authority to acquire and maintain such fields

(d) To make additions and improvements in or to airports landing fields or intermediate landing fields and facilities under its control and either alone or in cooperation with others to provide personnel heat light water fuel telephone service drainage runways fueling facilities and lighting facilities and to remove or otherwise eliminate such obstructions as shall menace air travel

(e) Either alone or in cooperation with others to install equip maintain and operate airports landing fields or intermediate landing field beacons landing lights markers and other air navigation facilities along civil airways established and set apart by it

(f) With the approval of the Governor to execute leases or licenses with or without consideration granting to the government of the United States or any agency thereof or to any county or municipality within this Commonwealth the right to erect operate and maintain upon airports landing fields or intermediate landing fields belonging to the Commonwealth boundary lights and other equipment and air navigation facilities but all such leases and licenses shall be revocable upon six months' notice and shall require the lessee or licensee at its own expense to maintain any structures erected by it under its lease or license

(g) To receive and accept contributions of either money or property or other things of value to be held used and applied for the purposes in this act provided and to receive or accept grants from the United States or any of its agencies for such purposes

Section 2 This act shall become effective on the first day of June one thousand nine hundred forty-three

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—201

Alspach,	Fleming,	Laughner,	Robertson,
Auker,	Flynn,	Lee,	Root,
Baker,	Foor,	Leisey,	Rose, S.,
Barrett,	Fox,	Leonard,	Rose, W. E.,
Barton,	Freed,	Levy,	Rowley,
Bentley,	Fullerton,	Leydic,	Royer,
Bentzel,	Garber,	Lichtenwalter,	Salus,
Boies,	Gardner,	Livingstone,	Sarge,
Bonawitz,	Gates	Longo,	Sarraf,
Boorse,	Gillan	Lovett,	Scanlon,
Boory,	Goodling,	Lyons,	Schuster,
Bower,	Goodwin,	Madigan,	Serrill,
Boyd,	Gorman,	Mahany,	Simons,
Bradley,	Grant,	Maxwell,	Skale,
Bretherick,	Green,	McAtee,	Smith,
Brice,	Greenwood,	McClester,	Snider,
Brigerman,	Gross,	McKinney,	Sollenberger,
Brown,	Gyger,	McMillen,	Sorg,
Brunner, P. A.,	Haberlen,	McSurdy,	Stank,
Burns,	Hall,	Menna,	Stockham,
Cadwalader,	Hamilton,	Mihm,	Stonier,
Calvin,	Hannon,	Miller,	Swope,
Campbell,	Hare,	Mintess,	Tahl,
Chervenak,	Harris,	Mock,	Tate,
Chudoff,	Haudenshield,	Modell,	Taylor,
Cohen,	Heatherington,	Mooney,	Thompson,
Coleman,	Helm,	Moore,	Thrasher,
Cook,	Herman,	Moran,	Tiemann,
Cooper,	Hersch,	Moser,	Trent,
Cordier,	Hewitt,	Muir,	Trout,
Corrigan,	Hocke,	Munley,	Turbett,
Costa,	Hoffman,	Murray,	Van Allsburg,
Coulson,	Hoggard,	Nowak,	Verona,
Croop,	Holmes,	O'Brien,	Wachhaus,
Cullen,	Hoopes,	O'Connor,	Wagner, K. H.,
Dague,	Hunter, B. F.,	O'Dare,	Wagner, P. L.,
Dalrymple,	Hunter, W. M.,	O'Neill,	Wallin,
Denman,	Huntley,	Owens,	Walton,
Dennison,	Imbrie,	Petrosky,	Watkins,
Depuy,	Irvin,	Pettit,	Weiss,
Dillon,	James,	Polaski,	Welsh,
Dix,	Jones,	Powers,	Winner,
Duffy,	Kennedy,	Readinger,	Wood, L. H.,
Elder,	Kirley,	Reagan,	Wood, N.,
Elliott,	Kitchen,	Reese, D. P.,	Worley,
Ely,	Kline,	Reese, R. E.,	Wright,
Erb,	Kolankiewicz,	Regan,	Yeakel,
Ewing,	Kowalski,	Reilly,	Yester,
Figlock,	Krepps,	Reynolds,	Fiss,
Finnerty,	Krise,	Riley,	Speaker.
Flack,	Lane,		

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1103, as follows:

An Act to further amend section two hundred two to reenact and amend section four hundred seven to reenact and further amend Section one thousand two hundred eight and to amend section two thousand nine hundred six of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the maner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined by providing for a Pennsylvania Aeronautics Commission in the Department of Commerce by defining the constitution powers duties and remuneration of said commission and its employes and repealing all acts and parts of acts inconsistent therewith

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section two hundred two of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" as last amended by the act approved the sixth day of June one thousand nine hundred thirty-nine (P. L. 250) is hereby further amended to read as follows:

Section 202 Departmental Administrative Boards Commissions and Offices The following boards commissions and offices are hereby placed and made departmental administrative boards commissions or offices as the case may be in the respective administrative departments mentioned in the preceding section as follows

In the Department of State
State Employes' Retirement Board
In the Department of Justice
Board of Pardons
Board of Commissioners on Uniform State Laws
In the Treasury Department
Board of Finance and Revenue
In the Department of Internal Affairs
Board of Property
In the Department of Public Instruction
State Council of Education
Pennsylvania State Board of Censors
Public School Employes' Retirement Board
Pennsylvania Historical Commission
Board of Trustees of Thaddeus Stevens Industrial School
Board of Trustees of Pennsylvania State Oral School for the Deaf
Board of Trustees of Pennsylvania Soldiers' Orphan School
Board of Trustees of West Chester State Teachers' College
Board of Trustees of Millersville State Teachers' College
Board of Trustees of Kutztown State Teachers' College
Board of Trustees of East Stroudsburg State Teachers' College
Board of Trustees of Mansfield State Teachers' College
Board of Trustees of Bloomsburg State Teachers' College
Board of Trustees of Shippensburg State Teachers' College
Board of Trustees of Lock Haven State Teachers' College
Board of Trustees of Indiana State Teachers' College
Board of Trustees of California State Teachers' College
Board of Trustees of Slippery Rock State Teachers' College
Board of Trustees of Edinboro State Teachers' College
Board of Trustees of Clarion State Teachers' College
Board of Trustees of Cheyney Training School for Teachers
State Board of Medical Education and Licensure
State Board of Pharmacy
State Dental Council and Examining Board
State Board of Optometrical Examiners
State Board of Osteopathic Examiners
Osteopathic Surgeons' Examining Board
State Board of Examiners for the Registration of Nurses
State Board of Veterinary Medical Examiners
State Board for the Examination of Public Accountants
State Board of Examiners of Architects
Anthracite Mine Inspectors' Examining Board
Mine Inspectors' Examining Board for the Bituminous Coal Mines of Pennsylvania
State Registration Board for Professional Engineers
State Civil Service Commissions
In the Department of Military Affairs
Armory Board of the State of Pennsylvania
Board of Trustees of Pennsylvania Soldiers' and Sailors' Home
In the Department of Banking
Board to License Private Bankers
Pennsylvania Securities Commission
In the Department of Agriculture
State Farm Products Show Commission
In the Department of Forests and Waters
Water and Power Resources Board
Geographic Board
Lake Erie and Ohio River Canal Board
Pennsylvania State Park and Harbor Commission of Erie
Washington Crossing Park Commission
Valley Forge Park Commission
Fort Washington Park Commission
In the Department of Mines
Anthracite Mine Inspectors
Bituminous Mine Inspectors
In the Department of Highways
State Bridge Commission
In the Department of Health
Sanitary Water Board
State Board of Undertakers
In the Department of Labor and Industry
Workmen's Compensation Board
Workmen's Compensation Referees
State Workmen's Insurance Board
The Industrial Board
In the Department of Welfare
State Council for the Blind
Board of Trustees of Eastern State Penitentiary
Board of Trustees of Western State Penitentiary
Board of Trustees of Pennsylvania Industrial School which upon the completion of the present Pennsylvania Industrial School at Huntingdon for the reception care maintenance detention employment and training of defective delinquents shall thereafter be known as the Board of Trustees of Pennsylvania Institution for Defective Delinquents
Board of Trustees of State Industrial Home for Women
Board of Trustees of Pennsylvania Training School
Board of Trustees of Allentown State Hospital
Board of Trustees of Danville State Hospital
Board of Trustees of Farview State Hospital
Board of Trustees of Harrisburg State Hospital
Board of Trustees of Norristown State Hospital
Board of Trustees of Warren State Hospital
Board of Trustees of Wernersville State Hospital
Board of Trustees of Torrance State Hospital
Board of Trustees of Ashland State Hospital
Board of Trustees of Blossburg State Hospital
Board of Trustees of Coaldale State Hospital
Board of Trustees of Connellsville State Hospital
Board of Trustees of Hazleton State Hospital
Board of Trustees of Locust Mountain State Hospital
Board of Trustees of Nanticoke State Hospital
Board of Trustees of Philipsburg State Hospital
Board of Trustees of Scranton State Hospital
Board of Trustees of Shamokin State Hospital
Board of Trustees of Laurelton State Village
Board of Trustees of Pennhurst State School
Board of Trustees of Polk State School

Board of Trustees of Selinsgrove State Colony for Epileptics

In addition to the foregoing there are hereby created as departmental administrative boards in the Department of Welfare boards of trustees for the respective institutions which are acquired by the Commonwealth from counties cities or institution districts for actual use as State mental hospitals under the provisions of act number twenty-one approved the twenty-ninth day of September one thousand nine hundred thirty-eight Each respective board of trustees shall be known as the Board of Trustees of the

.....

(descriptive name

.....

of political subdivision in which institution is located) State Hospital

In the Department of Property and Supplies
Board of Commissioners of Public Grounds and Buildings
State Art Commission
In the Department of Revenue
State Athletic Commission
In the Department of Public Assistance
State Board of Public Assistance
In the Department of Commerce
Pennsylvania Aeronautics Commission
State Planning Board

All of the foregoing departmental administrative boards and commissions shall be organized or reorganized as provided in this act

Section 2 Section four hundred seven of said act is hereby reenacted and amended to read as follows

Section 407 [State] Pennsylvania Aeronautics Commission The [State] Pennsylvania Aeronautics Commission shall consist of the Secretary of [Internal Affairs] Commerce who shall be chairman thereof and [six] four other members to be appointed by the Governor

The Governor shall designate one of the members of the commission as vice-chairman and the commission shall elect a secretary who need not be a member thereof

The commission shall have an executive director to be appointed by the Governor to serve at his pleasure who shall receive such salary as shall be fixed by the commission with the approval of the Governor The executive director shall attend to the administrative work of the commission and shall perform such other duties as shall from time to time be imposed upon him by the commission No member of the commisison nor anyone who has served as a member thereof within one year shall be eligible for appointment as executive director

[The vice-chairman of the commission shall receive such salary as shall be fixed by the commission with the approval of the Governor]

Each commissioner at the time of his appointment and qualification shall be a resident of the Commonwealth of Pennsylvania and shall have been a qualified elector therein for a period of at least one year next preceding his appointment

The members of the commission first appointed under this act shall continue in office for terms of one two three and four [five and six] years respectively and until their respective successors shall be duly appointed and shall have qualified but their successors shall be appointed for terms of [six] four years

[Four] Three members of the commission shall be a quorum When [four] three members act as a quorum for any purpose including the making of any order or the ratification of any act done or order made by one or more of the commissioners they must act unanimously No vacancy in the commission shall impair the right of a quorum of the commisisoners to exercise all the rights and perform all the duties of the commission

No commissioner and no employe appointee or official engaged in the service of or in any manner connected with said commission shall hold any office or position or be engaged in any business employment or vocation the duties of which are incompatible with the duties of his office or employment as commissioner or in the service or in connection with the work of the commission No commissioner shall participate in any hearing or proceeding in which he has any direct or indirect [precuniary] pecuniary interest

Every commissioner the secretary of the commission and every individual employed or appointed to office under in the service of or in connection with the work of the commission is hereby forbidden to solicit suggest request or recommend directly or indirectly to any person engaged in commercial flying doing business in this Commonwealth or to any officer attorney agent or employe thereof the appointment of any individual to any office place or position in or the employment of any individual in any capacity by said commercial flyer or common carrier

Any investigation inquiry or hearing which the commission has power to undertake or hold may be undertaken or held by or before any one or more of the commissioners All investigations inquiries or hearings before or by any such commisisoner or commissioners shall be and be deemed to be the investigations inquiries and hearings of the commission Any determination ruling or order of a commissioner or commissioners upon any such investigation inquiry or hearing undertaken or held by him or them shall not become and be effective until approved and confirmed by at least a quorum of the commission and ordered to be filed in its office Upon such confirmation and order such determination ruling or order shall be the determination ruling or order of the commission In any investigation inquiry or hearing which may hereafter be instituted the commission is hereby authorized to employ [a] special [agent] agents or [examiner] examiners with the approval of the Attorney General who shall have the power to administer oaths and examine witnesses and receive evidence in any locality which the commission having regard to the public convenience and the proper discharge of its functions and duties may designate The testimony and evidence so taken or received shall have the same force and effect as if taken or received by the commission or any one or more of the commissioners as above provided

The chairman of the commission shall have power as often as he may deem the work of the commission requires (a) to designate the time and place for the conducting of investigations inquiries and hearings (b) to assign cases to a commissioner or commissioners for hearing investigation inquiry study or other similar purpose (c) to assign cases to special agents or examiners or inspectors for the taking and receiving of evidence and (d) to direct and designate officers and employes of the commission to make investigations inspections inquiries studies and other like assignments for report to the commission

The vice-chairman of the commisison shall in the absence of the chairman perform his duties and shall at any time perform such duties as the chairman shall have requested him in writing to perform and as to such duties shall have authority equal to that of the chairman

The secretary of the commission shall have such powers and perform such duties not contrary to law as the commission shall prescribe The secretary shall have power and authority to designate from time to time one of the clerks appointed by the commission to perform the duties of the secretary during his absence and the clerk so appointed shall possess for the time so designated the powers of the secretary of the commission

The commission or a quorum thereof shall hold stated meetings at least once a month during the year at its principal office and may hold meetings at any time and at any place within this Commonwealth

Section 3 Section one thousand two hundred eight of said act as amended by the act approved the first day of June one thousand nine hundred thirty-one (P. L. 350) is hereby reenacted and further amended to read as follows

Section 1208 [State] Pennsylvania Aeronautics Commission The [State] Pennsylvania Aeronautics Commission shall exercise the powers and perform the duties vested in and imposed upon it by [the Aeronautics Act] The Aeronautical Code the act approved the twenty-fifth day of May one thousand nine hundred thirty-three (P. L. 1001) and other applicable laws and in connection with

the designation and establishment of civil airways within over and above the lands or waters of this Commonwealth it shall have the power to the extent to which the General Assembly shall have appropriated funds to it for the purpose

(a) Either alone or in cooperation with counties cities boroughs or townships to establish operate and maintain along such airways all necessary navigation facilities including intermediate landing fields

(b) To accept in the name of the Commonwealth donations of intermediate landing fields or grounds suitable for intermediate landing field purposes or necessary for safe-guarding flying or buildings to be used in connection with intermediate landing fields

(c) To make recommendations to the Department of Property and Supplies for the acquisition in the name of the Commonwealth by lease purchase or condemnation of lands with or without buildings suitable for the establishment thereon of intermediate landing fields such lands to be acquired by the Commonwealth acting alone or in cooperation with counties cities boroughs or townships having authority to acquire and maintain such fields

(d) To make additions and improvements in or to intermediate landing fields and facilities under its control and either alone or in cooperation with others to provide personnel heat light water fuel telephone service drainage runways fueling facilities and lighting facilities and to remove or otherwise eliminate such obstructions as shall menace air travel

(e) Either alone or in cooperation with others to install equip maintain and operate intermediate landing field beacons landing lights markers and other air navigation facilities along civil airways established and set apart by it

(f) With the approval of the Governor to execute leases or licenses with or without consideration granting to the government of the United States or any agency thereof or to any county or municipality within this Commonwealth the right to erect operate and maintain upon intermediate landing fields belonging to the Commonwealth boundary lights and other equipment and air navigation facilities but all such leases and licenses shall be revocable upon six months' notice and shall require the lessee or licensee at its own expense to maintain any structures erected by it under its lease or license

Section 4 Section two thousand nine hundred six of said act is hereby amended to read as follows

Section 2906 Existing Officers to Continue Exception All appointive administrative officers holding office when this act becomes effective whose offices are not abolished by this act the members of all independent administrative boards and commissions and unless expressly otherwise provided in this act the appointive members of departmental administrative boards and commissions and advisory boards and commissions which are not abolished by this act shall continue in office until the term for which they were respectively appointed shall expire or until they shall die resign or be removed from office

[The terms of the members of the State Aeronautics Commission now holding office shall expire upon the effective date of this act]

Section 5 This act shall become effective immediately upon final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—201

Alspach,	Fleming,	Laughner,	Robertson,
Auker,	Flynn,	Lee,	Root,
Baker,	Foor,	Leisey,	Rose, S.,
Barrett,	Fox,	Leonard,	Rose, W. E.,
Barton,	Freed,	Levy,	Rowley,
Bentley,	Fullerton,	Leydic,	Royer,
Bentzel,	Garber,	Lichtenwalter,	Salus,
Boies,	Gardner,	Livingstone,	Sarge,
Bonawitz,	Gates,	Longo,	Sarraf,
Boorse,	Gillan,	Lovett,	Scanlon,
Boory,	Goodling,	Lyons,	Schuster,
Bower,	Goodwin,	Madigan,	Serrill,
Boyd,	Gorman,	Mahany,	Simons,
Bradley,	Grant,	Maxwell,	Skale,
Bretherick,	Green,	McAtee,	Smith,
Brice,	Greenwood,	McClester,	Snider,
Brigerman,	Gross,	McKinney,	Sollenberger,
Brown,	Gyger,	McMillen,	Sorg,
Brunner, P. A.,	Haberlen,	McSurdy,	Stank,
Burns,	Hall,	Menna,	Stockham,
Cadwalader,	Hamilton,	Mihm,	Stonier,
Calvin,	Hannon,	Miller,	Swope,
Campbell,	Hare,	Mintess,	Tahl,
Chervenak,	Harris,	Mock,	Tate,
Chudoff,	Haudenshield,	Modell,	Taylor,
Cohen,	Heatherington,	Mooney,	Thompson,
Coleman,	Helm,	Moore,	Thrasher,
Cook,	Herman,	Moran,	Tiemann,
Cooper,	Hersch,	Moser,	Trent,
Cordier,	Hewitt,	Muir,	Trout,
Corrigan,	Hocke,	Munley,	Turbett,
Costa,	Hoffman,	Murray,	Van Allsburg,
Coulson,	Hoggard,	Nowak,	Verona,
Croop,	Holmes,	O'Brien,	Wachhaus,
Cullen,	Hoopes,	O'Connor,	Wagner, K. H.,
Dague,	Hunter, B. F.,	O'Dare,	Wagner, P. L.,
Dalrymple,	Hunter, W. M.,	O'Neill,	Wallin,
Denman,	Huntley,	Owens,	Walton,
Dennison,	Imbrie,	Petrosky,	Watkins,
Depuy,	Irvin,	Pettit,	Weiss,
Dillon,	James,	Polaski,	Welsh,
Dix,	Jones,	Powers,	Winner,
Duffy,	Kennedy,	Readinger,	Wood, L. H.,
Elder,	Kirley,	Reagan,	Wood, N.,
Elliott,	Kitchen,	Reese, D. P.,	Worley,
Ely,	Kline,	Reese, R. E.,	Wright,
Erb,	Kolankiewicz,	Regan,	Yeakel,
Ewing,	Kowalski,	Reilly,	Yester,
Figlock,	Krepps,	Reynolds,	Fiss,
Finnerty,	Krise,	Riley,	Speaker.
Flack,	Lane,		

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1104, as follows:

An Act to amend the title the table of contents and certain sections of the act approved the twenty-fifth day of May one thousand nine hundred thirty-three (P. L. 1001) entitled "An act providing for the regulation of aeronautics within this Commonwealth conferring powers and imposing duties upon the Department of Revenue in respect thereto providing for the licensing and registration of airman and aircraft establishing the legal status of air navigation providing for sovereignty in and ownership of space providing for lawfulness of flights regulating civil causes of action arising out of operation of aircraft fixing the status of contracts crimes and torts in by or by means of operation of aircraft imposing duties upon officers burgesses magistrates aldermen justices of the peace the courts and clerks thereof providing for denial or revocation of licenses providing for certain penalties and their disposition and repealing certain existing laws" by conferring certain powers and imposing certain duties heretofore exercised and performed by the Department of Revenue upon the Pennsylvania Aeronautics Commission

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The title of the act approved the twenty-fifth day of May one thousand nine hundred thirty-three (P. L. 1001) entitled "An act providing for the regulation of aernautics within this Commonwealth conferring powers and imposing duties upon the Department of Revenue in respect thereto providing for the licensing and registration of airman and aircraft establishing the legal status of air navigation providing for sovereignty in and ownership of space providing for lawfulness of flights regulating civil causes of action arising out of operation of aircraft fixing the status of contracts crimes and torts in by or by means of operation of aircraft imposing duties upon officers burgesses magistrates aldermen justices of the peace the courts and clerks thereof providing for denial or revocation of licenses providing for certain penalties and their disposition and repealing certain existing laws" is hereby amended to read as follows

An Act providing for the regulation of aeronautics within this Commonwealth conferring powers and imposing duties upon the Pennsylvania Aeronautics Commission and the Department of Revenue in respect thereto providing for the licensing and registration of airman and aircraft establishing the legal status of air navigation providing for sovereignty in and ownership of space providing for lawfulness of flights regulating civil causes of action arising out of operation of aircraft fixing the status of contracts crimes and torts in by or by means of operation of aircraft imposing duties upon officers burgesses magistrates aldermen justices of the peace the courts and clerks thereof providing for denial or revocation of licenses providing for certain penalties and their disposition and repealing certain existing laws

Section 2 The table of contents of said act which follows immediately after the title thereof is hereby amended to read as follows

Articles

I Short Title and Preliminary Provisions
II Powers and Duties of [Department of Revenue] Pennsylvania Aeronautics Commission
III Qualifications of Airman and Aircraft Federal Licenses
IV Legal Status of Air Navigation
V Procedure for Denial or Revocation of Licenses
VI Violation Provisions Penalties and Procedure
VII Repeals and Construction of Act
VIII Effective Date

Section 3 Subsections (i) (j) and (r) of section one hundred two of said act are hereby amended to read as follows

Section 102 Definitions

(i) "Civil Airway" A route in the navigable air space over or above the territory or waters of the [State] Commonwealth of Pennsylvania designated by the [Department of Revenue] Pennsylvania Aeronautics Commission as a route suitable for intrastate or interstate air commerce

[(j) "Department" Department of Revenue of this Commonwealth]

(j) "Commission" Pennsylvania Aeronautics Commission

[(r) "Secretary" Secretary of Revenue of this Commonwealth]

Section 4 Section two hundred one also known as Article II of said act is hereby amended to read as follows

Article II

Powers and Duties of [Department of Revenue] Pennsylvania Aeronautics Commission

Section 201 Powers and Duties of [Department of Revenue] Pennsylvania Aeronautics Commission The [Department of Revenue] Pennsylvania Aeronautics Commission shall administer the provisions of this act and for such purpose is authorized and directed to promulgate such regulations as are necessary to execute the powers invested in it by this act and other applicable laws

It shall be the duty of the [department] commission to

(a) Provide for the examination and rating and licensing of airports landing fields and air navigation facilities available for use of aircraft

(b) Adopt rules and regulations for the issuance expiration suspension or revocation of license of airports landing fields and air navigation facilities and of such other licenses or certificates as the [department] commission deems necessary in administering the functions vested in said [department] commission under this act

(c) Establish set apart and provide for the protection of necessary air space reservations within the Commonwealth of Pennsylvania in addition to and not in conflict with air space reservations established by the President of the United States or any department of the United States or with any civil or military airway designated under the provisions of the Air Commerce Act of one thousand nine hundred and twenty-six and the amendments thereto or other act of Congress pertaining thereto

(d) Designate establish and chart civil airways within over and above the lands or waters of the Commonwealth of Pennsylvania and arrange for publication of maps of such airways utilizing the facilities and assistance of existing agencies of the Commonwealth as far as practicable The [department] commission shall grant no exclusive right for the use of any civil airway airport intermediate landing field or other air navigation facility under its jurisdiction

(e) Investigate record and report the causes of accidents in civil air navigation within this Commonwealth

(f) Encourage the establishment of airports civil airways and other air navigation facilities

(g) Supervise and regulate the safety adequacy and sufficiency of all airports landing fields and air navigation facilities and equipment used or to be used in private or commercial flying

(h) Adopt rules and regulations governing the instruction in flight or ground school of student flyers or mechanics and the safety adequacy and sufficiency of air ports landing fields and air navigation facilities and equipment used or to be used in the instruction of student flyers or mechanics

(i) Adopt rules and regulations for the marking of highways municipalities and all other aerial markings used throughout the Commonwealth

(j) Adopt rules and regulations governing the erection location and maintenance of aerial beacon lights and other aerial night lighting equipment within the Commonwealth

(k) To exchange with [the Department of Commerce and] other state governments and with the United States government through existing governmental channels information pertaining to the civil air navigation

(l) To enforce the regulations and air traffic rules promulgated as provided hereunder through the assistance and cooperation of State and local authorities charged with the enforcement of law in their respective jurisdictions

(m) To establish by regulation the minimum safe altitudes for flight and including air traffic rules

All rules and regulations prescribed by the [department] commission under the authority of this section shall be consistent with and conform to the then current Federal legislation governing aeronautics and the regulations duly promulgated thereunder and rules issued from time to time pursuant thereto Provided That nothing in this section shall confer upon the [department] commission the power to determine schedules issuance of stock determination of public convenience or the adequacy and sufficiency of service of common carriers engaged in commercial flying within this Commonwealth

Section 5 Section five hundred one of said act is hereby amended to read as follows

Section 501 Procedure for Denial or Revocation of Licenses The licenses of airports landing fields air navigation facilities and such other licenses or certificates that the [department] commission may under authority of this act issue shall be denied or revoked only after the applicant or licensee shall have been accorded a hearing or

opportunity for a hearing thereon Within ten (10) days after notice that application for registration and license has been denied or the license or certificate revoked the applicant or holder may file a written request with the [department] commission for a public hearing thereon The [secretary of the department] chairman of the commission upon receipt of the request shall arrange forthwith

(1) For a public hearing to be held within twenty (20) days after such receipt in such place as the [secretary] commission deems most practicable and convenient and

(2) Give the applicant or holder at least ten (10) days' notice of the hearing unless an earlier hearing is consented to by him

Notice may be served personally upon the applicant or holder or sent him by registered mail The decision of the [department] commission if in accordance with law shall be final

Section 6 Subsection (f) of Section six hundred one of said act is hereby amended to read as follows

Section 601 Violation Provisions

(f) To use a false or fictitious name or to give a false or fictitious address in any application or form required under the provisions of this act or the rules and regulations of the [department] commission adopted pursuant to this act or knowingly make any false statement or report or knowingly conceal a material fact or otherwise commit a fraud in any application

Section 7 Section six hundred two of said act is hereby amended to read as follows

Section 602 Summary Offenses Any person violating any of the provisions of this act unless such violation is by this act or other law of this Commonwealth declared to be a misdemeanor or any of the rules and regulations adopted by the [department] commission pursuant to this act shall upon conviction thereof in any summary proceding before any magistrate alderman or justice of the peace be sentenced to pay a fine of not less than fifty ($50.00) dollars and not more than two hundred ($200.00) dollars and in default of the payment of such fine and costs to undergo imprisonment in the county jail for a period not exceeding thirty (30) days

Section 8 Section six hundred six of said act is hereby amended to read as follows

Section 606 Report of Convictions

(a) Every burgess magistrate alderman and justice of the peace in this Commonwealth shall keep a full report of every case in which a person is charged with violation of any provisions of this act and in the event that such person is convicted or that his bail is forfeited an abstract of such report shall be sent forthwith by the burgess magistrate alderman or justice of the peace to the [department] commission but this requirement shall not be deemed to make such court a court of record

(b) Abstracts required by this section shall be made upon forms prepared by the [department] commission and shall include all necessary information as to the parties to the case the nature of the offense the date of hearing the plea the judgment the amount of the fine or forfeiture and other information deemed necessary and every such abstract shall be certified by the burgess magistrate alderman or justice of the peace as a true abstract of the record of the court

(c) Each clerk of any court of record of this Commonwealth shall also within ten (10) days after final judgment of conviction under any of the provisions of this act send to the [department] commission a certified copy of such judgment of conviction Certified copies of the judgment shall also be forwarded to the [department] commission upon conviction of any person of manslaughter or other felony in the commission of which an aircraft was used The [department] commission shall keep such records in its offices for at least three (3) years and they shall be open to the inspection of any person during reasonable business hours

(d) Failure refusal or neglect to comply with any of the provisions of this section shall constitute misconduct in office and shall be ground for removal therefrom

Section 9 Section six hundred seven of said act is hereby amended to read as follows

Section 607 Disposition of Fines Fees and Forfeitures All fines fees and forfeitures collected under the provisions of this act for violations of the same and all bail forfeited shall be paid to the [department] Department of Revenue and transmitted to the State Treasury and credited to the "Motor License Fund" and sworn statements of all fines and penalties so collected shall also be made upon blanks furnished by the [department] Department of Revenue by the burgess magistrate alderman justice of the peace or other officer imposing or receiving the same to [the] said department and such reports shall be made monthly Any burgess magistrate alderman justice of the peace or other officer who shall fail to make such monthly reports and returns or pay the same to the [department] Department of Revenue shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine of not more than five hundred ($500.00) dollars or suffer imprisonment for not more than sixty (60) days

Section 10 Section six hundred eight of said act is hereby amended to read as follows

Section 608 Registration Number Prima Facie Evidence In any proceeding for the violation of the provisions of this act or the rules and regulations of the [department] commission adopted pursuant to this act the Federal license number or identification mark displayed on such craft shall be prima facie evidence that the owner of such aircraft was operating the same If at any hearing or proceeding the owner shall testify under oath or affirmation that he was not operating the said aircraft at the time of the alleged violation of this act and the rules and regulations of the [department] commission shall submit himself to an examination as to who at that time was operating such aircraft and reveal the name of the person if known to him or if the information is made in a county other than that of his own residence shall forward to the burgess magistrate alderman or justice of the peace an affidavit setting forth these facts then the prima facie evidence arising from the Federal license numbr or identification mark shall be overcome and removed and the burden of proof shifted

Section 11 Section six hundred ten of said act is hereby amended to read as follows

Section 610 Admissibility of Certified Copies of Records as Evidence Any certified copies or certified photostatic copies of any records books papers documents determinations rulings or orders of the [department] commission when certified under the seal of the [department] commission shall be acceptable as evidence in the courts of this Commonwealth with the same force and effect as the originals in all cases where such original records books papers documents determinations rulings or orders of the [department] commisison would be admitted as evidence

Section 12 (a) All rules and regulations promulgated by the Department of Revenue under the provisions of The Aeronautical Code to which this act is an amendment shall continue in full force and effect until revoked or superseded by rules and regulations promulgated and adopted by the Pennsylvania Aeronautics Commission All ratings of airports landing fields and air navigation facilities heretofore established by said department shall so remain until changed by the Pennsylvania Aeronautics Commission according to law All licenses or certificates of whatsoever nature heretofore issued by said department shall continue in full force and effect until the expiration dates thereof unless sooner revoked or suspended by the Pennsylvania Aeronautics Commission according to law

(b) All records data and other material relating to the duties imposed upon the Department of Revenue by The Aeronautical Code hereby and hereafter imposed by this act upon the Pennsylvania Aeronautics Commission shall be transferred by said department to said commission

Section 13 All acts and parts of acts to the extent that the same are inconsistent with this act are hereby repealed

Section 14 This act shall take effect the first day of June one thousand nine hundred forty-three

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—201.

Alspach,	Fleming,	Laughner,	Robertson,
Auker,	Flynn,	Lee,	Root,
Baker,	Foor,	Leisey,	Rose, S.,
Barrett,	Fox,	Leonard,	Rose, W. E.,
Barton,	Freed,	Levy,	Rowley,
Bentley,	Fullerton,	Leydic,	Royer,
Bentzel,	Garber,	Lichtenwalter,	Salus,
Boies,	Gardner,	Livingstone,	Sarge,
Bonawitz,	Gates,	Longo,	Sarraf,
Boorse,	Gillan,	Lovett,	Scanlon,
Boory,	Goodling,	Lyons,	Schuster,
Bower,	Goodwin,	Mahany,	Serrill,
Boyd,	Gorman,	Madigan,	Simons,
Bradley,	Grant,	Maxwell,	Skale,
Bretherick,	Green,	McAtee,	Smith,
Brice,	Greenwood,	McClester,	Snider,
Brigerman,	Gross,	McKinney,	Sollenberger,
Brown,	Gyger,	McMillen,	Sorg,
Brunner, P. A.,	Haberlen,	McSurdy,	Stank,
Burns,	Hall,	Menna,	Stockham,
Cadwalader,	Hamilton,	Mihm,	Stonier,
Calvin,	Hannon,	Miller,	Swope,
Campbell,	Hare,	Mintess,	Tahl,
Chervenak,	Harris,	Mock,	Tate,
Chudoff,	Haudenshield,	Modell,	Taylor,
Cohen,	Heatherington,	Mooney,	Thompson,
Coleman,	Helm,	Moore,	Thrasher,
Cook,	Herman,	Moran,	Tiemann,
Cooper,	Hewitt,	Moser,	Trent,
Cordier,	Hersch,	Muir,	Trout,
Corrigan,	Hocke,	Munley,	Turbett,
Costa,	Hoffman,	Murray,	Van Allsburg,
Coulson,	Hoggard,	Nowak,	Verona,
Croop,	Holmes,	O'Brien,	Wachhaus,
Cullen,	Hoopes,	O'Connor,	Wagner, K. H.,
Dague,	Hunter, B. F.,	O'Dare,	Wagner, P. L.,
Dalrymple,	Hunter, W. M.,	O'Neill,	Wallin,
Denman,	Huntley,	Owens,	Walton,
Dennison,	Imbrie,	Petrosky,	Watkins,
Depuy,	Irvin,	Pettit,	Weiss,
Dillon,	James,	Polaski,	Welsh,
Dix,	Jones,	Powers,	Winner,
Duffy,	Kennedy,	Readinger,	Wood, L. H.,
Elder,	Kirley,	Reagan,	Wood, N.,
Elliott,	Kitchen,	Reese, D. P.,	Worley,
Ely,	Kline,	Reese, R. E.,	Wright,
Erb,	Kolankiewicz,	Regan,	Yeakel,
Ewing,	Kowalski,	Reilly,	Yester,
Figlock,	Krepps,	Reynolds,	Fiss,
Finnerty,	Krise,	Riley,	Speaker.
Flack,	Lane,		

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 444, as follows:

An Act to further amend sections two thousand six hundred three and two thousand six hundred twenty-three of the act approved the eighteenth day of May one thousand nine hundred eleven (P. L. 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" by authorizing school districts of the third and fourth classes in certain cases to employ certified public accountants to audit the school finances in lieu of the elected auditors and providing as to the powers duties and compensation of the certified public accountants so employed

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section two thousand six hundred three of the act approved the eighteenth day of May one thousand nine hundred eleven (P. L. 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" as last amended by the act approved the first day of June one thousand nine hundred thirty-three (P. L. 1152) is hereby further amended to read as follows

Section 2603 In all school districts of the second and third class by the controller or auditors of the city borough incorporated town or township in which the whole or the greater or greatest portion of the area of each such district shall be located When in any school district of the second class the annual expenditures exclusive of moneys received from the sale of bonds shall exceed the sum of five hundred thousand dollars such district may employ a certified public accountant within sixty days from the close of the fiscal year

When in any school district of the third or fourth class the annual expenditures exclusive of moneys received from the sale of bonds shall exceed the sum of two hundred thousand dollars ($200,000) such district may employ a certified public accountant prior to the end of the fiscal year and when so employed such certified public accountant shall audit the finances of such school district for such fiscal year instead of the elected auditors hereinbefore referred to and shall have all the powers and duties of such auditors

Section 2 Section two thousand six hundred twenty-three of said act as last amended by the act approved the fourth day of May one thousand nine hundred twenty-seven (P. L. 679) is hereby further amended to read as follows

Section 2623 The compensation for auditors in school districts of the second class shall together with suitable allowances for qualified assistants and for other necessary expenses be fixed by the board of school directors of said districts on application from time to time made by the auditors with itemized statements of services assistants and other necessary expenses and in school districts of the third class the compensation for auditors shall be five dollars ($5.00) per day for each day necessarily spent by each auditor except in the case of a certified public accountant employed to act as auditor in which event the compensation shall be fixed by the board of directors of the district and the total expense of such auditing including the cost of filing the report advertising and other necessary costs shall be paid by the school district The compensation of any such certified public accountants employed by any school district of the second class shall be fixed by the directors of such district and paid by the district

Section 3 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—125.

Alspach,	Fullerton,	Krise,	Rose, W. E.,
Auker,	Garber,	Laughner,	Rowley,
Barton,	Gardner,	Lee,	Royer,
Bonawitz,	Gates,	Leisey,	Salus,
Boorse,	Gillan,	Leydic,	Sarge,
Bower,	Goodling,	Lichtenwalter,	Serrill,
Boyd,	Gorman,	Livingstone,	Simons,
Bretherick,	Greenwood,	Lyons,	Smith,
Brice,	Gross,	Madigan,	Sollenberger,
Cadwalader,	Gyger,	Mahany,	Sorg,
Calvin,	Hall,	McAtee,	Stockham,
Campbell,	Hannon,	McClester,	Stonier,
Cook,	Hare,	McKinney,	Tahl,
Cooper,	Haudenshield,	McMillen,	Taylor,
Cordier,	Helm,	McSurdy,	Thrasher,
Costa,	Hewitt,	Menna,	Tiemann,
Coulson,	Hocke,	Miller,	Trout,
Dague,	Hoffman,	Mintess,	Turbett,
Dalrymple,	Holmes,	Mock,	Van Allsburg,
Denman,	Hoopes,	Moore,	Wachhaus,
Dennison,	Hunter, W. M.,	Moser,	Wagner, K. H.,
Depuy,	Huntley,	Muir,	Wagner, P. L.,
Dix,	Imbrie,	Murray,	Wallin,
Elder,	Irvin,	Nowak,	Walton,
Ely,	James,	O'Dare,	Watkins,
Erb,	Jones,	Reagan,	Winner,
Ewing,	Kennedy,	Reese, D. P.,	Wood, L. H.,
Figlock,	Kitchen,	Reilly,	Wood, N.,
Flack,	Kline,	Riley,	Worley,
Foor,	Kowalski,	Robertson,	Yeakel,
Fox,	Krepps,	Root,	Fiss,
Freed,			Speaker.

NAYS—74.

Baker,	Duffy,	Leonard,	Reese, R. E.,
Barrett,	Elliott,	Levy,	Regan,
Bentley,	Finnerty,	Longo,	Reynolds,
Bentzel,	Fleming,	Lovett,	Rose, S.,
Boies,	Flynn,	Maxwell,	Sarraf,
Boory,	Goodwin,	Mihm,	Scanlon,
Bradley,	Grant,	Modell,	Schuster,
Brigerman,	Green,	Mooney,	Skale,
Brown,	Haberlen,	Moran,	Snider,
Brunner, P. A.,	Hamilton,	Munley,	Stank,
Burns,	Harris,	O'Brien,	Swope,
Chervenak,	Heatherington,	O'Connor,	Tate,
Chudoff,	Herman,	O'Neill,	Thompson,
Cohen,	Hersch,	Owens,	Trent,
Coleman,	Hoggard,	Petrosky,	Verona,
Corrigan,	Hunter, B. F.,	Pettit,	Weiss,
Croop,	Kirley,	Polaski,	Welsh,
Cullen,	Kolankiewicz,	Powers,	Wright,
Dillon,	Lane,	Readinger,	Yester,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 613, as follows:

An Act creating a commission to investigate and consider various phases of aeronautics in order to keep the General Assembly advised as to legislation which may be needed to keep the Commonwealth of Pennsylvania abreast of present rapid developments in this field directing such commission to make a report and recommendations to the General Assembly conferring certain powers upon such commission including the power to issue subpoenas administer oaths and affirmations retain employes and expend funds and making an appropriation

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 There is hereby created a commission which shall be composed of three members of the Senate to be appointed by the President pro tempore thereof and three members of the House of Representatives to be appointed by the Speaker thereof to be known as the Legislative Commission on Aeronautics

Section 2 It shall be the duty of such commission to investigate and generally keep in touch with current developments in the field of aeronautics both scientific and economic in order that it may advise the General Assembly as to legislation which may be necessary to facilitate and regulate the development of aeronautics in the Commonwealth of Pennsylvania so that the citizens of this Commonwealth may secure the greatest possible benefits during the period of rapid expansion in this field which is already well under way

The commission shall report and make recommendations to the General Assembly from time to time during sessions thereof and shall submit a report covering its activities during periods of recess together with recommendations not later than the first day of February during each regular session

Section 3 The persons appointed as members of said commission shall meet immediately after appointment and select one of their members to act as chairman of the commission The commission may employ and fix the compensation of a secretary and such counsel engineers experts clerks stenographers and investigators as they deem necessary to perform the duties imposed by this act The members of the commission shall receive no compensation for their services but shall be reimbursed for living and traveling expenses necessarily incurred in the performance of their duties

Section 4 The said commission shall have power to issue subpoenas under the hand of its chairman requesting and commanding any person or persons to appear before them and to answer such questions touching matters properly being inquired into by the commission and to produce such books papers records and documents as the commission may deem necessary Such subpoenas may be served upon any person and shall have the force and effect of subpoenas issued out of the courts of this Commonwealth Each member of said commission shall have power to administer oaths and affirmations to witnesses appearing before the commission Any person who shall wilfully neglect or refuse to testify before said commission or to produce any books papers records or documents shall be subject to the penalties provided by the laws of the Commonwealth in such cases

Section 5 The sum of fifteen hundred dollars ($1500) or so much thereof as may be necessary is hereby specifically appropriated to the commission for the payment of the expenses of its members in connection with the work required hereby and for the payment of the compensation and expenses of the secretary counsel engineers experts clerks steographers and investigators for postage telegraph and telephone charges for witness fees allowed by the commission for supplies and printing and for all other expenses deemed necessary and proper by the commission

Section 6 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—201.

Alspach,	Fleming,	Laughner,	Robertson,
Auker,	Flynn,	Lee,	Root,
Baker,	Foor,	Leisey,	Rose, S.
Barrett,	Fox,	Leonard,	Rose, W. E.,
Barton,	Freed,	Levy,	Rowley,
Bentley,	Fullerton,	Leydic,	Royer,
Bentzel,	Garber,	Lichtenwalter,	Salus,
Boies,	Gardner,	Livingstone,	Sarge,
Bonawitz,	Gates,	Longo,	Sarraf,
Boorse,	Gillan,	Lovett,	Scanlon,
Boory,	Goodling,	Lyons,	Schuster,
Bower,	Goodwin,	Madigan,	Serrill,

Boyd,	Gorman,	Mahany,	Simons,
Bradley,	Grant,	Maxwell,	Skale,
Bretherick,	Green,	McAtee,	Smith,
Brice,	Greenwood,	McClester,	Snider,
Brigerman,	Gross,	McKinney,	Sollenberger,
Brown,	Gyger,	McMillen,	Sorg,
Brunner, P. A.,	Haberlen,	McSurdy,	Stank,
Burns,	Hall,	Menna,	Stockham,
Cadwalader,	Hamilton,	Mihm,	Stonier,
Calvin,	Hannon,	Miller,	Swope,
Campbell,	Hare,	Mintess,	Tahl,
Chervenak,	Harris,	Mock,	Tate,
Chudoff,	Haudenshield,	Modell,	Taylor,
Cohen,	Heatherington,	Mooney,	Thompson,
Coleman,	Helm,	Moore,	Thrasher,
Cook,	Herman,	Moran,	Tiemann,
Cooper,	Hersch,	Moser,	Trent,
Cordier,	Hewitt,	Muir,	Trout,
Corrigan,	Hocke,	Munley,	Turbett,
Costa,	Hoffman,	Murray,	Van Allsburg,
Coulson,	Hoggard,	Nowak,	Verona,
Croop,	Holmes,	O'Brien,	Wachhaus,
Cullen,	Hoopes,	O'Connor,	Wagner, K. H.,
Dague,	Hunter, B. F.,	O'Dare,	Wagner, P. L.,
Dalrymple,	Hunter, W. M.,	O'Neill,	Wallin,
Denman,	Huntley,	Owens,	Walton,
Dennison,	Imbrie,	Petrosky,	Watkins,
Depuy,	Irvin,	Pettit,	Weiss,
Dillon,	James,	Polaski,	Welsh,
Dix,	Jones,	Powers,	Winner,
Duffy,	Kennedy,	Readinger,	Wood, L. H.,
Elder,	Kirley,	Reagan,	Wood, N.,
Elliott,	Kitchen,	Reese, D. P.,	Worley,
Ely,	Kline,	Reese, R. E.,	Wright,
Erb,	Kolankiewicz,	Regan,	Yeakel,
Ewing,	Kowalski,	Reilly,	Yester,
Figlock,	Krepps,	Reynolds,	Fiss,
Finnerty,	Krise,	Riley,	Speaker.
Flack,	Lane,		

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1037, as follows:

An Act to amend sections two three thirteen and twenty-seven of the act approved the twentieth day of June one thousand nine hundred and nineteen (P. L. 521) entitled as amended "An act providing for the imposition and collection of certain taxes upon the transfer of property passing from a decedent who was a resident of this Commonwealth at the time of his death and of property within this Commonwealth of a decedent who was a nonresident of the Commonwealth at the time of his death defining and taxing transfers made in contemplation of death defining as a transfer and taxing the right of survivorship in property as to which such right exists and making it unlawful for any corporation of this Commonwealth or national banking association located therein to transfer the stock of such corporation or banking association standing in the name of any such decedent until the tax on the transfer thereof has been paid and providing penalties and citing certain acts for repeal" by changing the requirements for the allowance of deductions for a decedent's debts by changing the provisions requiring security for the payment of inheritance tax by residents and nonresidents on future interests where payment is postponed by decreasing the interest penalty on unpaid taxes by eliminating appeals to the Superior Court and by extending the time within which appeals may be taken from the appraisement of property of residents and nonresident decedents for inheritance tax purposes

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section two of the act approved the twentieth day of June one thousand nine hundred and nineteen (P. L. 521) entitled as amended "An act providing for the imposition and collection of certain taxes upon the transfer of property passing from a decedent who was a resident of this Commonwealth at the time of his death and of property within this Commonwealth of a decedent who was a nonresident of the Commonwealth at the time of his death defining and taxing transfers made in contemplation of death defining as a transfer and taxing the right of survivorship in property as to which such right exists and making it unlawful for any corporation of this Commonwealth or national banking association located therein to transfer the stock of such corporation or banking association standing in the name of any such decedent until the tax on the transfer thereof has been paid and providing penalties and citing certain acts for repeal" as last amended by the act approved the twenty-fourth day of June one thousand nine hundred and thirty-nine (P. L. 721) is hereby further amended to read as follows

Section 2 All taxes imposed by this act shall be imposed upon the clear value of the property subject to the tax and shall be at the rate of two per centum upon the clear value of the property subject to such tax passing to or for the use of father mother husband wife children lineal descendants born in lawful wedlock legally adopted children children of a former husband or wife or the wife or widow of the son of a person dying seized or possessed thereof and also on the clear value of such property passing from the mother of an illegitimate child or from any person of whom the mother is a lineal descendant to such child his wife or widow and passing from an illegitimate child to his mother and at the rate of ten per centum upon the clear value of the property subject to such tax passing to or for the use of any other person or persons bodies corporate or politic to be paid for the use of the Commonwealth In ascertaining the clear value of such estates the only deductions to be allowed from the gross values of such estates by the register of wills shall be the debts of the decedent reasonable and customary funeral expenses bequests or devises in trust in reasonable amounts the entire interest or income from which is to be perpetually applied to the care and preservation of the family burial lot or lots their enclosures and structures erected thereon reasonable expenses for the erection of monuments or grave stones grave and lot markers and the expenses of the administration of such estates and no deduction whatsoever shall be allowed for or on account of any taxes paid on such estates to the Government of the United States or to any other State or Territory except as otherwise provided in section one of this act Provided [That no deduction shall be allowed for any debts of the decedent of which notice is not given to the executor administrator or the register of wills within one year of the date of the death of the decedent And provided further] That the deductions herein allowed in the case of any indebtedness of the decedent shall when founded upon a promise or agreement be limited to the extent that they were contracted bona fide and for an adequate and full consideration in money or money's worth And provided further That whenever the allowance of any deduction by the register of wills from the gross value of such estates shall be in dispute the question of allowance shall be determined by the court having jurisdiction of the accounts of the personal representative of the decedent in the adjudication made by such court upon any such account and unless either party shall by exceptions to the account or to the adjudication thereon duly presented as provided by law raise its objection to the allowance or disallowance of a deduction for any credit claimed in the account or any award made in the adjudication as the case may be the adjudication confirming the account or making the award shall conclusively establish that the deduction should be allowed or disallowed as the case may be

Section 2 Section three of said act as amended by the act approved the twenty-first day of June one thousand nine hundred thirty-nine (P. L. 619) is further amended to read as follows

Section 3 Where there is a transfer of property by a devise descent bequest gift or grant liable to the tax

hereinbefore imposed which devise descent bequest gift or grant is to take effect in possession or to come into actual enjoyment after the expiration of any one or more life-estates or a period of years the tax on such estate shall not be payable nor shall interest begin to run thereon until the person liable for the same shall come into actual possession of such estate by the termination of the estates for life or years The tax shall be assessed upon the value of the estate at the time the right of posession accrues to the owner but the owner may pay the tax at any time prior to his coming into possession In such cases the tax shall be assessed on the value of the estate at the time of the payment of the tax after deducting the value of the life-estate or estates for years The tax on real estate shall remain a lien on the real estate on which the same is chargeable until paid The owner or person in possession of any such personal estate passing [to him] from a resident decedent shall make a full return of the same to the register of wills within one year from the death of the decedent [and with that time enter into security for the payment of the tax to the satisfaction of such register In case of failure so to do the tax shall be immediately payable] If the register of wills deems it necessary for the protection of the Commonwealth's interest the register may by giving notice to the owner or person in possession within sixty days after such return is filed or in case of failure to file a return then within sixty days after notice to file such return require him to enter into satisfactory security for the payment of the tax and in case of failure to enter into such security within the said period of sixty days the tax shall be immediately payable

The owner or person in possession of any such personal estate passing to him from a nonresident decedent shall make a full return of the same to the Department of Revenue within one year from the death of the decedent [and within that time enter into security for the payment of the tax to the satisfaction of the Department of Revenue In case of failure so to do the tax shall be immediately payable and collectible] If the Department of Revenue deems it necessary for the protection of the Commonwealth's interest the Department may in its discretion by giving notice to the owner or person in possession within sixty days after such return is filed or in case of failure to file a return then within sixty days after notice to file such return require him to enter into satisfactory security for the payment of the tax and in case of failure to enter into such security within the said period of sixty days the tax shall be immediately payable

Provided that in case of sale and conveyance or mortgage of real property if the fiduciary or other person making such sale or mortgage or any person interested shall enter into security for the payment of the tax to the satisfaction of the Department of Revenue the real proprety so sold or mortgaged shall be free of the lien of the tax

Section 3 Section thirteen of said act as last amended by the act approved the fifteenth day of July one thousand nine hundred thirty-five (P. L. 1028) is further amended to read as follows

Section 13 Any person not satisfied with any appraisement of the property of a resident decedent may appeal within [thirty] sixty days to the orphans' court on paying or giving security to pay all costs together with whatever tax shall be fixed by the court The appeal shall specify all the objections to said appraisement and any objections not specified in the appeal shall not be considered by the court Upon such appeal the court may determine all questions of valuation and of the liability of the appraised estate for such tax subject to the right of appeal to the Supreme [or Superior] Court

Any person not satisfied with such appraisement shall have the right at any time thereafter to pay the full amount of the tax assessed thereon or any part thereof without prejudice to his right to file and prosecute an appeal therefrom Provided That such payment shall be accompanied with a protest that the whole or any designated part thereof is not justly and legally due and with the payment of such interest if any as may then be due upon the principal sum paid Whenever the whole or any part of such tax shall have been so paid under protest before the filing of an appeal the appellant shall be required to give security only for the payment of all costs and such additional tax as shall be fixed by the court

Whenever the amount of tax determined by the final judgment entered upon any such appeal shall be less than the principal sum paid under protest the Department of Revenue shall enter a credit in the amount of such difference to the account of the appellant Such credit may be used by the appellant in payment of any other tax claim or charge which may be due or become due from him to the Commonwealth and if all such charges have been fully paid any remaining credit may be assigned to any other person association or corporation and such assignee may use it in payment of any such obligation to the Commonwealth

Section 4 Section twenty-seven of said act as amended by the act approved the twenty-second day of June one thousand nine hundred thirty-one (P. L. 689) is further amended to read as follows

Section 27 Any person not satisfied with such appraisement as made by an appraiser appointed by the Auditor General may appeal within [thirty] sixty days to the court of common pleas of Dauphin County on paying or giving security to pay all costs together with whatever tax shall be fixed by the court The appeal shall specify all the objections to said appraisement and any objections not specified in the appeal shall not be considered by the court Upon such appeal the court may determine all questions of valuation and the liability of the appraised estate for such tax subject to the right of appeal to the Supreme [or Superior] Court

Section 5 Section thirty-eight of said act is hereby amended to read as follows

Section 38 If the tax is paid within three months after the death of the decedent a discount of five per centum shall be allowed If the tax is not paid at the end of one year from the death of the decedent interest shall be charged at the rate of [twelve] six per centum per annum on such tax [Where because of claims made upon the estate litigation or other unavoidable cause of delay the estate of any decedent or any part thereof cannot be settled up at the end of the year interest at the rate of six per centum per annum shall be charged upon the tax arising from the unsettled part thereof from the end of such year until there be default] Where any real or personal estate subject to such tax is withheld by reason of litigation or other unavoidable cause of delay [in manner aforesaid] from the parties entitled thereto [subject to such tax] and such real or personal estate has not been productive to the extent of six per centum per annum the proper parties shall not pay a greater amount as interest to the Commonwealth than they have realized or shall realize from such estate during the time the same has been or shall be withheld as aforesaid

Section 6 This act shall be effective immediately upon its final enactment In any case where the time within which any act was required to be done under prior law shall have expired before the enactment of this act this act shall not be deemed to extend such time Nothing herein contained shall be taken or construed to relieve any person whatsoever from the payment of any tax interest or penalty due or owing the Commonwealth at the time this act becomes effective

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—201

Alspach,	Fleming,	Laughner,	Robertson,
Auker,	Flynn,	Lee,	Root,
Baker,	Foor,	Leisey,	Rose, S.,

Barrett,	Fox,	Leonard,	Rose, W. E.,
Barton,	Freed,	Levy,	Rowley,
Bentley,	Fullerton,	Leydic,	Royer,
Bentzel,	Garber,	Lichtenwalter,	Salus,
Boies,	Gardner,	Livingstone,	Sarge,
Bonawitz,	Gates,	Longo,	Sarraf,
Boorse,	Gillan,	Lovett,	Scanlon,
Boory,	Goodling,	Lyons,	Schuster,
Bower,	Goodwin,	Madigan,	Serrill,
Boyd,	Gorman,	Mahany,	Simons,
Bradley,	Grant,	Maxwell,	Skale,
Bretherick,	Green,	McAtee,	Smith,
Brice,	Greenwood,	McClester,	Snider,
Brigerman,	Gross,	McKinney,	Sollenberger,
Brown,	Gyger,	McMillen,	Sorg,
Brunner, P. A.,	Haberlen,	McSurdy,	Stank,
Burns,	Hall,	Menna,	Stockham,
Cadwalader,	Hamilton,	Mihm,	Stonier,
Calvin,	Hannon,	Miller,	Swope,
Campbell,	Hare,	Mintess,	Tahl,
Chervenak,	Harris,	Mock,	Tate,
Chudoff,	Haudenshield,	Modell,	Taylor,
Cohen,	Heatherington,	Mooney,	Thompson,
Coleman,	Helm,	Moore,	Thrasher,
Cook,	Herman,	Moran,	Tiemann,
Cooper,	Hersch,	Moser,	Trent,
Cordier,	Hewitt,	Muir,	Trout,
Corrigan,	Hocke,	Munley,	Turbett,
Costa,	Hoffman,	Murray,	Van Allsburg,
Coulson,	Hoggard,	Nowak,	Verona,
Croop,	Holmes,	O'Brien,	Wachhaus,
Cullen,	Hoopes,	O'Connor,	Wagner, K. H.,
Dague,	Hunter, B. F.,	O'Dare,	Wagner, P. L.,
Dalrymple,	Hunter, W. M.,	O'Neill,	Wallin,
Denman,	Huntley,	Owens,	Walton,
Dennison,	Imbrie,	Petrosky,	Watkins,
Depuy,	Irvin,	Pettit,	Weiss,
Dillon,	James,	Polaski,	Welsh,
Dix,	Jones,	Powers,	Winner,
Duffy,	Kennedy,	Readinger,	Wood, L. H.,
Elder,	Kirley,	Reagan,	Wood, N.,
Elliott,	Kitchen,	Reese, D. P.,	Worley,
Ely,	Kline,	Reese, R. E.,	Wright,
Erb,	Kolankiewicz,	Regan,	Yeakel,
Ewing,	Kowalski,	Reilly,	Yester,
Figlock,	Krepps,	Reynolds,	Fiss,
Finnerty,	Krise,	Riley,	Speaker.
Flack	Lane,		

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

BILL PASSED OVER

There being no objection Senate Bill No. 345, Printer's No. 359, was passed over at the request of Mr. LICHTENWALTER.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1066, as follows:

An Act to add section eight and one-tenth to the act approved the thirteenth day of April one thousand nine hundred and forty-two (P. L. 32) entitled "An act to protect property and prevent sabotage by prohibiting for a limited period of time certain intentional injuries to and interferences with real and personal property prohibiting certain intentional defects in workmanship limiting the privileges of certain witnesses prohibiting certain entries upon real property and waters authorizing the closing of highways or the regulation or restriction of travel thereon conferring powers on the Water and Power Resources Board and providing penalties" vesting for a limited period of time game protectors foresters forest rangers and fish wardens with the same powers vested in constables and other peace officers for the purpose of enforcing said act

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The act approved the thirteenth day of April one thousand nine hundred and forty-two (P. L. 32) entitled "An act to protect property and prevent sabotage by prohibiting for a limited period of time certain intentional injuries to and interferences with real and personal property prohibiting certain intentional defects in workmanship limiting the privileges of certain witnesses prohibiting certain entries upon real property and waters authorizing the closing of highways or the regulation or restriction of travel thereon conferring powers on the Water and Power Resources Board and providing penalties" is hereby amended by adding thereto immediately after section eight a new section to read as follows

Section 8.1 For the purpose of enforcing and accomplishing the objectives of the act herein amended and for so long a period as said act shall remain in effect all fortsters and forest rangers all fish wardens and all game protectors appointed and serving as such under the laws of this Commonwealth are hereby vested with the same powers as are by law conferred upon constables and other peace officers and such officers may arrest on view without first procuring a warrant therefor persons detected by them violating any of the provisions of said act or detected under such circumstances as to warrant the reasonable suspicion that such person or persons have committed are committing or are about to commit any offense or offenses against the provisions of said act

Section 2 The provisions of this act shall become effective immediately upon final enactment and shall remain in effect during the continuance of the hostilities of the present war and for a period of six months thereafter

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. COHEN. Mr. Speaker, I would like to interrogate the gentlemen from Lehigh, Mr. Lichtenwalter.

The SPEAKER pro tempore. Will the gentleman from Lehigh permit himself to be interrogated?

Mr. LICHTENWALTER. I will yield to the gentleman from Butler, Mr. Imbrie, Mr. Speaker.

Mr. COHEN. Mr. Speaker, on page 2 of the bill, line 17 there is a word spelled "fortsters." What sort of an animal is that?

Mr. IMBRIE. Mr. Speaker, I think that is called a typographical squirrel.

Mr. COHEN. Is it something off the track?

Mr. IMBRIE. It is a typographical error, Mr. Speaker.

Mr. COHEN. What is it supposed to be?

Mr. IMBRIE. Foresters, Mr. Speaker.

Mr. COHEN. Mr. Speaker, I should like briefly to read this amendment so that its whole import will not be wasted:

For the purpose of enforcing and accomplishing the objectives of the act herein amended and for so long a period as said act shall remain in effect all foresters and forest rangers all fish wardens and all game protectors appointed and serving as such under the laws of this Commonwealth are hereby vested with the same powers as are by law conferred upon constables and other peace officers and such officers may arrest on view without first procuring a warrant therefor persons detected by them violating any of the provisions of said act or detected under such circumstances as to warrant the reasonable suspicion that such person or persons have committed are committing or are about to commit any offense or offenses against the provisions of said act.

Mr. Speaker, to begin with "peace officers." Constables are elected officials, and they are amenable to the wishes of their electorate, but we are going to make constables out of a lot of people who are selected otherwise. We have not limited the scope of their activity, and we are going to give these inexperienced policemen the right, first, to arrest without a warrant, and secondly, upon view when they need only have a reasonable suspicion that someone is about to commit a crime. To my puny legal mind that sort of suggests a doubt upon a doubt or a possibility upon possibility, that I was taught in law school should fall of its own weight. I think the purpose of this bill could be accomplished, but certainly not by such loose language as this bill now contains. We are going to make a new host of constables who have had no experience in the detection or apprehension of violators of law, and we are going to permit them to do so without benefit of warrants and without sworn information, purely on their suspicion as to what they suspect someone else has in his mind. I am afraid, it more or less transgresses against the ordinary liberties that the ordinary citizen has. For that reason I think the bill is ill advised in its present form and I would recommend that the Members vote against the bill.

Mr. IMBRIE. Mr. Speaker, for the information of the House I wish to state this bill only affects in the state of Pennsylvania about two hundred ninety people including fish wardens, game wardens, foresters and forest rangers. These men are all trained men. They are hired and trained already by the state. There is no extra cost anywhere, and we simply make two hundred ninety-one watchdogs in Pennsylvania to watch for saboteurs. These men work out in districts where law officers such as constables or anybody of that kind would have no chance to see what is going on. What would happen on the Pymatuning Dam if somebody would happen to blow that up? What would happen to the towns below it? Perhaps the fish warden or the game warden in that district,—and they are working there all the time, could stop that. The same thing could happen at Tionesta. What would happen to the towns lying below that dam?

Incidentally, the Pymatuning dam backs up sixteen miles, and the flood would be something terrible if that thing went out. I tell you that I think this is a good bill when there is no question but that these are trained men. Remember, they are not air wardens or fire wardens; they are all trained men, trained foresters and forest rangers, and also efficient game wardens. Just what it would mean in actual numbers, the total number is two hundred ninety, because three hundred thirteen would be the ordinary number, but there are three, I believe, from the fish wardens that are now in the armed service and twenty of the game wardens. I ask you to vote for this bill as a safety measure.

Mr. MAXWELL. Mr. Speaker, I desire to interrogate the gentleman from Butler, Mr. Imbrie.

The SPEAKER. Will the gentleman from Butler permit himself to be interrogated?

Mr. IMBRIE. I will, Mr. Speaker.

Mr. MAXWELL. Mr. Speaker, would the gentleman from Butler please tell me whether or not this takes in assistant game and fish wardens, more than the number he suggested?

Mr. IMBRIE. Does the gentleman mean both?

Mr. MAXWELL. Yes, Mr. Speaker.

Mr. IMBRIE. It does not, Mr. Speaker.

Mr. MAXWELL. Mr. Speaker, what is the attitude of the sportsmen in the state towards this piece of legislation?

Mr. IMBRIE. Quite in favor of it, Mr. Speaker.

Mr. MAXWELL. I thank the gentleman, Mr. Speaker.

Mr. IMBRIE. Mr. Speaker, I should state too, Mr. Speaker, during the other war the Governor gave the same power to the game wardens of Pennsylvania.

Mr. MAXWELL. Just another question, the gentleman said in case one of these wardens saw an act of sabotage or something being a menace or something that may be detrimental to the citizens of the Commonwealth, that these men could step in and interfere? Does the gentleman not think that any citizen, whether or not he has this power, if he saw an act of sabotage or anything similar being committed or attempted to be committed, that he could step in without this extra power?

Mr. IMBRIE. Mr. Speaker, they have no right to do it without a warrant. They would have to find a police officer or a constable to do it. The game warden or the fish warden cannot go out on his own line at the present time without this power. If they found an act of sabotage they would have to hunt a police officer to make this arrest. This way they handle it themselves.

Mr. MAXWELL. Mr. Speaker, that does not sound sensible to me. If you saw somebody trying to set off a bomb under this building would you run and get a warrant to stop him or would you stop him?

Mr. IMBRIE. You would have to have an officer. You would have no right to take the man. He would have you arrested for assault and battery.

Mr. GRANT. Mr. Speaker, we had a similar bill called the Uniform Arrest bill before this House. At that time there were a good many of the Members of the House that felt that it would encroach upon their personal liberties. As the law stands today the only right you have to arrest without a warrant is for a felony; for all other crimes and misdemeanors and other lesser crimes, unless they are committed in the presence of the officer, they have to get a warrant out.

Now, gentlemen, we are trying to pass over legislation real fast. Every lawyer in the House knows what happens in this kind of case every day. We know from our experience with peace officers what has happened. They go out and make arrests and get them before magistrates, and if they are not represented by counsel they are convicted offhand, but when they call an attorney, and the attorney comes in, the case is continued and continued indefinitely. This bill has very serious implications. This officer, if he sees a crime committed or sees a person about to do something, he has the right to arrest him without a warrant.

We have laws to protect us, and there is no reason for this act on account of sabotage. We have power now to arrest them in such cases. I feel this bill is giving power that is not warranted and the only result of that is to have these men arrested arbitrarily. That is the only purpose it would serve. I say that most of them are honest and conscientious men, but lest we are confronted

with some who are not conscientious, let us not give them these extraordinary powers.

Mr. HEATHERINGTON. Mr. Speaker, I desire to interrogate the gentleman from Butler.

The SPEAKER pro tempore. Will the gentleman from Butler permit himself to be interrogated

Mr. IMBRIE. I shall, Mr. Speaker.

Mr. HEATHERINGTON. Mr. Speaker, does not the Governor have the power today to appoint special police who would have the same power as the constable or State policeman ordinarily?

Mr. IMBRIE. That is right, Mr. Speaker.

Mr. HEATHERINGTON. Does not the gentleman think that he could call in these fish wardens and have them appointed as special police under that act?

Mr. IMBRIE. We could, Mr. Speaker. It was done in the last World War.

Mr. HEATHERINGTON. Then why, Mr. Speaker, would we have to pass this one?

Mr. IMBRIE. Mr. Speaker, I think that the Legislature should have it rather than the Governor.

Mr. HEATHERINGTON. That is all, Mr. Speaker. I thank the gentleman.

I do know that there is a present law that the Governor has the power to call in men and give them the same arresting power without warrants that the Pennsylvania Motor Police have, and I know that the Governor today is appointing men under that law, issuing cards to them and giving them authority to arrest anybody, so I see no reason why we should pass a bill like this. If, as the doctor said, there is as much danger about Pymatuning Dam, then I think the Governor should appoint one or two policemen up there to protect and watch that dam and not wait until something happens and it is all over. I would ask the Members to vote against the bill.

Mr. MOSER. Mr. Speaker, I desire to interrogate the sponsor of this bill.

The SPEAKER pro tempore. Will the gentleman from Butler, Mr. Imbrie, permit himself to be interrogated?

Mr. IMBRIE. I will, Mr. Speaker.

Mr. MOSER. Mr. Speaker, the way I understand this bill, it will place into the hands of those wardens the same authority that a constable now has; is that correct?

Mr. IMBRIE. That is right, Mr. Speaker.

Mr. MOSER. I thank the gentleman.

Mr. Speaker, it seems to me that we are going very rapidly as far as placing authority is concerned. The constables are duly elected and constituted officials, and this would give the game wardens an equal power with the constables. Therefore, I think this bill should be defeated.

Mr. GRANT. Mr. Speaker, I feel I would not be performing my duty unless I pointed out to the Members that this not only gives them as great power as the constable, but gives them greater rights inasmuch as they can make an arrest if they have any cause to believe that there is something in somebody's mind.

Mr. LOVETT. Mr. Speaker, let's be fair. We had an instance out in our county no more than seven or eight months ago in which one of these constables beat a gentleman to the extent that he died in the hospital a very short time later. Let me say to you gentlemen that they freed that man. Of course I haven't any right to stand up here and say that the courts and the jury were wrong in freeing the man, but I say to you that we should be very hesitant in putting the power into the hands of men who use it very unwisely. I think this particular bill that we have before us now goes out a very, very long way in putting power into the hands of men who I feel do not have sufficient knowledge or sufficient training to be given that power. I think the Members of this House should not enact such legislation as this under the disguise of a saboteur act. I, therefore, think we should defeat this bill.

MOTION TO RECOMMIT

Mr. MOSER. Mr. Speaker, I move that this bill be recommitted to the Committee on Fisheries.

On the question,

Will the House agree to the motion?

The SPEAKER pro tempore declared the ayes appeared to have it.

Whereupon, a division was called for, sixty-four Members having voted in the affirmative and eighty-six in the negative, the question was determined in the negative and the motion was not agreed to.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken.

Messrs. Tate, Heatherington and Grant asked for a verification of the roll.

The roll was verified and was as follows:

YEAS—114

Alspach,	Fullerton,	Laughner,	Rose, W. E.,
Auker,	Garber,	Lee,	Rowley,
Barton,	Gardner,	Leisey,	Royer,
Boorse,	Gates,	Leydic,	Salus,
Bower,	Gillan,	Lichtenwalter,	Serrill,
Boyd,	Goodling,	Livingstone,	Sollenberger,
Bretherick,	Gorman,	Lyons,	Sorg,
Brice,	Greenwood,	Madigan,	Stockham,
Calvin,	Gross,	Mahany,	Stonier,
Campbell,	Gyger,	McAtee,	Tahl,
Cook,	Hall,	McClester,	Taylor,
Cooper,	Hannon,	McKinney,	Thrasher,
Costa,	Hare,	McMillen,	Tiemann,
Coulson,	Haudenshield,	McSurdy,	Trout,
Dague,	Helm,	Menna,	Turbett,
Dalrymple,	Hewitt,	Miller,	Van Allsburg,
Dennison,	Hocke,	Mintess,	Wachhaus,
Depuy,	Holmes,	Mock,	Wagner, K. H.,
Dix,	Hoopes,	Moore,	Wagner, P. L.,
Elder,	Hunter, W. M.,	Muir,	Walton,
Ely,	Imbrie,	Murray,	Watkins,
Erb,	Irvin,	Nowak,	Winner,
Ewing,	James,	O'Dare,	Wood, L. H.,
Figlock	Jones,	Reagan,	Wood, N.,
Flack,	Kennedy,	Reese, D. P.,	Worley,
Fleming,	Kline,	Reilly,	Yeakel,
Foor,	Kowalski,	Riley,	Fiss,
Fox,	Krepps,	Robertson,	Speaker.
Freed,	Krise,	Root,	

NAYS—74

Baker,	Goodwin,	Maxwell,	Reynolds,
Barrett,	Grant,	Mihm,	Rose, S.
Bentley,	Green,	Modell,	Sarraf,
Bentzel,	Haberlen,	Mooney,	Scanlon,
Bonawitz,	Hamilton,	Moran,	Schuster,
Bradley,	Harris,	Moser,	Smith,
Brown,	Heatherington,	Munley,	Snider,
Brunner, P. A.,	Herman,	O'Brien,	Stank,
Chervenak,	Hersch,	O'Connor,	Swope,
Chudoff,	Hoggard,	O'Neill,	Tate,
Cohen,	Hunter, B. F.,	Owens,	Thompson,
Coleman,	Huntley,	Petrosky,	Trent,
Cordier,	Kirley,	Pettit,	Verona,

Croop,	Kolankiewicz,	Polaski,	Wallin,
Cullen,	Lane,	Powers,	Weiss,
Denman,	Leonard,	Readinger,	Welsh,
Dillon,	Levy,	Reese, R. E.,	Wright,
Elliott,	Longo,	Regan,	Yester,
Finnerty,	Lovett,		

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

THE SPEAKER (Ira T. Fiss) IN THE CHAIR

The SPEAKER. The Chair thanks the gentleman from Mercer, Mr. Lyons, for presiding.

SENATE MESSAGES

RESOLUTIONS CONCURRED IN BY SENATE

The Clerk of the Senate being introduced, informed that the Senate has concurred in the resolution from the House of Representatives, as follows:

In the House of Representatives, May 3, 1943.

Resolved (if the Senate concur), That House Bill No. 115, Printer's No. 70, entitled "An act to further amend the act, approved the first day of May, one thousand nine hundred and twenty-nine (P. L. 905), entitled 'An act for the protection of the public safety; regulating the use of highways, and the operation of vehicles, tractors, street cars, trackless trolley omnibuses, bicycles, pedestrians, and the riding of animals upon the highways of this Commonwealth; providing for the titling, including liens, encumbrances, and legal claims; registration of certain vehicles and licensing the operators thereof, upon payment of prescribed fees; prescribing and limiting the powers of local authorities to deal with the subject matter of this act; conferring powers and imposing duties upon the Department of Revenue, the Department of Highways, peace officers, mayors, burgesses, magistrates, aldermen, justices of the peace, the courts and the clerks thereof, owners of vehicles, and garage keepers; providing that records are admissible as evidence; imposing upon owners, counties, cities, boroughs, incorporated towns, townships, within the Commnowealth, liability for damages caused by the negligent operation of their motor vehicles; imposing penalties; imposing certain costs upon counties; providing for the disposition of fines, forfeitures, fees, and miscellaneous receipts; making an appropriation and providing for refunds,' by permitting the use of red signal lights and sound devices on certain additional vehicles; changing the provisions concerning rights of way and providing penalties," be recalled from the Governor for the purpose of amendment.

The Clerk of the Senate being introduced, informed that the Senate has concurred in the resolution from the House of Representatives, as follows:

In the House of Representatives, May 3, 1943.

Resolved (if the Senate concur), that House Bill No. 155, Printer's No. 453, entitled "An act to further amend section two hundred twenty of the act approved the second day of May one thousand nine hundred twenty-five (P. L. 448) entitled 'An act relating to fish and amending revising consolidating and changing the law relating to fish in the inland waters and the boundary lakes and boundary rivers of the Commonwealth' exempting for the duration of the present war persons in the armed forces from the payment of a fee to the Commonwealth for resident fishing licenses" be recalled from the Governor for the purpose of amendment.

RESOLUTION FOR CONCURRENCE

The Clerk of the Senate being introduced, presented an extract from the Journal of the Senate, which was read as follows:

In the Senate, May 3, 1943.

Resolved (if the House of Representatives concur), That Senate Bill No. 69, Printer's No. 63, entitled:

A Supplement to the act approved the eleventh day of May one thousand nine hundred and five (P. L. 518) entitled "An act making an appropriation for the erection of a home or school for indigent orphans to be called the Thaddeus Stevens Industrial and Reform School of Pennsylvania in which school provision shall be made for giving instruction in reading writing arithmetic drawing duties of citizenship elementary manual training the elements of farming and other requisite branches" authorizing the Thaddeus Stevens Industrial School to collect fees for board and tuition from certain special students

be recalled from the Governor for the purpose of further consideration.

Ordered, That the Clerk present the same to the House of Representatives for its concurrence.

On the question,

Will the House concur in the resolution of the Senate?

It was concurred in.

Ordered, That the Clerk inform the Senate accordingly.

AMENDED HOUSE BILL RETURNED FOR CONCURRENCE

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 55.

An Act to amend section two hundred fourteen of the act approved the eighteenth day of May one thousand nine hundred eleven (P. L. 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" providing for temporary filling of vacancies on boards of school directors in districts of the second third and fourth class caused by induction or enlistment in the military or naval forces of the United States in time of war

With the information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendments.

The Clerk read the amendments as follows:

Amend Section 1, page 3, by striking out in lines 8 to 11 inclusive the words "vacancies now existing or that may hereafter happen by reason of the induction or enlistment of a member of the board into the military or naval forces of the United States in time of war" and inserting in lieu thereof the words 'when any member of a board of school directors heretofore or hereafter enlists or is inducted into the military or naval forces of the United States in time of war a temporary vacancy shall be declared which."

On the question,

Will the House concur in the amendments made by the Senate?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—201

Alspach,	Fleming,	Laughner,	Robertson,
Auker,	Flynn,	Lee,	Root,
Baker,	Foor,	Leisey,	Rose, S.
Barrett,	Fox,	Leonard,	Rose, W. E.,
Barton,	Freed,	Levy,	Rowley,
Bentley,	Fullerton,	Leydic,	Royer,
Bentzel,	Garber,	Lichtenwalter,	Salus,
Boies,	Gardner,	Livingstone,	Sarge,
Bonawitz,	Gates,	Longo,	Sarraf,
Boorse,	Gillan,	Lovett,	Scanlon,
Boory,	Goodling,	Lyons,	Schuster,
Bower,	Goodwin,	Madigan,	Serrill,
Boyd,	Gorman,	Mahany,	Simons,
Bradley,	Grant,	Maxwell,	Skale,
Bretherick,	Green,	McAtee,	Smith,
Brice,	Greenwood,	McClester,	Snider,
Brigerman,	Gross,	McKinney,	Sollenberger,
Brown,	Gyger,	McMillen,	Sorg,
Brunner, P. A.,	Haberlen,	McSurdy,	Stank,
Burns,	Hall,	Menna,	Stockham,
Cadwalader,	Hamilton,	Mihm,	Stonier,
Calvin,	Hannon,	Miller,	Swope,
Campbell,	Hare,	Mintess,	Tahl,
Chervenak,	Harris,	Mock,	Tate,
Chudoff,	Haudenshield,	Modell,	Taylor,
Cohen,	Heatherington,	Mooney,	Thompson,
Coleman,	Helm,	Moore,	Thrasher,
Cook,	Herman,	Moran,	Tiemann,
Cooper,	Hersch,	Moser,	Trent,
Cordier,	Hewitt,	Muir,	Trout,
Corrigan,	Hocke,	Munley,	Turbett,
Costa,	Hoffman,	Murray,	Van Allsburg,
Coulson,	Hoggard,	Nowak,	Verona,
Croop,	Holmes,	O'Brien,	Wachhaus,
Cullen,	Hoopes,	O'Connor,	Wagner, K. H.,
Dague,	Hunter, B. F.,	O'Dare,	Wagner, P. L.,
Dalrymple,	Hunter, W. M.,	O'Neill,	Wallin,
Denman,	Huntley,	Owens,	Walton,
Dennison,	Imbrie,	Petrosky,	Watkins,
Depuy,	Irvin,	Pettit,	Weiss,
Dillon,	James,	Polaski,	Welsh,
Dix,	Jones,	Powers,	Winner,
Duffy,	Kennedy,	Readinger,	Wood, L. H.,
Elder,	Kirley,	Reagan,	Wood, N.,
Elliott,	Kitchen,	Reese, D. P.,	Worley,
Ely,	Kline,	Reese, R. E.,	Wright,
Erb,	Kolankiewicz,	Regan,	Yeakel,
Ewing,	Kowalski,	Reilly,	Yester,
Figlock,	Krepps,	Reynolds,	Fiss,
Finnerty,	Krise,	Riley,	Speaker.
Flack,	Lane,		

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the amendments were concurred in.

Ordered, That the Clerk inform the same to the Senate accordingly.

AMENDED SENATE BILL RECALLED FROM THE GOVERNOR RETURNED FOR CONCURRENCE

The Clerk of the Senate being introduced, presented for concurrence bill numbered and entitled as follows:

SENATE BILL No. 272.

An Act to apportion the Commonwealth of Pennsylvania into congressional districts

Said bill having been recalled from the Governor for amendment, the vote had on final passage and third reading reconsidered in the Senate and the bill amended, in which amendments the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendments.

The Clerk read the amendments as follows:

Amend Section 1, page 2, line 14, by striking out after the word "boroughs" the word "or" and inserting in lieu thereof the word "of;" also same page, line 15, by inserting after the syllable "vue" and before the word "Ben" the words "Ben Avon."

On the question,

Will the House concur in the amendments made by the Senate?

Mr. COHEN. Mr. Speaker, I realize that the only question before the House now is whether or not the House should concur in certain amendments inserted by the Senate. May I suggest that the question now before us is only occasioned by the fact that they were in such a rush to roll over us with this congressional reapportionment bill that they made mistakes in them and found them now. In fact so many bills, Mr. Speaker, have been recalled from the Governor because there is such a rush to get this bill through.

In any event, the minority opposed this bill before, and vigorously opposed the bill, and since we find that the tree is faulty, the fruit can be no more palatable. The amendments are probably very insignificant, but anything connected with this bill is odious to the minority, and I ask the members on this side of the House to vote "no" on the question of concurring in the amendments inserted by the Senate.

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—125

Alspach,	Freed,	Krise,	Rose, W. E.,
Auker,	Fullerton,	Laughner,	Rowley,
Barton,	Garber,	Lee,	Royer,
Bonawitz,	Gardner,	Leisey,	Salus,
Boorse,	Gates,	Leydic,	Sarge,
Bower,	Gillan,	Lichtenwalter,	Serrill,
Boyd,	Goodling,	Livingstone,	Simons,
Bretherick,	Gorman,	Lyons,	Smith,
Brice,	Greenwood,	Madigan,	Sollenberger,
Cadwalader,	Gross,	Mahany,	Sorg,
Calvin,	Gyger,	McAtee,	Stockham,
Campbell,	Hall,	McClester,	Stonier,
Cook,	Hannon,	McKinney,	Tahl,
Cooper,	Hare,	McMillen,	Taylor,
Cordier,	Haudenshield,	McSurdy,	Thrasher,
Costa,	Helm,	Menna,	Tiemann,
Coulson,	Hewitt,	Miller,	Trout,
Dague,	Hocke,	Mintess,	Turbett,
Dalrymple,	Hoffman,	Mock,	Van Allsburg,
Denman,	Holmes,	Moore,	Wachhaus,
Dennison,	Hoopes,	Moser,	Wagner, K. H.,
Depuy,	Hunter, W. M.,	Muir,	Wagner, P. L.,
Dix,	Huntley,	Murray,	Wallin,
Elder,	Imbrie,	Nowak,	Walton,
Ely,	Irvin,	O'Connor,	Watkins,
Erb,	James,	O'Dare,	Winner,
Ewing,	Jones,	Reagan,	Wood, L. H.,
Figlock,	Kennedy,	Reese, D. P.,	Wood, N.,
Flack,	Kitchen,	Reilly,	Worley,
Fleming,	Kline,	Riley,	Yeakel,
Foor,	Kowalski,	Robertson,	Fiss,
Fox,	Krepps,	Root,	Speaker.

NAYS—76

Baker,	Duffy,	Levy,	Regan,
Barrett,	Elliott,	Longo,	Reynolds,
Bentley,	Finnerty,	Lovett,	Rose, S.
Bentzel,	Flynn,	Maxwell,	Sarraf,
Boies,	Goodwin,	Mihm,	Scanlon,
Boory,	Grant,	Modell,	Schuster,
Bradley,	Green,	Mooney,	Skale,
Brigerman,	Haberlen,	Moran,	Snider,
Brown,	Hamilton,	Munley,	Stank,
Brunner, P. A.,	Harris,	O'Brien,	Swope,
Burns,	Heatherington,	O'Neill,	Tate,
Chervenak,	Herman,	Owens,	Thompson,
Chudoff,	Hersch,	Petrosky,	Trent,
Cohen,	Hoggard,	Pettit,	Verona,

Coleman,	Hunter, B. F.,	Polaski,	Weiss,
Corrigan,	Kirley,	Powers,	Welsh,
Croop,	Kolankiewicz,	Readinger,	Wright,
Cullen,	Lane,	Reese, R. E.,	Yester,
Dillon,	Leonard,		

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the amendments were concurred in.

Ordered, That the Clerk inform the Senate accordingly.

PERMISSION TO ADDRESS HOUSE

Mr. STOCKHAM asked and obtained unanimous consent to address the House.

Mr. Speaker, I wish, if you please, to announce that the Judiciary General Committee in recognition of the work and the effort on the part of its Chairman, being one of the most hard-working committees in this House, proposes to give to him tonight a dinner at 6:30 at the William Penn Hotel on Market Street. This is a token to this man for his work and effort as his part in the work of the House.

There was a sailor putting flowers on the grave of a dear one, when he noticed there was a Chinaman nearby putting a bowl of rice on the grave of one of his departed folks. Turning to the Chinaman the sailor said:

"At what time is he going to come up to eat the rice?"

The Chinaman said "At the same time that your friend comes up to smell the flowers."

It is somewhat in that spirit that we would join together tonight to express those sweet things that come after we have toiled and struggled, and to sit down together and have a good time.

To all the members of this Committee I say, will you please note that it will be at the William Penn Hotel on Market Street.

RECESS

The SPEAKER. If there is no objection the Chair is about to declare a recess until 8:30 p. m. Is there objection? The Chair hears none and a recess is declared.

AFTER RECESS

The House reconvened at 8:30 p. m.

The SPEAKER (Ira T. Fiss) in the Chair.

SENATE MESSAGE

HOUSE BILLS CONCURRED IN BY SENATE

The Clerk of the Senate being introduced, returned bills from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 406.

An Act to further amend section three hundred eleven of the act approved the second day of May one thousand nine hundred and twenty-nine (P. L. 1278) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto" extending the retirement system of counties of the second class to additional employes

HOUSE BILL No. 488.

An Act authorizing the Secretary of Highways at the request of and under agreement with the Public Roads Administration of the United States to lay out establish construct and maintain flight strips and roads to the sites of war activities or to replace roads or streets which have been closed by defense or military activities and to condemn property for such purposes authorizing a width of two hundred feet for such roads in certain cases and making an appropriation

HOUSE BILL No. 497.

An Act to further amend section one of article two and section one of article ten of the act approved the seventh day day of March one thousand nine hundred and one (P. L. 20) entitled "An act for the government of cities of the second class" abolishing the Department of Public Welfare of such cities and transferring its powers and duties and records and certain city property to the county institution district of the county in which the city is located

HOUSE BILL No. 498.

An Act to further amend section one hundred two and to amend sections two hundred two and two hundred three of the act approved the twenty-fourth day of June one thousand nine hundred thirty-seven (P. L. 2017) entitled "An act creating in each county (except of the first class) as a separate corporation and in each city of the first and second class as a part of the city government an institution district for the care and maintenance of certain indigent persons and children prescribing the powers and duties of county commissioners county treasurers city departments of public welfare the State Department of Welfare and the State Department of Public Assistance in respect thereto abolishing certain poor districts and terminating the terms of directors overseers guardians and managers of the poor and poor disrtict auditors and providing for the temporary employment of certain of them providing for the transfer vesting sale and disposition of the property of poor districts and the payment of their obligations imposing certain existing obligations on institution districts and on the Commonwealth regulating the affairs of poor districts until abolished revising amending changing and consolidating the law relating to the care of the poor and repealing existing laws" abolishing city institution districts in cities of the second class and transferring their powers and duties and their property to the county institution district of the county in which the city is located

HOUSE BILL No. 523.

An Act to amend subsection (c) of section twelve hundred three of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 343) entitled "An act relating to the finances of the State government providing for the settlement assessment collection and lien of taxes bonus and all other accuonts due the Commonwealth the collection and recovery of fees and other money or property due or belonging to the Commonwealth or any agency thereof including escheated property and the proceeds of its sale the custody and disbursement or other disposition of funds and securities belonging to or in the possession of the Commonwealth and the settlement of claims against the Commonwealth the resettlement of accounts and appeals to the courts refunds of moneys erroneously paid to the Commonwealth auditing the accounts of the Commonwealth and all agencies thereof of all public officers collecting moneys payable to the Commonwealth or any agency thereof and all receipts of appropriations from the Commonwealth and imposing penalties affecting every department board commission and officer of the State government every political subdivision of the State and certain officers of such subdivisions every person association and corporation required to pay assess or collect taxes or to make returns or reports under the laws imposing taxes for State purposes or to pay license fees or other moneys to the Commonwealth or any agency thereof every State depository and every debtor or creditor of the Common-

wealth" by excepting therefrom the transfer of stock assigned by a decedent before his death as collateral security for a loan and requiring the holder of such stock to report concerning the sale thereof to the Department of Revenue

HOUSE BILL No. 537.

An Act to amend section one thousand five hundred and two by adding thereto clause XLVII of the act approved the twenty-fourth day of June one thousand nine hundred and thirty-one (P. L. 1206) entitled "An act concerning townships of the first class amending revising consolidating and changing the law relating thereto" authorizing certain townships of the first class to appropriate moneys for the support of hospitals

HOUSE BILL No. 569.

An Act to amend section eleven of the act approved the fifth day of June one thousand nine hundred forty-one (P. L. 84) entitled "An act providing for and regulating the appointment promotion and reduction in rank suspension and removal of paid members of the police force in boroughs incorporated towns and townships of the first class maintaining a police force of not less than three members creating a civil service commission in each borough incorporated town and township of the first class defining the duties of such civil service commission imposing certain duties and expense on boroughs incorporated towns and townships of the first class imposing penalties and repealing inconsistent laws" providing for preference under pre-existing law in favor of war veterans

HOUSE BILL No. 571.

An Act empowering cities of the third class boroughs incorporated towns and townships to co-operate with each other through joint agreements in the exercise of their governmental powers duties and functions relating to the public health recreation zoning and municipal planning

HOUSE BILL No. 572.

An Act providing for fresh pursuit by military forces and authorizing this State to cooperate with other states therein

HOUSE BILL No. 607.

An Act to further amend sections four hundred twenty-six and four hundred twenty-seven of the act approved the second day of June one thousand nine hundred fifteen (P. L. 736) entitled as amended "An act defining the liability of an employer to pay damages for injuries received by an employe in the course of employment establishing an elective schedule of compensation providing procedure for the determination of liability and compensation thereunder and prescribing penalties" conferring exclusive jurisdiction on the county court of Allegheny County in cases of appeals from the Workmen's Compensation Board

HOUSE BILL No. 609.

An Act to further amend sections seven and thirteen of the act approved the third day of May one thousand nine hundred thirty-three (P. L. 252) entitled as amended "An act to regulate and restrain the traffic in malt and brewed beverages as herein defined providing for the licensing of the manufacture transportation sale and distribution of such beverages imposing license and permit fees and providing for collection and distribution thereof restricting ownership and interest in licensed places permitting municipalities and townships by vote of the electors to prevent the licensing therein of places where such beverages may be sold for consumption on the premises and regulating elections for this purpose imposing duties upon the Pennsylvania Liquor Control Board quarter sessions courts district attorneys the Department of Justice proper authorities of political subdivisions of the State and election officers providing penalties and repealing existing acts" conferring jurisdiction on the county court of Allegheny County in cases of appeals from the Pennsylvania Liquor Control Board

With the information that the Senate has passed the same without amendment.

BILLS SIGNED BY SPEAKER

Bills numbered and entitled as follows having been prepared for presentation to the Governor, and the same being correct, the titles were publicly read as follows:

HOUSE BILL No. 177.

An Act making an appropriation to the State Veterans' Commission for certain expenses of the commission and for the assistance of needy Pennsylvania veterans of any war or their dependents

HOUSE BILL No. 55.

An Act to amend section two hundred fourteen of the act approved the eighteenth day of May one thousand nine hundred eleven (P. L. 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith providing for temporary filling of vacancies on boards of school directors in districts of the second third and fourth class caused by induction or enlistment in the military or naval forces of the United States in time of war

HOUSE BILL No. 895.

An Act to further reenact and amend the title and the act approved the twenty-eighth day of March one thousand nine hundred and twenty-nine (P. L. 86) entitled as amended "An act relating to the grading and sale of grapes and potatoes in this Commonwealth providing penalties for violations and imposing certain duties upon the Department of Agriculture" by extending the provisions to apples and peaches and permitting the grading classifying and packing of grapes potatoes apples and peaches other than those packed or repacked within this State

HOUSE BILL No. 917.

An Act to promote interstate cooperation for the use conservation protection and equitable diversion of the water resources in the Delaware River Basin between and among the States of Pennsylvania New York and New Jersey for the purpose of meeting prospective needs for domestic and municipal water supply regulating and limiting the use of the waters of the Delaware River and its tributaries and prescribing rules and standards requiring permits from and providing for hearings by the Water and Power Resources Board and for appeals from its decision vesting power in the Water and Power Resources Board to vary or modify the rules and standards under certain conditions and to adopt rules and regulations and further defining its powers and duties requiring notice to the States of New York and New Jersey of all filing of stipulations by the Attorney General with the United States Supreme Court and obtaining its approval of water diversions

Whereupon,

The SPEAKER, in the presence of the House, signed the same.

SENATE MESSAGES

AMENDED HOUSE BILLS RETURNED FOR CONCURRENCE

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 56.

An Act authorizing the Department of Highways and counties cities boroughs towns and townships to adopt and take over as public roads and highways certain highways taken over located extended or constructed by the Federal Government or any agency thereof in the exercise of the war power and providing the procedure therefor

With the information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendments.

The Clerk read the amendments as follows:

Amend Section 2, page 3, at the beginning of line 9, by striking out the word "Approve" and inserting in lieu thereof the word "approving."

On the question,

Will the House concur in the amendments made by the Senate?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—201.

Alspach,	Fleming,	Laughner,	Robertson,
Auker,	Flynn,	Lee,	Root,
Baker,	Foor,	Leisey,	Rose, S.
Barrett,	Fox,	Leonard,	Rose, W. E.,
Barton,	Freed,	Levy,	Rowley,
Bentley,	Fullerton,	Leydic,	Royer,
Bentzel,	Garber,	Lichtenwalter,	Salus,
Boies,	Gardner,	Livingstone,	Sarge,
Bonawitz,	Gates,	Longo,	Sarraf,
Boorse,	Gillan,	Lovett,	Scanlon,
Boory,	Goodling,	Lyons,	Schuster,
Bower,	Goodwin,	Madigan,	Serrill,
Boyd,	Gorman,	Mahany,	Simons,
Bradley,	Grant,	Maxwell,	Skale,
Bretherick,	Green,	McAtee,	Smith,
Brice,	Greenwood,	McClester,	Snider,
Brigerman,	Gross,	McKinney,	Sollenberger,
Brown,	Gyger,	McMillen,	Sorg,
Brunner, P. A.,	Haberlen,	McSurdy,	Stank,
Burns,	Hall,	Menna,	Stockham,
Cadwalader,	Hamilton,	Mihm,	Stonier,
Calvin,	Hannon,	Miller,	Swope,
Campbell,	Hare,	Mintess,	Tahl,
Chervenak,	Harris,	Mock,	Tate,
Chudoff,	Haudenshield,	Modell,	Taylor,
Cohen,	Heatherington,	Mooney,	Thompson,
Coleman,	Helm,	Moore,	Thrasher,
Cook,	Herman,	Moran,	Tiemann,
Cooper,	Hersch,	Moser,	Trent,
Cordier,	Hewitt,	Muir,	Trout,
Corrigan,	Hocke,	Munley,	Turbett,
Costa,	Hoffman,	Murray,	Van Allsburg,
Coulson,	Hoggard,	Nowak,	Verona,
Croop,	Holmes,	O'Brien,	Wachhaus,
Cullen,	Hoopes,	O'Connor,	Wagner, K. H.,
Dague,	Hunter, B. F.,	O'Dare,	Wagner, P. L.,
Dalrymple,	Hunter, W. M.,	O'Neill,	Wallin,
Denman,	Huntley,	Owens,	Walton,
Dennison,	Imbrie,	Petrosky,	Watkins,
Depuy,	Irvin,	Pettit,	Weiss,
Dillon,	James,	Polaski,	Welsh,
Dix,	Jones,	Powers,	Winner,
Duffy,	Kennedy,	Readinger,	Wood, L. H.,
Elder,	Kirley,	Reagan,	Wood, N.,
Elliott,	Kitchen,	Reese, D. P.,	Worley,
Ely,	Kline,	Reese, R. E.,	Wright,
Erb,	Kolankiewicz,	Regan,	Yeakel,
Ewing,	Kowalski,	Reilly,	Yester,
Figlock,	Krepps,	Reynolds,	Fiss,
Finnerty,	Krise,	Riley,	Speaker.
Flack,	Lane,		

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the amendments were concurred in.

Ordered, That the Clerk inform the Senate accordingly.

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 134.

An Act to further amend section eleven of the act approved the thirteenth day of May one thousand nine hundred twenty-five (P. L. 644) entitled "An act relating to and regulating the solicitation of moneys and property for charitable religious benevolent humane and patriotic purposes" by providing that said act shall not apply to certain war veterans' organizations or the subordinate units thereof

With the information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendments.

The Clerk read the amendments as follows:

Amend Section 1, page 2, by striking out in lines 6 to 8 inclusive the words "war veterans' organizations or the subordinate units thereof recognized by the General Assembly"; also same page, line 12, by inserting after the word "Commonwealth" the words "nor to any war veterans' organization or any subordinate units thereof whenever the purpose for which it is soliciting funds has been approved by the Department of Military Afiairs."

On the question,

Will the House concur in the amendments made by the Senate?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—201.

Alspach,	Fleming,	Laughner,	Robertson,
Auker,	Flynn,	Lee,	Rose, S.
Baker,	Foor,	Leisey,	Root,
Barrett,	Fox,	Leonard,	Rose, W. E.,
Barton,	Freed,	Levy,	Rowley,
Bentley,	Fullerton,	Leydic,	Royer,
Bentzel,	Garber,	Lichtenwalter,	Salus,
Boies,	Gardner,	Livingstone,	Sarge,
Bonawitz,	Gates,	Longo,	Sarraf,
Boorse,	Gillan,	Lovett,	Scanlon,
Boory,	Goodling,	Lyons,	Serrill,
Bower,	Goodwin,	Madigan,	Schuster,
Boyd,	Gorman,	Mahany,	Simons,
Bradley,	Grant,	Maxwell,	Skale,
Bretherick,	Green,	McAtee,	Smith,
Brice,	Greenwood,	McClester,	Snider,
Brigerman,	Gross,	McKinney,	Sollenberger,
Brown,	Gyger,	McMillen,	Sorg,
Brunner, P. A.,	Haberlen,	McSurdy,	Stank,
Burns,	Hall,	Menna,	Stockham,
Cadwalader,	Hamilton,	Mihm,	Stonier,
Calvin,	Hannon,	Miller,	Swope,
Campbell,	Hare,	Mintess,	Tahl,
Chervenak,	Harris,	Mock,	Tate,
Chudoff,	Haudenshield,	Modell,	Taylor,
Cohen,	Heatherington,	Mooney,	Thompson,
Cook,	Helm,	Moore,	Thrasher,
Coleman,	Herman,	Moran,	Tiemann,
Cooper,	Hersch,	Moser,	Trent,
Cordier,	Hewitt,	Muir,	Trout,
Corrigan,	Hocke,	Munley,	Turbett,
Costa,	Hoffman,	Murray,	Van Allsburg,

Coulson,	Hoggard,	Nowak,	Verona,
Croop,	Holmes,	O'Brien,	Wachhaus,
Cullen,	Hoopes,	O'Connor,	Wagner, P L.,
Dague,	Hunter, B. F.,	O'Dare,	Wagner, K. H.,
Dalrymple,	Hunter, W. M.,	O'Neill,	Wallin,
Denman,	Huntley,	Owens,	Walton,
Dennison,	Imbrie,	Petrosky,	Watkins,
Depuy,	Irvin,	Pettit,	Weiss,
Dillon,	James,	Polaski,	Welsh,
Dix,	Jones,	Powers,	Winner,
Duffy,	Kennedy,	Readinger,	Wood, L. H.,
Elder,	Kirley,	Reagan,	Wood, N.,
Elliott,	Kitchen,	Reese, D. P.,	Worley,
Ely,	Kline,	Reese, R. E.,	Wright,
Erb,	Kolankiewicz,	Regan,	Yeakel,
Ewing,	Kowalski,	Reilly,	Yester,
Figlock,	Krepps,	Reynolds,	Fiss,
Finnerty,	Krise,	Riley,	Speaker.
Flack,	Lane,		

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the amendments were concurred in.

Ordered, That the Clerk inform the Senate accordingly.

PERMISSION TO ADDRESS HOUSE

Mr. LEONARD asked and obtained unanimous consent to address the House.

Mr. Speaker, you will recall last week we had under consideration for final passage House Bill No. 663 which affected Allegheny County, which county I have the honor to represent, and at that time I read a letter into the record from the Pittsburgh Real Estate Board, signed by the president. After reading this letter the gentleman from Allegheny, Mr. Hannon took the floor and stated:

> I wish to state that I had luncheon with the committee of the Pittsburgh Real Estate Board last Saturday, including Mr. Hettling who signed the letter read by the gentleman from Allegheny, Mr. Leonard. That committee admitted to me openly that not one of them had read the bill and after I read the bill to them and explained the bill to them, Mr. Hettling made the statement that he would then refer the bill back for further consideration on behalf of his committee.

As you will recall, the motion was made for the previous question, which prevented me from further discussing the matter. However, to keep the record straight, I immediately wrote Mr. Hettling, and included a transcript of that discussion and received the following reply, dated May 1, 1943 addressed to me reading as follows:

> I wish to thank you for your letter of April 29th and copy of House Record.
>
> Mr. Hannon did not meet with the committee of the Pittsburgh Real Estate Board in reference to his Bill, H. R. 663, but met a few members of our Board in a lunch room in Pittsburgh; when, naturally, his Bill was discussed.
>
> Mr. Hannon asked me for a letter rescinding the action of the Pittsburgh Real Estate Board, which I absolutely refused. To my knowledge, no person present admitted that they had not read this Bill. Mr. Hannon made the statement that several amendments had been made to his original Bill, and out of courtesy to him and one or two personal friends of his and mine who were in this group, I told Mr. Hannon I would refer his Bill back to the Committee and ask them if they cared to take further action. My action was based on the presumption that his Bill had been materially amended, as he stated.
>
> For your information, I did refer this Bill back to our Committee, and their statement was to the effect that the Bill had not been materially amended and that our action should not be changed and that we should opose the passage of this Bill very vigorously.
>
> Again thanking you for your interest in this matter, and assuring you that it is greatly appreciated, I am
>
> Yours very truly
>
> (Signed) FRED J. HETTLING, President.

PERMISSION TO ADDRESS HOUSE

Mr. HANNON asked and obtained unanimous consent to address the House.

Mr. Speaker, the statement I wish to make is this, that I will answer the remarks and charges made by Mr. Leonard when and if I feel those charges need to be answered.

PERMISSION GRANTED COMMITTEE TO MEET DURING SESSION

Mr. SERRILL asked and obtained permission for the Committee on Public Health and Sanitation to meet during the sesison of the House.

REPORT OF COMMISSION ON CONDITIONS OF URBAN COLORED POPULATION

Mr. BROWN. Mr. Speaker, I desire to submit to the Legislature the final Report of the Pennsylvania State Temporary Commission on the Conditions of the Urban Colored Population to the General Assembly. The reports have already been distributed on the desks of the Members.

The SPEAKER. The report will be noted in the Journals of the House and printed in the appendix to the Legislative Journal.

PERMISSION GRANTED COMMITTEE TO MEET DURING SESSION

Mr. WATKINS asked and obtained permission for the Committee on Elections to meet during the session of the House.

BILLS ON THIRD READING

BILLS PASSED OVER

There being no objection

Senate Bill No. 85, Printer's No. 37;
Senate Bill No. 201, Printer's No. 72;
Senate Bill No. 301, Printer's No. 152;
Senate Bill No. 377, Printer's No. 263;
Senate Bill No. 400; Printer's No. 281;
Senate Bill No. 427, Printer's No. 270;
Senate Bill No. 534, Printers No. 261 and
Senate Bill No. 539, Printer's No. 240

were passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 601, as follows:

An Act to amend section 3.1 of the act approved the twentieth day of June one thousand nine hundred one (P. L. 582) entitled "An ac to provide for the registration of labels trade-marks trade-names stamps designs devices shopmarks terms brands designations descriptions or forms of advertisement and protect and secure the rights property and interest therein of the persons copartnerships or corporations adopting and filing the

same and providing penalties for the violations of the act" by further providing for the cancellation of such registrations in certain cases

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section 3.1 of the act approved the twentieth day of June one thousand nine hundred one (P. L. 582) entitled "An act to provide for the registration of labels trade-marks trade-names stamps designs devices shop-marks terms brands designations descriptions or forms of advertisement and protect and secure the rights property and interest therein of the persons copartnerships or corporations adopting and filing the same and providing penalties for the violations of the act" as added to said act by the act approved the thirtieth day of July one thousand nine hundred forty-one (P. L. 610) is hereby amended to read as follows

Section 3.1 Whenever any person or persons copartnership or corporation has heretofore registered or shall hereafter register any label trade-mark trade-name device shop-mark designation or form of advertisement in the office of the Secretary of the Commonwealth and shall have received a certificate of record therefor as provided by this act and such person or persons copartnership or corporation shall have discontinued or gone out of the business to which such registration is pertinent or for any reason shall have never used or abandoned or discontinued the use of said label trade-mark trade-name device shop-mark designation or form of advertisement the said registration and certificate shall be revoked under the following conditions in the following manner to wit

(a) In the case of a person persons or copartnership or corporation not having filed articles of dissolution or a decree of dissolution but having discontinued or gone out of the business to which such registration is pertinent or having never used or abandoned or discontinued the use of the item so registered for a period of at least five years and such discontinuance still persists any person injured by such registration may present his affidavit to the Secretary of the Commonwealth accompanied by a fee of fifteen dollars setting forth the above facts relative thereto together with proof of service of notice of such affidavit upon the person persons copartnership or corporation in whose name the said registration is recorded and asking that such registration be cancelled The Secretary shall fix a time to hear the parties concerned in the matter and send by registered mail a notice thereof to the person persons copartnership or corporation in whose name such registration is recorded After hearing the same if the Secretary is satisfied of the truth of the facts alleged in the affidavit in accordance with the provisions of this clause he shall cancel the said registration

(b) In the case of a corporation having filed articles of dissolution or a decree of dissolution any person may at any time at least three years thereafter present his affidavit to the Secretary of the Commonwealth accompanied by a fee of fifteen dollars setting forth such facts The said Secretary if satisfied of the truth of the alleged facts shall cancel the registration of said item recorded in the name of such corporation

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—201.

Alspach,	Fleming,	Laughner,	Robertson,
Auker,	Flynn,	Lee,	Root,
Baker,	Foor,	Leisey,	Rose, S.
Barrett,	Fox,	Leonard,	Rose, W E.,
Barton,	Freed,	Levy,	Rowley,
Bentley,	Fullerton,	Leydic,	Royer,
Bentzel,	Garber,	Lichtenwalter,	Salus,
Boies,	Gardner,	Livingstone,	Sarge,
Bonawitz,	Gates,	Longo,	Sarraf,
Boory,	Gillan,	Lovett,	Scanlon,
Boorse,	Goodling,	Lyons,	Schuster,
Bower,	Goodwin,	Madigan,	Serrill,
Boyd,	Gorman,	Mahany,	Simons,
Bradley,	Grant,	Maxwell,	Skale,
Bretherick,	Green,	McAtee,	Smith,
Brice,	Greenwood,	McClester,	Snider,
Brigerman,	Gross,	McKinney,	Sollenberger,
Brown,	Gyger,	McMillen,	Sorg,
Brunner, P A.,	Haberlen,	McSurdy,	Stank,
Burns,	Hall,	Menna,	Stockham,
Cadwalader,	Hamilton,	Mihm,	Stonier,
Calvin,	Hannon,	Miller,	Swope,
Campbell,	Hare,	Mintess,	Tahl,
Chervenak,	Harris,	Mock,	Tate,
Chudoff,	Haudenshield,	Modell,	Taylor,
Cohen,	Heatherington,	Mooney,	Thompson,
Coleman,	Helm,	Moore,	Thrasher,
Cook,	Herman,	Moran,	Tiemann,
Cooper,	Hersch,	Moser,	Trent,
Cordier,	Hewitt,	Muir,	Trout,
Corrigan,	Hocke,	Munley,	Turbett,
Costa,	Hoffman,	Murray,	Van Allsburg,
Coulson,	Hoggard,	Nowak,	Verona,
Croop,	Holmes,	O'Brien,	Wachhaus,
Cullen,	Hoopes,	O'Connor,	Wagner, K. H.,
Dague,	Hunter, B. F.,	O'Dare,	Wagner, P. L.,
Dalrymple,	Hunter, W M.,	O'Neill,	Wallin,
Denman,	Huntley,	Owens,	Walton,
Dennison,	Imbrie,	Petrosky,	Watkins,
Depuy,	Irvin,	Pettit,	Weiss,
Dillon,	James,	Polaski,	Welsh,
Dix,	Jones,	Powers,	Winner,
Duffy,	Kennedy,	Readinger,	Wood, L. H.,
Elder,	Kirley,	Reagan,	Wood, N.,
Elliott,	Kitchen,	Reese, D. P.,	Worley,
Ely,	Kline,	Reese, R. E.,	Wright,
Erb,	Kolankiewicz,	Regan,	Yeakel,
Ewing,	Kowalski,	Reilly,	Yester,
Figlock,	Krepps,	Reynolds,	Fiss,
Finnerty,	Krise,	Riley,	Speaker.
Flack,	Lane,		

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 852, as follows:

An Act to further amend the act approved the twenty-eighth day of May one thousand nine hundred and thirty-seven (P. L. 1053) entitled "An act relating to the regulation of public utilities defining as public utilities certain corporations companies associations and persons providing for the regulation of public utilities including to a lmited extent municipalities engaging in public utility business by prescribing defining and limiting their duties powers and liabilities and regulating the exercise surrender or abandonment of their powers privileges and franchises defining and regulating contract carriers by motor vehicle and brokers in order to regulate effectively common carriers by motor vehicle conferring upon the Pennsylvania Public Utility Commission the power and duty of supervising and regulating persons associations companies and corporations including to a limited extent municipal corporations subject to this act and administering the provisions of this act authorizing the commission to fix temporary rates placing the burden of proof on public utilities to sustain their rates and certain other matters authorizing a permissive or mandatory sliding scale method of regulating rates providing for the supervision of financial and contractual relations between public utilities and affiliated interests and supervision and regulation of accounts and securities or obligations issued assumed or kept by persons associations

companies corporations or municipal corporations subject to this act conferring upon the commission power to vary reform or revise certain contracts conferring upon the commission the exclusive power to regulate or order the construction alteration relocation protection or abolition of crossings of facilities of public utilities and of such facilities by or over public highways to appropriate property for the construction or improvement of such crossings and to award or apportion resultant costs and damages authorizing owners of such property to sue the Commonwealth for such damages providing for ejectment proceedings in connection with the appropriation of property for crossings conferring upon the commission power to control and regulate budgets of public utilities imposing upon persons associations companies and corporations (except municipal corporations) subject to regulation the cost of administering this act prescribing and regulating practice and procedure before the commission and precedure for review by the courts of commission action giving the court of common pleas of Dauphin County exclusive original jurisdiction over certain proceedings prescribing penalties fines and imprisonment for violations of the provisions of this act and regulations and orders of the commission and the procedure for enforcing such fines and penalties and repealing legislation supplied and superseded by or inconsistent with this act" by exempting from the provisions thereof the transportation of voting machines for and on account of political subdivisions for use in the conduct of any primary general or special election

The General Assembly of the Comonwealth of Pennsylvania hereby enacts as follows

Section 1 Clause six of section two of the act approved the twenty-eighth day of May one thousand nine hundred and thirty-seven (P. L. 1053) entitled "An act relating to the regulation of public utilities defining as public utilities certain corporations companies associations and persons providing for the regulation of public utilities including to a limited extent municipalities engaging in public utility business by prescribing defining and limiting their duties powers and liabilites and regulatng the exercise surrender or abandonment of their powers privileges and franchises defining and regulating contract carriers by motor vehicle and brokers in order to regulate effectively common carriers by motor vehicle conferring upon the Pennsylvania Public Utility Commission the power and duty of supervising and regulating persons associations companies and corporations including to a limited extent municipal corporations subject to this act and administering the provisions of this act authorizing the commission to fix temporary rates placing the burden of proof on public utilities to sustain their rates and certain other matters authorizing a permissive or mandatory sliding scale method of regulating rates providing for the supervision of financial and contractual relations between public utilities and affiliated interests and supervision and regulation of accounts and securities or obligations issued assumed or kept by persons associations companies corporations or municipal corporations subject to this act conferring upon the commission power to vary reform or revise certain contracts conferring upon the commission the exclusive power to regulate or order the construction alteration relocation protection or abolition of crossings of facilities of public utilities and of such facilities by or over public highways to appropriate property for the construction or improvement of such crossings and to award or apportion resultant costs and damages authorizing owners of such property to sue the Commonwealth for such damages providing for ejectment proceedings in connection with the appropriation of property for crossings conferring upon the commission power to control and regulate budgets of public utilities imposing upon persons associations companies and corporations (except municipal corporations) subject to regulation the cost of administering this act prescribing and regulating practice and procedure before the commission and procedure for review by the courts of commission action giving the court of common pleas of Dauphin County exclusive original jurisdiction over certain proceedings prescribing penalties fines and imprisonment for violations of the provisions of this act and regulations and orders of the commission and the procedure for enforcing such fines and penalties and repealing legislation supplied and superseded by or inconsistent with this act" as last amended by the act approved the third day of July one thousand nine hundred and forty-one (P. L. 267) is hereby further amended to read as follows

Section 2 Definitions The following words terms and phrases shall have the meanings ascribed to them in this section unless the context clearly indicates otherwise

* * * * *

(6) "Common Carrier by Motor Vehicle" means any common carrier who or which holds out or undertakes the transportation of passengers or property or both or any class of passengers or property between points within this Commonwealth by motor vehicle for compensation whether or not the owner or operator of such motor vehicle or who or which provides or furnishes any motor vehicle with or without driver for transportation or for use in transportation of persons or property as aforesaid and shall include common carriers by rail water or air and express or forwarding public utilities in so far as such common carriers or such public utilities are engaged in such motor vehicles operations but shall not include (a) a lessor under a lease given on a bona fide sale of a motor vehicle where the lessor retains or assumes no responsibility for maintenance supervision or control of the motor vehicle so sold or (b) transportation of school children in any motor vehicle owned by any school district or operated under contract with any school district which transportation is lawfully paid for by the school district from district funds or (c) any owner or operator of a farm transporting agricultural products from or farm supplies to such farm or any independent contractor or cooperative agricultural asociation hauling agricultural products or farm supplies exclusively for one or more owners or operators of farms (d) any person or corporation who or which uses or furnishes for use dump trucks for the transportation of ashes rubbish excavated and road construction materials (e) transportation of property by the owner to himself or to purchasers directly from him in vehicles owned and operated by the owner of such property and not otherwise used in transportation of property for compensation for others (f) transportation of voting mahines to and from polling places by any person or corporation for or on behalf of any political subdivision of this Commonwealth for use in any primary general or special election

Section 2 Clause seven of section two of said act as last amended by the act approved the third day of July one thousand nine hundred and forty-one (P. L. 267) is hereby further amended to read as follows

Section 2 Definitions The following words terms and phrases shall have the meanings ascribed to them in this section unless the context clearly indicates otherwise

* * * * *

(7) "Contract Carrier by Motor Vehicles" means any person or corporation who or which provides or furnishes transportation of passengers or property or both or any class of passengers or property between points within this Commonwealth by motor vehicle for compensation whether or not the owner or operator of such motor vehicle or who or which provides or furnishes with or without drivers any motor vehicle for such transportation or for use in such transportation other than as a common carrier by motor vehicle but shall not include (a) a lessor under a lease gvein on a bona fide sale of a motor vehicle where the lessor retains or assumes no responsibility for maintenance supervision or control of the motor vehicle so sold or (b) any bona fide agricultural cooperative association transporting property exclusively for the members of such association on a nonprofit basis or any independent contractor hauling exclusively for such association or (c) any owner or operator of a farm

transporting agricultural products from or farm supplies to such farm or any independent contractor hauling agricultural products or farm supplies exclusively for one or more owners or operators of farms (d) transportation of school children in any motor vehicle owned by any school district or operated under contract with any school district which transportation is lawfully paid for by the school district from district funds or (e) any person or corporation who or which uses or furnishes for use dump trucks for the transportation of ashes rubbish excavated or road construction materials or (f) transportation of voting machines to and from polling places by any person or corporation for or on behalf of any political subdivision of this Commonwealth for use in any primary general or special election

Section 3 Clause twenty of section two of said act is hereby amended to read as follows

Section 2 Definitions The following words terms and phrases shall have the meanings ascribed to them in this section unless the context clearly indicates otherwise

* * * * *

(20) "Service" is used in this act in its broadest and most inclusive sense and includes any and all acts done rendered or perfromed and any and all things furnished or supplied and any and all facilities used furnished or supplied by public utilities or contract carriers by motor vehicle in the performance of their duties under this act to their patrons employes other public utilities and the public as well as the interchange of facilities between two or more of them but shall not include any acts done rendered or performed or any thing furnished or supplied or any facility used furnished or supplied by public utilities or contract carriers by motor vehicle in the transportation of voting machines to and from polling places for or on behalf of any political subdivision of this Commonwealth for use in any primary general or special election

Section 4 Clause twenty-three of section two of said act is hereby amended to read as follows

Section 2 Definitions The following words terms and phrases shall have the meanings ascribed to them in this section unless the context clearly indicates otherwise

* * * * *

(23) "Transportation of Passengers or Property" means any and all service in connection with the receiving transportation elevation transfer in transit ventilation refrigeration icing storage handling and delivering of property baggage or freight as well as any and all service in connection with the transportation or carrying of passengers but shall not mean any service in connection with the receiving transportation handling or delivering of voting machines to and from polling places for or on behalf of any political subdivision of this Commonwealth for use in any primary general or special election

Section 5 This act shall become effective immediately upon final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—201

Alspach,	Fleming,	Laughner,	Robertson,
Auker,	Flynn,	Lee,	Root,
Baker,	Foor,	Leisey,	Rose, S.,
Barrett,	Fox,	Leonard,	Rose, W. E.,
Barton,	Freed,	Levy,	Rowley,
Bentley,	Fullerton,	Leydic,	Royer,
Bentzel,	Garber,	Lichtenwalter,	Salus,
Boies,	Gardner,	Livingstone,	Sarge,
Bonawitz,	Gates,	Longo,	Sarraf,
Boorse,	Gillan,	Lovett,	Scanlon,
Boory,	Goodling,	Lyons,	Schuster,
Bower,	Goodwin,	Madigan,	Serrill,
Boyd,	Gorman,	Mahany,	Simons,
Bradley,	Grant,	Maxwell,	Skale,
Bretherick,	Green,	McAtee,	Smith,
Brice,	Greenwood,	McClester,	Snider,
Brigerman,	Gross,	McKinney,	Sollenberger,
Brown,	Gyger,	McMillen,	Sorg,
Brunner, P. A.,	Haberlen,	McSurdy,	Stank,
Burns,	Hall,	Menna,	Stockham,
Cadwalader,	Hamilton,	Mihm,	Stonier,
Calvin,	Hannon,	Miller,	Swope,
Campbell,	Hare,	Mintess,	Tahl,
Chervenak,	Harris,	Mock,	Tate,
Chudoff,	Haudenshield,	Modell,	Taylor,
Cohen,	Heatherington,	Mooney,	Thompson,
Coleman,	Helm,	Moore,	Thrasher,
Cook	Herman,	Moran,	Tiemann,
Cooper,	Hersch,	Moser,	Trent,
Cordier,	Hewitt,	Muir,	Trout,
Corrigan,	Hocke,	Munley,	Turbett,
Costa,	Hoffman,	Murray,	Van Allsburg,
Coulson,	Hoggard,	Nowak,	Verona,
Croop,	Holmes,	O'Brien,	Wachhaus,
Cullen,	Hoopes,	O'Connor,	Wagner, K. H.,
Dague,	Hunter, B. F.,	O'Dare,	Wagner, P. L.,
Dalrymple,	Hunter, W. M.,	O'Neill,	Wallin,
Denman,	Huntley,	Owens,	Walton,
Dennison,	Imbrie,	Petrosky,	Watkins,
Depuy,	Irvin,	Pettit,	Weiss,
Dillon,	James,	Polaski,	Welsh,
Dix,	Jones,	Powers,	Winner,
Duffy,	Kennedy,	Readinger,	Wood, L. H.,
Elder,	Kirley,	Reagan,	Wood, N.,
Elliott,	Kitchen,	Reese, D. P.,	Worley,
Ely,	Kline,	Reese, R. E.,	Wright,
Erb,	Kolankiewicz,	Reilly,	Yeakel,
Ewing,	Kowalski,	Regan,	Yester,
Figlock,	Krepps,	Reynolds,	Fiss,
Finnerty,	Krise,	Riley,	Speaker.
Flack,	Lane,		

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 972, as follows:

An Act making an appropriation for aid to free public non-sectarian county libraries and for the purchase and transportation of books

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The sum of fifty-five thousand dollars ($55,000) or as much thereof as may be necessary is hereby specifically appropriated to the Department of Public Instruction for the two fiscal years beginning June first one thousand nine hundred and forty-three for aid to free public non-sectarian county libraries and for the purchase and transportation of books to be used for demonstration and circulation purposes to carry into effect the provisions of the act approved the twenty-third day of June one thousand nine hundred and thirty-one (P. L. 1203) entitled "An act providing aid by the Commonwealth to free public non-sectarian county libraries authorizing the Department of Public Instruction to provide books for demonstration purposes to encourage the establishment of such county libraries and making an appropriation"

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—201

Alspach,	Fleming,	Laughner,	Robertson,
Auker,	Flynn,	Lee,	Root,
Baker,	Foor,	Leisey,	Rose, S.,
Barrett,	Fox,	Leonard,	Rose, W. E.,
Barton,	Freed,	Levy,	Rowley,
Bentley,	Fullerton,	Leydic,	Royer,
Bentzel,	Garber,	Lichtenwalter,	Salus,
Boies,	Gardner,	Livingstone,	Sarge,
Bonawitz,	Gates,	Longo,	Sarraf,
Boorse,	Gillan,	Lovett,	Scanlon,
Boory,	Goodling,	Lyons,	Schuster,
Bower,	Goodwin,	Madigan,	Serrill,
Boyd,	Gorman,	Mahany,	Simons,
Bradley,	Grant,	Maxwell,	Skale,
Bretherick,	Green,	McAtee,	Smith,
Brice,	Greenwood,	McClester,	Snider,
Brigerman,	Gross,	McKinney,	Sollenberger,
Brown,	Gyger,	McMillen,	Sorg,
Brunner, P. A.,	Haberlen,	McSurdy,	Stank,
Burns,	Hall,	Menna,	Stockham,
Cadwalader,	Hamilton,	Mihm,	Stonier,
Calvin,	Hannon,	Miller,	Swope,
Campbell,	Hare,	Mintess,	Tahl,
Chervenak,	Harris,	Mock,	Tate,
Chudoff,	Haudenshield,	Modell,	Taylor,
Cohen,	Heatherington,	Mooney,	Thompson,
Coleman,	Helm,	Moore,	Thrasher,
Cook,	Herman,	Moran,	Tiemann,
Cooper,	Hersch,	Moser,	Trent,
Cordier,	Hewitt,	Muir,	Trout,
Corrigan,	Hocke,	Munley,	Turbett,
Costa,	Hoffman,	Murray,	Van Allsburg,
Coulson,	Hoggard,	O'Brien,	Verona,
Croop,	Holmes,	O'Connor,	Wachhaus,
Cullen,	Hoopes,	O'Dare,	Wagner, K. H.,
Dague,	Hunter, B. F.,	O'Neill,	Wagner, P. L.,
Dalrymple,	Hunter, W. M.,	Owens,	Wallin,
Denman,	Huntley,	Petrosky,	Walton,
Dennison,	Imbrie,	Pettit,	Watkins,
Depuy,	Irvin,	Polaski,	Weiss,
Dillon,	James,	Powers,	Welsh,
Dix,	Jones,	Nowak,	Winner,
Duffy,	Kennedy,	Readinger,	Wood, L. H.,
Elder,	Kirley,	Reagan,	Wood, N.,
Elliott,	Kitchen,	Reese, D. P.,	Worley,
Ely,	Kline,	Reese, R. E.,	Wright,
Erb,	Kolankiewicz,	Regan,	Yeakel,
Ewing,	Kowalski,	Reilly,	Yester,
Figlock,	Krepps,	Reynolds,	Fiss,
Finnerty,	Krise,	Riley,	Speaker.
Flack,	Lane,		

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1072, as follows:

An Act providing for refunds by the Pennsylvania Board of Finance and Revenue of state personal property taxes paid upon certain personal property by liquidating trustees receivers or other fiduciaries of banks trust companies and savings institutions and making an appropriation

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 It shall be the duty of the Board of Finance and Revenue to grant refunds in accordance with the procedure now prescribed by law of personal property taxes paid into the State Treasury on account of personal property held in the commercial department and owned in its own right by a banking institution savings institution or trust company in liquidation by a receiver trustee or other fiduciary or personal property formerly held by a banking institution in its own right but assigned by it to one or more trustees for liquidation and payment to the creditors and stockholders of such banking institutions

Such refunds shall be granted whether or not the taxes involved were paid prior to the effective date of the reenactment of the State Personal Property Tax Act approved July eleventh one thousand nine hundred and forty-one (P. L. 361)

Any petition for refund of personal property taxes paid upon such property before July eleventh one thousand nine hundred and forty-one may be filed with the Board of Finance and Revenue any time within six months after the effective date of this act

Section 2 The sum of one hundred thousand ($100,000) dollars or so much thereof as may be necessary is hereby specifically appropriated to the Treasury Department for use by the Board of Finance and Revenue in making such refunds

Section 3 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—127

Alspach,	Freed,	Krise,	Rose, W. E.,
Auker,	Fullerton,	Laughner,	Rowley,
Barton,	Garber,	Lee,	Royer,
Bonawitz,	Gardner,	Leisey,	Salus,
Boorse,	Gates,	Leydic,	Sarge,
Bower,	Gillan,	Lichtenwalter,	Serrill,
Boyd,	Goodling,	Livingstone,	Simons,
Bretherick,	Gorman,	Lyons,	Smith,
Brice,	Greenwood,	Madigan,	Sollenberger,
Cadwalader,	Gross,	Mahany,	Sorg,
Calvin,	Gyger,	McAtee,	Stockham,
Campbell,	Hall,	McClester,	Stonier,
Cook,	Hannon,	McKinney,	Tahl,
Cooper,	Hare,	McMillen,	Taylor,
Cordier,	Haudenshield,	McSurdy,	Thrasher,
Costa,	Helm,	Menna,	Tiemann,
Coulson,	Hewitt,	Miller,	Trout,
Dague,	Hocke,	Mintess,	Turbett,
Dalrymple,	Hoffman,	Mock,	Van Allsburg,
Denman,	Holmes,	Moore,	Wachhaus,
Dennison,	Hoopes,	Moser,	Wagner, P. L.,
Depuy,	Hunter, W. M.,	Muir,	Wagner, K. H.,
Dix,	Huntley,	Murray,	Wallin,
Elder,	Imbrie,	Nowak,	Walton,
Ely,	Irvin,	O'Dare,	Watkins,
Erb,	James,	Readinger,	Winner,
Ewing,	Jones,	Reagan,	Wood, L. H.,
Figlock,	Kennedy,	Reese, D. P.,	Wood, N.,
Flack,	Kitchen,	Reilly,	Worley,
Fleming,	Kline,	Riley,	Yeakel,
Foor,	Kowalski,	Robertson,	Fiss,
Fox,	Krepps,	Root,	Speaker.

NAYS—74

Baker,	Duffy,	Levy,	Regan,
Barrett,	Elliott,	Longo,	Reynolds,
Bentley,	Finnerty,	Lovett,	Rose, S.,
Bentzel,	Flynn,	Maxwell,	Sarraf,
Boies,	Goodwin,	Mihm,	Scanlon,
Boory,	Grant,	Modell,	Schuster,
Bradley,	Green,	Mooney,	Skale,
Brigerman,	Haberlen,	Moran,	Snider,
Brown,	Hamilton,	Munley,	Stank,
Brunner, P. A.,	Harris,	O'Brien,	Swope,
Burns,	Heatherington,	O'Connor,	Tate,
Chervenak,	Herman,	O'Neill,	Thompson,
Chudoff,	Hersch,	Owens,	Trent,
Cohen,	Hoggard,	Petrosky,	Verona,
Coleman,	Hunter, B. F.,	Pettit,	Weiss,
Corrigan,	Kirley,	Polaski,	Welsh,
Croop,	Kolankiewicz,	Powers,	Wright,
Cullen,	Lane,	Reese, R. E.,	Yester,
Dillon,	Leonard,		

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

BILLS PASSED OVER

There being no objection

Senate Bill No. 344, Printer's No. 246;

Senate Bill No. 516, Printer's No. 327;

House Bill No. 749, Printer's No. 687 and

House Bill No. 892, Printer's No. 688

were passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 311, entitled:

An Act relating to appointments reclassifications and promotions made under any civil service system of this Commonwealth after the effective date of this act until a period after the cessation of hostilities making such appointments of war duration providing for examinations at the end of such period suspending inconsistent laws saving the right to return to former position and status suspending powers and duties of the Personnel Director of the State Civil Service Commission for a limited period and conferring powers on the State Civil Service Commission

On the question,

Will the House agree to the bill on third reading?

Mr. LICHTENWALTER. Mr. Speaker, I ask unanimous consent to offer amendments at this time.

The SPEAKER. The amendments will be read by the Clerk for information.

The Clerk read the amendments as follows:

Amend Title, page 1, lines 12 to 14 of title, by striking out the words "and prohibiting the establishment of" in line 12, all of line 13, and the words "limited period and" in line 14, and inserting in lieu thereof the following: "saving the right to return to former position and status".

Amend Title, page 2, line 1 of title, by inserting after the word "Commission" the following: "for a limited period".

Amend Sec. 1, page 2, line 8, by inserting after the part-word "tions" the following: "held".

Amend Sec. 1, page 2, line 8, by striking out the word "held".

Amend Sec. 1, page 2, line 11, by striking out the word "or".

Amend Sec. 1, page 2, line 11, by inserting after the word "commission" the following: "or state agency".

Amend Sec. 1, page 2, line 12, by inserting after the word "now" the following: "or hereafter becomes".

Amend Sec. 1, page 2, line 14, by striking out the word "or".

Amend Sec. 1, page 2, line 14, by inserting after the word "commission" the following: "or state agency".

Amend Sec. 1, page 2, lines 16 and 17, by striking out the words "and that shall thereafter be made" and inserting in lieu thereof the following: "shall be war-duration appointments".

Amend Sec. 1, page 2, line 19, by striking out the words "shall be war-duration appointments" and inserting in lieu thereof the following: "as hereinafter provided".

Amend Sec. 2, page 3, line 1, by striking out the word "or".

Amend Sec. 2, page 3, line 2, by inserting after the part-word "mission" the following: "or state agency".

Amend Sec. 2, page 3, line 11, by inserting after the word "regulation" the following: "Any person who accepts war-duration appointments, reclassifications or promotions shall have the right of return to their former positions and status in the classified service".

Amend Sec. 3, page 3, line 13, by inserting after the word "is" the following: "now".

Amend Sec. 3, page 3, line 15, by striking out the word "or".

Amend Sec. 3, page 3, line 15, by inserting after the word "commission" the following: "or state agency".

Amend Sec. 3, page 3, lines 17 and 18, by striking out the words "presently existing or as subsequently adopted or" in line 17, all of line 18, and inserting in lieu thereof the following: "then in effect".

Amend Sec. 3, page 3, line 20, by striking out the word "the" where it first appears in said line.

Amend Sec. 4, page 4, line 11, by striking out the word "or".

Amend Sec. 4, page 4, line 11, by inserting after the word "board" the following: "or state agency".

Amend Sec. 6, page 5, line 4, by inserting after the word "enactment" the following: "and remain in effect until eligible lists have been established and appointments made as provided herein".

The SPEAKER. Will the House give unanimous consent to the offering of amendments at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendments?

They were agreed to.

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill as amended lie over for printing.

BILL NOT ON FILE

The SPEAKER. Senate Bill No. 354, Printer's No. 427, is not on file and will be passed over.

Agreeably to order,

The bill having been called up from the postponed calendar by Mr. YESTER.

The House resumed the consideration on third reading of House Bill No. 709, as follows:

An Act authorizing the secretary of the board of health in the various cities of the third class throughout the Commonwealth during the continuation of the present war and for six months thereafter to search and issue certified copies of birth and death records maintained by such cities after the State-wide system for registering vital statistics was established requiring that such birth and death records be made available to the secretary of the board of health for the purposes of this act and authorizing the respective city councils to prescribe fees for such services

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 In any city of third class where the recordation of births and deaths was continued after the State-wide system for registering vital statistics provided for by the act approved the first day of May one thousand nine hundred five (P. L. 330) became effective the secretary of the board of health is authorized to make and supply searches of such birth and death records and to furnish certified copies thereof upon the payment of such fee as may be prescribed by the city council Any birth and death records so maintained shall be made available to the secretary of the board of health in order that he may comply with the provisions of this act The secretary of the board of health is hereby authorized to make corrections in such birth or death records whenever upon the submission of satisfactory evidence and affidavits such corrections are found to be necessary and proper

Any certified copy of a birth or death record furnished under the provisions of this act shall be afforded the same recognition as a birth or death certificate duly

issued by the Department of Health of the Commonwealth of Pennsylvania it shall be prima facie evidence of all matters therein contained and shall be admissible in all judicial proceedings

Section 2 The provisions of this act shall become effective immediately upon final enactment and shall continue in operation during the period in which the United States of America is at war with any foreign country and for six months thereafter

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. YESTER. Mr. Speaker, this bill has been on the postponed calendar for more than a month. I have had several Members come to me with their objections. I even went over to the Bureau of Vital Statistics with Dr. Stewart, and the chairman of the third class cities committee. We went over the matter and they had no objections. This bill only affects three cities in Pennsylvania, that is three third class cities, Williamsport, Lancaster and McKeesport. In McKeesport, I might say there are eighteen thousand records that cannot be used until this bill is passed. It enables members of the Army and Navy, or any person that wishes employment to get their birth certificate in one day, even the boys that are in the army and had to have a birth certificate in a hurry are enabled to get their birth certificates in one day and thereby they are enabled to take examinations.

This bill does not hurt anybody and does an awful lot of good to anybody that can use those birth certificates. If there is any question regarding this bill I would like to answer it right now.

Mr. ALSPACH. Mr. Speaker, I desire to interrogate the gentleman from Allegheny, Mr. Yester.

The SPEAKER. Will the gentleman from Allegheny permit himself to be interrogated?

Mr. YESTER. I will, Mr. Speaker.

Mr. ALSPACH. Mr. Speaker, the gentleman said that Lancaster would be one of the cities affected; is that correct?

Mr. YESTER. That is correct, Mr. Speaker.

Mr. ALSPACH. And there are two others, Williamsport—

Mr. YESTER. And McKeesport.

Mr. ALSPACH. How is the city of Lancaster affected?

Mr. YESTER. The city of Lancaster has been continuing to keep its records in the city. I don't mean in the state, but I mean that the city itself did keep that record after 1906, and they are the records that are affected by this bill.

Mr. ALSPACH. Does the gentleman know whether the records are complete records?

Mr. YESTER. They are in good shape from the reports that I get from Lancaster.

Mr. ALSPACH. What does the gentleman mean by complete records, Mr. Speaker?

Mr. YESTER. What would the gentleman from Lancaster call complete records, Mr. Speaker?

Mr. ALSPACH. Is the gentleman interrogating me, Mr. Speaker?

Mr. YESTER. I am just asking what the gentleman means by complete records.

Mr. ALSPACH. I would say the list of all persons who would be considered to be born within that particular time.

Mr. YESTER. That is absolutely o.k., Mr. Speaker. The state of Pennsylvania doesn't have those records.

Mr. ALSPACH. Would the gentleman state that the records are as complete as the records of the Commonwealth?

Mr. YESTER. I cannot even answer that, Mr. Speaker. All I have to go by is the report that I got back that the records are in good shape.

Mr. ALSPACH. Would the gentleman say that the records are entitled to the same validity in the courts as the records of the state?

Mr. YESTER. I don't know that, Mr. Speaker, but I can tell you that the records of McKeesport are absolutely good in any court and they are also good with the F.B.I. and the U. S. A., and any other person.

Mr. ALSPACH. The gentleman says that that applies to McKeesport, Williamsport and Lancaster. I would like to know whether the records of Lancaster would be just as applicable in court?

Mr. YESTER. I would say they are, Mr. Speaker.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—197

Auker,	Fleming,	Lane,	Reynolds,
Baker,	Flynn,	Laughner,	Riley,
Barrett,	Foor,	Lee,	Robertson,
Barton,	Fox,	Leisey,	Root,
Bentley,	Freed,	Leonard,	Rose, S.
Bentzel,	Fullerton,	Levy,	Rose, W. E.,
Boies,	Garber,	Leydic,	Rowley,
Bonawitz,	Gardner,	Lichtenwalter,	Salus,
Boorse,	Gates,	Livingstone,	Sarge,
Boory,	Gillan,	Longo,	Sarraf,
Bower,	Goodling,	Lovett,	Scanlon,
Boyd,	Goodwin,	Lyons,	Schuster,
Bradley,	Gorman,	Madigan,	Serrill,
Bretherick,	Grant,	Mahany,	Simons,
Brice,	Green,	Maxwell,	Skale,
Brigerman,	Greenwood,	McAtee,	Smith,
Brown,	Gross,	McClester,	Snider,
Brunner, P. A.,	Gyger,	McKinney,	Sollenberger,
Burns,	Haberlen,	McMillen,	Sorg,
Cadwalader,	Hall,	McSurdy,	Stank,
Calvin,	Hamilton,	Menna,	Stockham,
Campbell,	Hannon,	Mihm,	Stonier,
Chervenak,	Hare,	Miller,	Swope,
Chudoff,	Harris,	Mintess,	Tahl,
Cohen,	Haudenshield,	Mock,	Tate,
Coleman,	Heatherington,	Modell,	Taylor,
Cook,	Helm,	Mooney,	Thompson,
Cooper,	Herman,	Moore,	Thrasher,
Cordier,	Hersch,	Moran,	Tiemann,
Corrigan,	Hewitt,	Moser,	Trent,
Costa,	Hocke,	Muir,	Turbett,
Coulson,	Hoffman,	Munley,	Van Allsburg,
Croop,	Hoggard,	Murray,	Verona,
Cullen,	Holmes,	Nowak,	Wachhaus,
Dague,	Hoopes,	O'Brien,	Wagner, K. H.,
Dalrymple,	Hunter, B. F.,	O'Connor,	Wagner, P. L.,
Denman,	Hunter, W. M.,	O'Dare,	Wallin,
Dennison,	Huntley,	O'Neill,	Walton,
Depuy,	Imbrie,	Owens,	Watkins,
Dillon,	Irvin,	Petrosky,	Weiss,
Dix,	James,	Pettit,	Welsh,
Duffy,	Jones,	Polaski,	Winner,
Elder,	Kennedy,	Powers,	Wood, L. H.,
Elliott,	Kirley,	Readinger,	Worley,
Ely,	Kitchen,	Reagan,	Wright,
Erb,	Kline,	Reese, D. P.,	Yeakel,
Ewing,	Kolankiewicz,	Reese, R. E.,	Yester,
Figlock,	Kowalski,	Regan,	Fiss,

Finnerty,	Krepps,	Reilly,	Speaker.
Flack,	Krise,		

NAYS—4

Alspach,	Royer,	Trout,	Wood, N.,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

PERMISSION GRANTED COMMITTEE TO MEET DURING SESSION

Mr. SARGE asked and obtained permission for the Committee on State Government to meet during the session of the House.

SENATE MESSAGE

SENATE BILLS FOR CONCURRENCE

The Clerk of the Senate being introduced presented for concurrence bills numbered and entitled as follows:

SENATE BILL No. 411.

An Act authorizing the Department of Property and Suplies with the approval of the Governor and the Board of Trustees of the Philadelphia State Hospital to acquire a certain tract of land for the use of said hospital and making an appropriation therefor.

Referred to the Committee on Appropriations.

SENATE BILL No. 416.

An Act authorizing the Department of Property and Supplies with the approval of the Governor and the Board of Trustees of Western State Penitentiary to acquire certain tracts of land for the use of the State Penitentiary at Rockview and making an appropriation therefor.

Referred to the Committee on Appropriations.

SENATE BILL No. 428.

An Act authorizing the Department of Property and Supplies with the approval of the Governor and the Board of Trustees of Danville State Hospital to acquire certain tracts of land for the use of said hospital and making an appropriation therefor.

Referred to the Committee on Appropriations.

SENATE BILL No. 445.

An Act giving the consent of the Commonwealth of Pennsylvania to the acquisition by the United States of America of a tract of land in the City and County of Philadelphia Pensylvania known as the Philadlephia Armor Plate Plant and ceding jurisdiction to the United States.

Referred to the Committee on State Government.

SENATE BILL No. 452.

An Act giving the consent of the Commonwealth of Pennsylvania to the acquisition by the United States of America of two tracts of land in Lycoming and Union Counties Pennsylvania known as Pennsylvania Ordinance Works and ceding jurisdiction to the United States.

Referred to the Committee on State Government.

SENATE BILL No. 457.

An Act giving the consent of the Commonwealth of Pennsylvania to the acquisition by the United States of America to two tracts of land in the Forty-eighth Ward of the City of Philadelphia known as the Philadelphia Quartermaster Depot and ceding jurisdiction to the United States.

Referred to the Committee on State Government.

SENATE BILL No. 462.

An Act making an appropriation to the State Veterans' Commission for the expenses of the commission furnishing certain assistance to needy Pennsylvania veterans of any war or their dependents for participation in certain defense activities and for the rehabilitation and care of veterans including the acquisition of land and construction of buildings for such purpose.

Referred to the Committee on Appropriations.

SENATE BILL No. 500.

An Act giving consent of the Commonwealth of Pennsylvania to the acquisition by the United States of America of two tracts of land in the City and County of Philadelphia Pennsylvania known as the Frankford Arsenal and ceding jurisdiction to the United States.

Referred to the Committee on State Government.

SENATE BILL No. 519.

An Act establishing as state highways certain county highways and requiring their construction repair and maintenance as such.

Referred to the Committee on Highways.

SENATE BILL No. 581.

An Act to further amend section one thousand seven hundred seven of the act approved the eighteenth day of May one thousand nine hundred eleven (P. L. 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the mehod of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" by allowing certain pupils to attend schools in other districts.

Referred to the Committee on Education.

SENATE BILL No. 551.

An Act authorizing the Department of Public Instruction with the approval of the Board of Trustees of the Kutztown State Teachers College to contract with the Borough of Kutztown for the right to connect the said college with the borough sewer system and the payment of a part of the cost of construction of such sewer system and making an appropriation.

Referred to the Committee on Education.

SENATE BILL No. 630.

An Act to further amend subsection B of section one thousand eleven of the act approved the fifteenth day of May one thousand nine hundred thirty-three (P. L. 565) entitled "An act relating to the powers and duties of the Department of Banking and the Secretary of Banking in exercising supervision over and taking possession of and conducting or liquidating the business and property of corporations associations and persons receiving deposits or other wise transacting a banking business corporations

acting as fiduciaries and building and loan associations providing for the payment of the expenses of the Department of Banking by supervised corporations associations or persons and appropriating the Banking Department Fund authorizing the Department of Banking under certain circumstances to examine corporations associations or persons affiliated or having business transactions with supervised corporations associations or persons authorizing appeals to the Supreme Court and prescribing and limiting the powers and duties of certain other courts and their prothonotaries registers of wills recorders of deeds and certain State departments commissions and officers authorizing certain local public officers and State departments to collect fees for services rendered under this act providing penalties and repealing certain acts and parts of acts" further regulating distribution of the assets of building and loan associations in liquidation by the Secretary of Banking.

Referred to the Committee on Banking.

SENATE BILL No. 631.

An Act relating to the administration liquidation and distribution of title insurance reserve funds in the possession of the Secretary of Banking as receiver and providing for the rights and powers of corporations in respect to the writing of policies of reinsurance in connection therewith.

Referred to the Committee on Banking.

RESOLUTION INTRODUCED AND REFERRED

By Mr. DILLON. RESOLUTION No. 70.

In the House of Representatives, May 4, 1943.

Whereas, a number of former members of the Pennhylvania State Police resigned their positions in the Pennsylvania State Police prior to the entry of the United States of America into the war on December 7, 1941, and

Whereas, the former members of the Pennsylvania State Police in resigning their positions were impelled by sincere patriotic motives, and

Whereas, when they resigned from the Pennsylvania State Police, the former officers obtained positions guarding vital war industries in this Commonwealth and elsewhere, and

Whereas, it has been learned that when the former members of the Pennsylvania State Police resigned their positions, entry was made in their records indicating that they deserted, and

Whereas, this blemish on the otherwise honorable records of these loyal, patriotic members of the Pennsylvania State Police may become a permanent handicap to them in seeking future employment, and

Whereas, the former members of the Pennsylvania State Police have been performing a duty in guarding our essential war plants and other forms of industry and business directly connected with the war effort, which was, and is, more important than any service they could have performed as members of the Pennsylvania State Police prior to our entry into the war, therefore

Be It Resolved, that the Governor of the Commonwealth of Pennsylvania direct the Commissioner of the Pennsylvania State Police to strike from the records of all officers who resigned from the service to enter private employment directely or indirectly connected with our war effort prior to December 7, 1941, the notation "deserter" or "desertion" and indicate in their records that they resigned.

Referred to the Committee on Rules.

PERMISSION GRANTED COMMITTEES TO MEET DURING SESSION

Mr. SOLLENBERGER asked and obtained permission for the Committee on Education to meet during the session of the House.

Mr. MUIR asked and obtained permission for the Committee on Banking to meet during the session of the House.

Mr. DAVID P. REESE, Jr. asked and obtained permission for the Committee on Workmen's Compensation to meet during the session of the House.

REPORTS FROM COMMITTEES

Mr. READINGER, from the Committee on State Government, reported as committed, Senate Bill No. 236, entitled:

A Supplement to the act approved the twelfth day of June one thousand nine hundred and thirty-nine (P. L. 335) entitled "An act creating a temporary commission to examine report upon and recommend measures to improve the economic cultural health and living conditions of the urban colored population of the State and making appropriation of the expenses of such commission" by extending the term of such commission until the next regular session of the General Assembly and making an appropriation.

Mr. WEISS, from the Committee on Education, reported as committed, Senate Bill No. 315, entitled:

An Act to further amend section sixteen of the act approved the eleventh day of April one thousand eight hundred sixty-two (P. L. 471) entitled "A further supplement to the act entitled 'An act for the regulation and continuance of a system of education by common schools' approved the eighth day of May one thousand eight hundred and fifty-four" clarifying and providing for the computation of cost of tuition for pupils from without the school district in certain cases.

Mr. McCLESTER, from the Committee on Education, reported as committed, Senate Bill No. 363, entitled:

An Act to further amend section one thousand four hundred thirteen of the act approved the eighteenth day of May one thousand nine hundred eleven (P. L. 309) entitled "An act to establish a public system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" by changing the period covered by reports of boards of school directors and the provisions for institutions in which blind or deaf children may be educated.

Mr. VAN ALLSBURG, from the Committee on Education, reported as committed, Senate Bill No. 369, entitled:

An Act to amend section five hundred thirty-six of the act approved the eighteenth day of May one thousand nine hundred eleven (P. L. 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" making further provision for the fiscal year in school districts of the second class.

Mr. HERMAN, from the Committee on State Government, reported as committed, Senate Bill No. 372, entitled:

An Act to amend section two hundred and twelve of the act, approved the fifth day of August, one thousand nine hundred forty-one (P. L. 752), entitled "An act regulating and improving the civil service of certain departments and agencies of the Commonwealth; vesting in the State Civil Service Commission and a Personnel Director certain powers and duties; providing for classification of positions, adoption of compensation schedules and certification of payrolls; imposing duties upon certain officers and employes of the Commonwealth; authorizing service to other State departments or agencies and political subdivisions of the Commonwealth in matters relating to civil service; defining certain crimes and misdemeanors; imposing penalties; making certain appropriations, and repealing certain acts and parts thereof," by providing for the support of the commission on a revolving fund basis and appropriating moneys for this purpose

Mr. KREPPS, from the Committee on Public Health and Sanitation, reported as committed, Senate Bill No. 594, entitled:

An Act to amend section one of the act approved the twelfth day of May one thousand nine hundred and thirty-nine (P. L. 133) entitled "An act to regulate the sale and possession of sulfanilamide and its derivatives in the interest of public health" by excepting surfathiazole-impregnated finger or small adhesive gauze bandages.

Mr. BOWER, from the Committee on State Government, reported as committed, Senate Bill No. 613, entitled:

An Act to further amend section four of the act approved the twenty-eighth day of June one thousand nine hundred thirty-five (P. L. 452) entitled as amended "An act to promote the welfare of the people of the Commonwealth creating a General State Authority as a body corporate and politic with power to construct improve equip furnish and operate projects and to lease the same and to fix and collect fees rentals and charges for the use thereof authorizing and regulating the issuance of bonds by said Authority and providing for the payment of such bonds and the rights of the holders thereof and to enter into agreements with the Government of the United States or any Federal agency and authorizing the Department of Property and Supplies to grant assign convey or lease to the Authority lands of the Commonwealth and interests therein and to acquire lands therefor granting the right of eminent domain and providing that no debt of the Commonwealth shall be incurred in the exercise of any of the powers granted by this act" empowering the General State Authority to lease any project constructed by it to any person copartnership association or corporation for certain uses.

Mr. WALLIN, from the Committee on Education, reported as committed, Senate Bill No. 26, entitled:

An Act providing for the payment of moneys to school districts of the fourth class the taxes of which have been reduced by the acquisition of certain lands and property by the Commonwealth.

Mr. CORDIER, from the Committee on State Government, reported as committed, Senate Bill No. 243, entitled:

An Act to further amend section eleven of the act approved the seventeenth day of February one thousand nine hundred six (P. L. 45) entitled "An act to regulate the deposits of State funds to prescribe the method of selecting State depositories to limit the amount of State deposits to provide for the security of such deposits to fix the rate of interest thereon to provide for the publication of monthly statements of moneys in the general and sinking funds to declare it a misdemeanor to give or take anything of value for obtaining the same and prescribing penalties for violations of this act" by further regulating the rendition and advertisement of statements of moneys to the credit of the various funds in the State Treasury.

Mr. HELM, from the Committee on Education, reported as amended, House Resolution No. 66.

Mr. GORMAN, from the Committee on Elections, reported as amended, Senate Bill No. 304, entitled:

An Act to amend Sections 1205, 1604, 1605, 1607 1608 and 1843 of the act, approved the third day of June, one thousand nine hundred thirty-seven (P. L. 1333), entitled "An act concerning elections, including general, municipal, special and primary elections, the nomination of candidates, primary and election expenses and election contests; creating and defining membership of county boards of elections; imposing duties upon the Secretary of the Commonwealth, courts, county boards of elections, county commissioners; imposing penalties for violation of the act, and codifying, revising and consolidating the laws relating thereto; and repealing certain acts and parts of acts relating to elections," by changing the time for closing the polls at primaries and elections further regulating the payment of primary election expenses, the making of contributions therefor and the filing of expense accounts and providing penalties.

Mr. BOWER, from the Committee on State Government, reported as amended, Senate Bill No. 419, entitled:

An Act giving the consent of the Commonwealth of Pennsylvania to the acquisition by the United States of America of approximately twenty-one thousand acres of land in the County of Franklin Commonwealth of Pennsylvania known as the Letterkenny Ordnance Depot and ceding jurisdiction to the United States.

Mr. BOWER, from the Committee on State Government, reported as amended, Senate Bill No. 420, entitled:

An Act giving the consent of the Commonwealth of Pennsylvania to the acquisition by the United States of America of a tract of land in Lancaster County Pennsylvania known as the Marietta Holding and Reconsignment Point and ceding jurisdiction to the United States.

Mr. BOWER, from the Committee on State Government, reported as amended, Senate Bill No. 425, entitled:

An Act giving the consent of the Commonwealth of Pennsylvania to the acquisition by the United States of America of a tract of land in Crawford County Pennsylvania known as the Keystone Ordnance Plant and ceding jurisdiction to the United States.

Mr. BOWER, from the Committee on State Government, reported as amended, Senate Bill No. 430, entitled:

An Act giving the consent of the Commonwealth of Pennsylvania to the acquisition by the United States of America of a tract of land in the Thirty-eight Ward of the City of Philadelphia Pennsylvania known as the Philadelphia Signal Depot and ceding jurisdiction to the United States.

Mr. HAUDENSHIELD, from the Committee on State Government, reported as amended, Senate Bill No. 433, entitled:

An Act relating to appointments reclassifications and promotions under the civil service systems of all political subdivisions of this Commonwealth that shall hereafter be made until a period after the cessation of hostilities making such appointments reclassifications and promotions of war duration providing for the establishment of new employment and promotion lists and suspending inconsistent laws

Mr. BOWER, from the Committee on State Government, reported as amended, Senate Bill No. 540, entitled:

An Act giving the consent of the Commonwealth of Pennsylvania to the acquisition by the United States of America of a tract of land in Montgomery County Pennsylvania known as the United States Naval Air Station Hatboro Willow Grove Pennsylvania and ceding jurisdiction to the United States

Mr. BOWER, from the Committee on State Government, reported as amended, Senate Bill No. 545, entitled:

An Act giving the consent of the Commonwealth of Pennsylvania to the acquisition by the United States of America of a tract of land in Cumberland County Pennsylvania for a supply depot known as the United States Naval Supply Depot Mechanicsburg Pennsylvania and ceding jurisdiction to the United States

Mr. KENNETH H. WAGNER, from the Committee on State Government, reported as amended, Senate Bill No. 17, entitled:

An Act creating a Municipal Employes' Retirement System for the payment of retirement allowances to officers and employes of political subdivisions and providing for the administration of the same by a board composed of certain state officers and others appointed by the Governor imposing certain duties on the State Employes' Retirement Board and the actuary thereof providing the procedure whereby political subdivisions may join such system and imposing certain liabilities and obligations on such political subdivisions in connection therewith and as to certain existing retirement and pension systems and upon officers and employes of such political subdivisions providing certain exemptions from taxation execution attachment levy and sale and making an appropriation.

Mr. HARE, from the Committee on Education, re-reported as committed, House Bill No. 837, entitled:

An Act to further amend section two hundred twenty-six of the act approved the eighteenth day of May one thousand nine hundred eleven (P. L. 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" by permitting a school director to resign and be elected solicitor of the board in certain cases.

Mr. SIMONS, from the Committee on Education, reported as committed, Senate Bill No. 314, entitled:

An Act to further amend section one thousand one hundred twenty-six of the act approved the eighteenth day of May one thousand nine hundred eleven (P. L. 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" by changing the provisions for supervisors of special education in counties employing fewer than five hundred and fifty teachers.

Mr. AUKER, from the Committee on Workmen's Compensation, reported as committed, Senate Bill No. 524, entitled:

An Act to amend sections four hundred twenty-six and four hundred twenty-seven of the act, approved the twenty-first day of June, one thousand nine hundred thirty-nine (P. L. 566), entitled "An act defining the liability of an employer to pay damages for occupational disease contracted by an employe arising out of and in the course of employment, establishing an elective schedule of compensation; providing procedure for the determination of liability and compensation thereunder; imposing duties on the Department of Labor and Industry, the Workmen's Compensation Board, Workmen's Compensation Referees, and deans of medical schools; creating a medical board to determine controverted medical issues; establishing an Occupational Disease Fund in custody of the State Workmen's Insurance Board; imposing upon the Commonwealth a part of the compensation payable for certain occupational diseases; making an appropriation; and prescribing penalties," conferring exclusive jurisdiction on the county court of Allegheny County in cases of appeals from the Workmen's Compensation Board.

Mr. SAMUEL ROSE, from the Committee on State Government, reported as committed, Senate Bill No. 603, entitled:

An Act authorizing the Department of Property and Supplies to establish operate and maintain self-sustaining restaurants as herein defined in the State Capitol and adjacent buildings creating a revolving fund for this purpose to be known as The State Restaurant Fund providing additional duties for the State Treasurer and the Department of Health in connection therewith and appropriating the necessary funds for these purposes.

Mr. BRETHERICK, from the Committee on Banking, reported as committed, Senate Bill No. 631, entitled:

An Act relating to the administration liquidation and distribution of title insurance reserve funds in the possession of the Secretary of Banking as receiver and providing for the rights and powers of corporations in respect to the writing of policies of re-insurance in connection therewith.

BILLS ON FIRST READING

By unanimous consent the following bills were read the first time.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 236, entitled:

A Supplement to the act approved the twelfth day of June one thousand nine hundred and thirty-nine (P. L. 335) entitled "An act creating a temporary commission to examine report upon and recommend measures to improve the economic cultural health and living conditions of the urban colored population of the State and making appropriation of the expenses of such commission" by extending the term of such commission until the next regular session of the General Assembly and making an appropriation.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 315, entitled:

An Act to further amend section sixteen of the act approved the eleventh day of April one thousand eight hundred sixty-two (P. L. 471) entitled "A further supplement to the act entitled "An act for the regulation and continuance of a system of education by common schools' approved the eighth day of May one thousand eight hundred and fifty-four" clarifying and providing for the computation of cost of tuition for pupils from without the school district in certain cases.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of Senate Bill No. 363, entitled:

An Act to further amend section one thousand four hundred thirteen of the act approved the eighteenth day of May one thousand nine hundred eleven (P. L. 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" by changing the period covered by reports of boards of school directors and the provisions for institutions in which blind or deaf children may be educated.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of Senate Bill No. 369, entitled:

An Act to amend section five hundred thirty-six of the act approved the eighteenth day of May one thousand nine hundred eleven (P. L. 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" making further provision for the fiscal year in school districts of the second class.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of Senate Bill No. 372, entitled:

An Act to amend section two hundred and twelve of the act approved the fifth day of August one thousand nine hundred forty-one (P. L. 752) entitled "An act regulating and improving the civil service of certain departments and agencies of the Commonwealth vesting in the State Civil Service Commission and a Personnel Director certain powers and duties providing for classification of positions adoption of compensation schedules and certification of payrolls imposing duties upon certain officers and employes of the Commonwealth authorizing service to other State departments or agencies and political subdivisions of the Commonwealth in matters relating to civil service defining certain crimes and misdemeanors imposing penalties making certain appropriations and repealing certain acts and parts thereof" by providing for the support of the commission on a revolving fund basis and appropriating moneys for this purpose.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of Senate Bill No. 594, entitled:

An Act to amend section one of the act approved the twelfth day of May one thousand nine hundred and thirty-nine (P. L. 133) entitled "An act to regulate the sale and possession of sulfanilamide and its derivatives in the interest of public health" by excepting sulfathiazole-impregnated finger or small adhesive gauze bandages.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of Senate Bill No. 613, entitled:

An Act to further amend section four of the act approved the twenty-eighth day of June one thousand nine hundred thirty-five (P. L. 452) entitled as amended "An act to promote the welfare of the people of the Commonwealth creating a General State Authority as a body corporate and politic with power to construct improve equip furnish and operate projects and to lease the same and to fix and collect fees rentals and charges for the use thereof authorizing and regulating the issuance of bonds by said Authority and providing for the payment of such bonds and the rights of the holders thereof and to enter into agreements with the Government of the United States or any Federal agency and authorizing the Department of Property and Supplies to grant assign convey or lease to the Authority lands of the Commonwealth and interests therein and to acquire lands therefor granting the right of eminent domain and providing that no debt of the Commonwealth shall be incurred in the exercise of any of the powers granted by this act" empowering the General State Authority to lease any project constructed by it to any person copartnership association or corporation for certain uses.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of Senate Bill No. 26, entitled:

An Act providing for the payment of moneys to school districts of the fourth class the taxes of which have been reduced by the acquisition of certain lands and property by the Commonwealth.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of Senate Bill No. 243, entitled:

An Act to further amend section eleven of the act approved the seventeenth day of February one thousand nine hundred six (P. L. 45) entitled "An act to regulate the deposits of State funds to prescribe the method of selecting State depositories to limit the amount of State deposits to provide for the security of such deposits to fix the rate of interest thereon to provide for the publication of monthly statements of moneys in the general and sinking funds to declare it a misdemeanor to give or take anything of value for obtaining the same and prescribing penalties for violations of this act" by further regulating the rendition and advertisement of statements of moneys to the credit of the various funds in the State Treasury.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of Senate Bill No. 314, entitled:

An Act to further amend section one thousand one hundred twenty-six of the act approved the eighteenth day of May one thousand nine hundred eleven (P. L.

309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" by changing the provisions for supervisors of special education in counties employing fewer than five hundred and fifty teachers.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of Senate Bill No. 524, entitled:

An Act to amend sections four hundred twenty-six and four hundred twenty-seven of the act approved the twenty-first day of June one thousand nine hundred thirty-nine (P. L. 566) entitled "An act defining the liability of an employer to pay damages for occupational disease contracted by an employe arising out of and in the course of employment establishing an elective schedule of compensation providing procedure for the determination of liability and compensation thereunder imposing duties on the Department of Labor and Industry the Workmen's Compensation Board Workmen's Compensation Referees and deams of medical schools creating a medical board to determine controverted medical issues establishing an Occupational Disease Fund in custody of the State Workmen's Insurance Board imposing upon the Commonwealth a part of the compensation payable for certain occupational diseases making an appropriation and prescribing penalties" conferring exclusive jurisdiction on the county court of Allegheny County in cases of appeals from the Workmen's Compensation Board.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of Senate Bill No. 603, entitled:

An Act authorizing the Department of Property and Supplies to establish operate and maintain self-sustaining restaurants as herein defined in the State Capitol and adjacent buildings creating a revolving fund for this purpose to be known as The State Restaurant Fund providing additional duties for the State Treasurer and the Department of Health in connection therewith and appropriating the necessary funds for these purposes.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of Senate Bill No. 631, entitled:

An Act relating to the administration liquidation and distribution of title insurance reserve funds in the possession of the Secretary of Banking as receiver and providing for the rights and powers of corporations in respect to the writing of policies of reinsurance in connection therewith.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

BILLS ON THIRD READING

Agreeably to order,
The House proceeded to the third reading and consideration of Senate Bill No. 68, as follows:

An Act to further amend subsection one of section four of the act approved the eighteenth day of July one thousand nine hundred seventeen (P. L. 1043) entitled "An act establishing a public school employes' retirement system and creating a retirement board for the administration thereof establishing certain funds from contributions by the Commonwealth and contributing employes defining the uses and purposes thereof and the manner of payments therefrom and providing for the guaranty by the Commonwealth of certain of said funds imposing powers and duties upon boards having the employment of public school employes exempting annuities allowances returns benefits and rights from taxation and judicial process and providing penalties" increasing the membership of the Public School Employes' Retirement Board

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Subsection one of section four of the act approved the eighteenth day of July one thousand nine hundred seventeen (P. L. 1043) entitled "An act establishing a public school employes retirement system and creating a retirement board for the administration thereof establishing certain funds from contributions by the Commonwealth and contributing employes defining the uses and purposes thereof and the manner of payments therefrom and providing for the guaranty by the Commonwealth of certain of said funds imposing powers and duties upon boards having the employment of public school employes exempting annuities allowances returns benefits and rights from taxation and judicial process and providing penalties" as amended by section three of the act approved the fourteenth day of May one thousand nine hundred twenty-nine (P. L. 1738) is hereby further amended to read as follows

Section 4 1 A retirement board of [seven] eight members to be known as the "Public School Employes' Retirement Board" is hereby constituted which shall consist of the following

(a) The Superintendent of Public Instruction who shall be chairman thereof

(b) The Treasurer of the Commonwealth of Pennsylvania

(c) One member who shall be appointed by the Governor of the Commonwealth of Pennsylvania who shall serve until his successor is appointed

(d) Three members of the retirement association elected from among their number in a manner to be approved by the Superintendent of Public Instruction the State Treasurer and the member of the retirement board appointed by the Governor one to serve for one year one for two years and one for three years and whose successors shall be elected for a term of three years from among the members of the retirement association in a manner to be approved by the retirement board

(e) One member not an employe nor officer or employe of the State who shall be elected annually by the board to serve for a term of one year

(f) The Executive Secretary of the Pennsylvania State School Directors' Association

A vacancy occurring during a term shall be filled for the unexpired term by the appointment of a successor in the same manner as his or her predecessor [Until the organization of the retirement association and the election of three representatives therefrom the Superintendent of Public Instruction the State Treasurer and the member appointed by the Governor are empowered to perform the duties of the retirement board]

And said bill having been read at length the third time, considered and agreed to.

On the question,
Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—198

Alspach,	Flack,	Laughner,	Robertson,

Auker,	Flynn,	Lee,	Root,
Baker,	Foor,	Leisey,	Rose, S.
Barrett,	Fox,	Leonard,	Rose, W. E.,
Barton,	Freed,	Levy,	Royer,
Bentley,	Fullerton,	Leydic,	Salus,
Bentzel,	Garber,	Lichtenwalter,	Sarge,
Boies,	Gardner,	Livingstone,	Sarraf,
Bonawitz,	Gates,	Longo,	Scanlon,
Boorse,	Gillan,	Lovett,	Schuster,
Boory,	Goodling,	Lyons,	Serrill,
Bower,	Goodwin,	Madigan,	Simons,
Boyd,	Gorman,	Mahany,	Skale,
Bradley,	Grant,	Maxwell,	Smith,
Bretherick,	Green,	McAtee,	Snider,
Brice,	Greenwood,	McClester,	Sollenberger,
Brigerman,	Gross,	McKinney,	Sorg,
Brown,	Gyger,	McMillen,	Stank,
Brunner, P. A.,	Haberlen,	McSurdy,	Stockham,
Burns,	Hall,	Menna,	Stonier,
Cadwalader,	Hannon,	Mihm,	Swope,
Calvin,	Hare,	Miller,	Tahl,
Campbell,	Harris,	Mintess,	Tate,
Chervenak,	Haudenshield,	Mock,	Taylor,
Chudoff,	Heatherington,	Modell,	Thompson,
Cohen,	Helm,	Mooney,	Thrasher,
Coleman,	Herman,	Moore,	Tiemann,
Cook,	Hersch,	Moran,	Trent,
Cooper,	Hewitt,	Moser,	Trout,
Cordier,	Hocke,	Muir,	Turbett,
Corrigan,	Hoffman,	Munley,	Van Allsburg,
Costa,	Hoggard,	Murray,	Verona,
Coulson,	Holmes,	Nowak,	Wachhaus,
Croop,	Hoopes,	O'Brien,	Wagner, K. H.,
Cullen,	Hunter, B. F.,	O'Connor,	Wagner, P. L.,
Dague,	Hunter, W. M.,	O'Dare,	Wallin,
Dalrymple,	Huntley,	O'Neill,	Walton,
Denman,	Imbrie,	Owens,	Watkins,
Dennison,	Irvin,	Petrosky,	Weiss,
Depuy,	James,	Pettit,	Welsh,
Dillon,	Jones,	Polaski,	Winner,
Dix,	Kennedy,	Powers,	Wood, L. H.,
Duffy,	Kirley,	Readinger,	Wood, N.,
Elder,	Kitchen,	Reagan,	Worley,
Elliott,	Kline,	Reese, D. P.,	Wright,
Ely,	Kolankiewicz,	Reese, R. E.,	Yeakel,
Erb,	Kowalski,	Regan,	Yester,
Ewing,	Krepps,	Reilly,	Fiss,
Figlock,	Krise,	Reynolds,	Speaker.
Finnerty,	Lane,	Riley,	

NAYS—3

Fleming,	Hamilton,	Rowley,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 208, as follows:

An Act allowing costs and counsel fees to stakeholder in interpleader proceeding out of funds paid into court

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Whenever hereafter any person partnership or corporation having in possession money which is claimed by two or more persons or corporations shall come into any court of record in this Commonwealth either at law or in equity and disclaim all interest in the funds procure an interpleader between the rival claimants to determine the true ownership of the funds and pay the said funds into court or as the court may direct the court shall allow to the stakeholder out of the funds paid into court its costs and such reasonable counsel fee as the court may determine to be proper to be taxed as costs of the proceeding

Section 2 All acts and parts of acts inconsistent with the provisions of this act are hereby repealed

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—201

Alspach,	Fleming,	Laughner,	Robertson,
Auker,	Flynn,	Lee,	Root,
Baker,	Foor,	Leisey,	Rose, S.,
Barrett,	Fox,	Leonard,	Rose, W. E.,
Barton,	Freed,	Levy,	Rowley,
Bentley,	Fullerton,	Leydic,	Royer,
Bentzel,	Garber,	Lichtenwalter,	Salus,
Boies,	Gardner,	Livingstone,	Sarge,
Bonawitz,	Gates,	Longo,	Sarraf,
Boorse,	Gillan,	Lovett,	Scanlon,
Boory,	Goodling,	Lyons,	Schuster,
Bower,	Goodwin,	Madigan,	Serrill,
Boyd,	Gorman,	Mahany,	Simons,
Bradley,	Grant,	Maxwell,	Skale,
Bretherick,	Green,	McAtee,	Smith,
Brice,	Greenwood,	McClester,	Snider,
Brigerman,	Gross,	McKinney,	Sollenberger,
Brown,	Gyger,	McMillen,	Sorg,
Brunner, P. A.,	Haberlen,	McSurdy,	Stank,
Burns,	Hall,	Menna,	Stockham,
Cadwalader,	Hamilton,	Mihm,	Stonier,
Calvin,	Hannon,	Miller,	Swope,
Campbell,	Hare,	Mintess,	Tahl,
Chervenak,	Harris,	Mock,	Tate,
Chudoff,	Haudenshield,	Modell,	Taylor,
Cohen,	Heatherington,	Mooney,	Thompson,
Coleman,	Helm,	Moore,	Thrasher,
Cook,	Herman,	Moran,	Tiemann,
Cooper,	Hersch,	Moser,	Trent,
Cordier,	Hewitt,	Muir,	Trout,
Corrigan,	Hocke,	Munley,	Turbett,
Costa,	Hoffman,	Murray,	Van Allsburg,
Coulson,	Hoggard,	Nowak,	Verona,
Croop,	Holmes,	O'Brien,	Wachhaus,
Cullen,	Hoopes,	O'Connor,	Wagner, K. H.,
Dague,	Hunter, B. F.,	O'Dare,	Wagner, P. L.,
Dalrymple,	Hunter, W. M.,	O'Neill,	Wallin,
Denman,	Huntley,	Owens,	Walton,
Dennison,	Imbrie,	Petrosky,	Watkins,
Depuy,	Irvin,	Pettit,	Weiss,
Dillon,	James,	Polaski,	Welsh,
Dix,	Jones,	Powers,	Winner,
Duffy,	Kennedy,	Readinger,	Wood, L. H.,
Elder,	Kirley,	Reagan,	Wood, N.,
Elliott,	Kitchen,	Reese, D. P.,	Worley,
Ely,	Kline,	Reese, R. E.,	Wright,
Erb,	Kolankiewicz,	Regan,	Yeakel,
Ewing,	Kowalski,	Reilly,	Yester,
Figlock,	Krepps,	Reynolds,	Fiss,
Finnerty,	Krise,	Riley,	Speaker.
Flack,	Lane,		

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 11, as follows:

An Act to amend section eighteen of the act approved the thirteenth day of June one thousand eight hundred thirty-six (P. L. 551) entitled "An act relating to roads highways and bridges" authorizing vacation of parts of public roads where termini of remaining parts of road are not in public highway or place of public resort

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section eighteen of the act approved the thirteenth day of June one thousand eight hundred thirty-six (P. L. 551) entitled "An act relating to roads highways and bridges" is hereby amended to read as follows:

Section 18 The courts aforesaid shall within their respective counties have authority upon application to them by petition to inquire of and to change or vacate the whole or any part of any private or public road which may have been laid out by authority of law whenever the same shall become useless inconvenient or burdensome [and the] notwithstanding the fact that the vacation of a part of a public road results in leaving the remaining part or parts of the road with one of its termini at a point other than in a public highway or place of public resort Provided That the other terminus of each of the remaining parts of the road is in a public road and that each remaining part of the road is necessary for public travel or for the use of a property owner or owners located on such remaining part The said courts shall proceed therein by views and reviews in the manner provided for the laying out of public roads and highways

Section 2. The provisions of this act shall become effective immediately upon final enactment.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—201

Alspach,	Fleming,	Laughner,	Robertson,
Auker,	Flynn,	Lee,	Root,
Baker,	Foor,	Leisey,	Rose, S.,
Barrett,	Fox,	Leonard,	Rose, W. E.,
Barton,	Freed,	Levy,	Rowley,
Bentley,	Fullerton,	Leydic,	Royer,
Bentzel,	Garber,	Lichtenwalter,	Salus,
Boies,	Gardner,	Livingstone,	Sarge,
Bonawitz,	Gates,	Longo,	Sarraf,
Boorse,	Gillan,	Lovett,	Scanlon,
Boory,	Goodling,	Lyons,	Schuster,
Bower,	Goodwin,	Madigan,	Serrill,
Boyd,	Gorman,	Mahany,	Simons,
Bradley,	Grant,	Maxwell,	Skale,
Bretherick,	Green,	McAtee,	Smith,
Brice,	Greenwood,	McClester,	Snider,
Brigerman,	Gross,	McKinney,	Sollenberger,
Brown,	Gyger,	McMillen,	Sorg,
Brunner, P. A.,	Haberlen,	McSurdy,	Stank,
Burns,	Hall,	Menna,	Stockham,
Cadwalader,	Hamilton,	Mihm,	Stonier,
Calvin,	Hannon,	Miller,	Swope,
Campbell,	Hare,	Mintess,	Tahl,
Chervenak,	Harris,	Mock,	Tate,
Chudoff,	Haudenshield,	Modell,	Taylor,
Cohen,	Heatherington,	Mooney,	Thompson,
Coleman,	Helm,	Moore,	Thrasher,
Cook,	Herman,	Moran,	Tiemann,
Cooper,	Hersch,	Moser,	Trent,
Cordier,	Hewitt,	Muir,	Trout,
Corrigan,	Hocke,	Munley,	Turbett,
Costa,	Hoffman,	Murray,	Van Allsburg,
Coulson,	Hoggard,	Nowak,	Verona,
Croop,	Holmes,	O'Brien,	Wachhaus,
Cullen,	Hoopes,	O'Connor,	Wagner, K. H.,
Dague,	Hunter, B. F.,	O'Dare,	Wagner, P. L.,
Dalrymple,	Hunter, W. M.,	O'Neill,	Wallin,
Denman,	Huntley,	Owens,	Walton,
Dennison,	Imbrie,	Pettit,	Watkins,
Depuy,	Irvin,	Polaski,	Weiss,
Dillon,	James,	Powers,	Welsh,
Dix,	Jones,	Readinger,	Winner,
Duffy,	Kennedy,	Regan,	Wood, L. H.,
Elder,	Kirley,	Petrosky,	Wood, N.,
Elliott,	Kitchen,	Reagan,	Worley,
Ely,	Kline,	Reese, D. P.,	Wright,
Erb,	Kolankiewicz,	Reese, R. E.,	Yeakel,
Ewing,	Kowalski,	Reilly,	Yester,
Figlock,	Krepps,	Reynolds,	Fiss,
Finnerty,	Krise,	Riley,	Speaker.
Flack,	Lane,		

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 63, as follows:

An Act to amend the act approved the twenty-second day of April one thousand nine hundred and thirty-seven (P. L. 394) entitled "An act to authorize the Secretary of Highways to disregard terminal points in relocating State highway routes under certain conditions by adding certain other conditions under which the Secretary of Highways may disregard terminal points

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section 1 of the act approved the twenty-second day of April one thousand nine hundred and thirty-seven (P. L. 394) entitled "An act to authorize the Secretary of Highways to disregard terminal points in relocating State highway routes under certain conditions" is hereby amended to read as follows

Section 1 Be it enacted &c That when the terminal point of one or more State highway routes is described as being at the boundary line of a county township municipality or adjoining state and the highway continues beyond such point the Secretary of Highways shall have authority to relocate such State highway route or routes in accordance with the provisions of present or future laws governing the relocation of State highways without limitation on account of such terminal point except that the new point of crossing of such line shall be properly referenced and shown on the plan by which the relocation is made When the terminal point of a State highway route is described as being on another highway the Secretary of Highways shall have authority to relocate such highway route in accordance with the provisions of present or future laws governing the relocation of State highways without limitation on account of such terminal point except that the new terminal point shall be on such other highway When two separate State highway routes with one common terminal point form a continuous highway the Secretary of Highways shall have authority to relocate such State highway routes in accordance with the provisions of present or future laws governing the relocation of State highways without limitation on account of such terminal point except that both the old and the new terminal points shall be shown on the plan by which the relocation is made.

Section 2 This act shall take effect immediately upon its final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—201

Alspach,	Fleming,	Laughner,	Robertson,
Auker,	Flynn,	Lee,	Root,
Baker,	Foor,	Leisey,	Rose, S.,
Barrett,	Fox,	Leonard,	Rose, W. E.,

Barton,	Freed,	Levy,	Rowley,
Bentley,	Fullerton,	Leydic,	Royer,
Bentzel,	Garber,	Lichtenwalter,	Salus,
Boies,	Gardner,	Livingstone,	Sarge,
Bonawitz,	Gates,	Longo,	Sarraf,
Boorse,	Gillan,	Lovett,	Scanlon,
Boory,	Goodling,	Lyons,	Schuster,
Bower,	Goodwin,	Madigan,	Serrill,
Boyd,	Gorman,	Mahany,	Simons,
Bradley,	Grant,	Maxwell,	Skale,
Bretherick,	Green,	McAtee,	Smith,
Brice,	Greenwood,	McClester,	Snider,
Brigerman,	Gross,	McKinney,	Sollenberger,
Brown,	Gyger,	McMillen,	Sorg,
Brunner, P. A.,	Haberlen,	McSurdy,	Stank,
Burns,	Hall,	Menna,	Stockham,
Cadwalader,	Hamilton,	Mihm,	Stonier,
Calvin,	Hannon,	Miller,	Swope,
Campbell,	Hare,	Mintess,	Tahl,
Chervenak,	Harris,	Mock,	Tate,
Chudoff,	Haudenshield,	Modell,	Taylor,
Cohen,	Heatherington,	Mooney,	Thompson,
Coleman,	Helm,	Moore,	Thrasher,
Cook,	Herman,	Moran,	Tiemann,
Cooper,	Hersch,	Moser,	Trent,
Cordier,	Hewitt,	Muir,	Trout,
Corrigan,	Hocke,	Munley,	Turbett,
Costa,	Hoffman,	Murray,	Van Allsburg,
Coulson,	Hoggard,	Nowak,	Verona,
Croop,	Holmes,	O'Brien,	Wachhaus,
Cullen,	Hoopes,	O'Connor,	Wagner, K. H.,
Dague,	Hunter, B. F.,	O'Dare,	Wagner, P. L.,
Dalrymple,	Hunter, W. M.,	O'Neill,	Wallin,
Denman,	Huntley,	Owens,	Walton,
Dennison,	Imbrie,	Petrosky,	Watkins,
Depuy,	Irvin,	Pettit,	Weiss,
Dillon,	James,	Polaski,	Welsh,
Dix,	Jones,	Powers,	Winner,
Duffy,	Kennedy,	Readinger,	Wood, L. H.,
Elder,	Kirley,	Reagan,	Wood, N.,
Elliott,	Kitchen,	Reese, D. P.,	Worley,
Ely,	Kline,	Reese, R. E.,	Wright,
Erb,	Kolankiewicz,	Regan,	Yeakel,
Ewing,	Kowalski,	Reilly,	Yester,
Figlock,	Krepps,	Reynolds,	Fiss,
Finnerty,	Krise,	Riley,	Speaker.
Flack,	Lane,		

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 64, as follows:

An Act authorizing the Secretary of Highways to establish construct and maintain parallel or approximately parallel State highways in townships borough incorporated towns and cities in certain cases providing for the payment of property damages resulting therefrom and authorizing the Secretary of Highways to control the direction of the flow of traffic thereover

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 When any State Highway Route or combination of State Highway Routes or portions thereof in the opinion of the Secretary of Highways is inadequate for prsent or anticipated traffic and the cost of securing the right-of-way necessary for a highway of adequate design on the existing location would be unwarranted in the judgment of the Secretary of Highways or the topography adjacent to the existing location is such that widening is impractical and the establishment and construction of a parallel highway together with the retention of the existing highway will provide ample width of highway for public use the Secretary of Highways may establish construct and maintain a parallel or approximately parallel highway as a State Highway in any township borough incorporated town or city or combination of such political subdivisions and retain the present highway as a part of the system of State Highways provided however that a plan for the establishment and construction of such parallel or approximately parallel highway shall be prepared by the Department of Highways signed by the Secretary of Highways and approved by the Governor and filed as a public record in the Department of Highways

Section 2 The Secretary of Highways may control the direction of the flow of traffic over parallel or approximately parallel highways established under the provisions of this act by the erection of approved One-Way Traffic signs at the beginning and ending of each parallel or approximately parallel highway and at the entrance of all roads highways alleys or streets connecting therewith

Section 3 Damages occasioned by the taking of private property for the construction of parallel or approximately parallel State highways established under the provisions of this act shall be ascertained and paid in the same manner as now or hereafter provided by law for the payment of damages due to changes of widths or of existing lines and locations of State highways in the political subdivision in which such parallel or approximately parallel highway is so established

Section 4 This act shall take effect immediately upon its final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—201

Alspach,	Fleming,	Laughner,	Robertson,
Auker,	Flynn,	Lee,	Root,
Baker,	Foor,	Leisey,	Rose, S.,
Barrett,	Fox,	Leonard,	Rose, W. E.,
Barton,	Freed,	Levy,	Rowley,
Bentley,	Fullerton,	Leydic,	Royer,
Bentzel,	Garber,	Lichtenwalter,	Salus,
Boies,	Gardner,	Livingstone,	Sarge,
Bonawitz,	Gates,	Longo,	Sarraf,
Boorse,	Gillan,	Lovett,	Scanlon,
Boory,	Goodling,	Lyons,	Schuster,
Bower,	Goodwin,	Madigan,	Serrill,
Boyd,	Gorman,	Mahany,	Simons,
Bradley,	Grant,	Maxwell,	Skale,
Bretherick,	Green,	McAtee,	Smith,
Brigerman,	Greenwood,	McClester,	Snider,
Brice,	Gross,	McKinney,	Sollenberger,
Brown,	Gyger,	McMillen,	Sorg,
Brunner, P. A.,	Haberlen,	McSurdy,	Stank,
Burns,	Hall,	Menna,	Stockham,
Cadwalader,	Hamilton,	Mihm,	Stonier,
Calvin,	Hannon,	Miller,	Swope,
Campbell,	Hare,	Mintess,	Tahl,
Chervenak,	Harris,	Mock,	Tate,
Chudoff,	Haudenshield,	Modell,	Taylor,
Cohen,	Heatherington,	Mooney,	Thompson,
Coleman,	Helm,	Moore,	Thrasher,
Cook,	Herman,	Moran,	Tiemann,
Cooper,	Hersch,	Moser,	Trent,
Cordier,	Hewitt,	Munley,	Trout,
Corrigan,	Hocke,	Muir,	Turbett,
Costa,	Hoffman,	Murray,	Van Allsburg,
Coulson,	Hoggard,	Nowak,	Verona,
Croop,	Holmes,	O'Brien,	Wachhaus,
Cullen,	Hoopes,	O'Connor,	Wagner, K. H.,
Dague,	Hunter, B. F.,	O'Dare,	Wagner, P. L.,
Dalrymple,	Hunter, W. M.,	O'Neill,	Wallin,
Denman,	Huntley,	Owens,	Walton,
Dennison,	Imbrie,	Petrosky,	Watkins,
Depuy,	Irvin,	Pettit,	Weiss,
Dillon,	James,	Polaski,	Welsh,
Dix,	Jones,	Powers,	Winner,
Duffy,	Kennedy,	Readinger,	Wood, L. H.,
Elder,	Kirley,	Reagan,	Wood, N.,
Elliott,	Kitchen,	Reese, D. P.,	Worley,
Ely,	Kline,	Reese, R. E.,	Wright,
Erb,	Kolankiewicz,	Regan,	Yeakel,

Ewing,	Kowalski,	Reilly,	Yester,
Figlock,	Krepps,	Reynolds,	Fiss,
Finnerty,	Krise,	Riley,	Speaker.
Flack,	Lane,		

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 65, as follows:

An Act to further amend section one of the act approved the twenty-seventh day of April one thousand nine hundred and twenty-seven (P. L. 392) entitled "An act providing that highways or sections thereof abandoned as State highway routes shall revert for maintenance to the party or parties responsible for the maintenance of said highways prior to their coming under the jurisdiction of the Department of Highways" by providing that sections of highways abandoned by relocation shall be maintained by and at the expense of the township borough incorporated town or city within which they are located after being improved and repaired by the Department of Highways and by adding a new section to provide that portions or sections of the old highway which are not included within the changed altered or established widths shall be considered vacated if such portions or sections are not of the full width of the highways as previously established

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section 1 of the act approved the twenty-seventh day of April one thousand nine hundred and twenty-seven (P. L. 392) entitled "An act providing that highways or sections thereof abandoned as State highway routes shall revert for maintenance to the party or parties responsible for the maintenance of said highways prior to their coming under the jurisdiction of the Department of Highways" as last amended by the act approved the eleventh day of June one thousand nine hundred and thirty-five (P. L. 320) is hereby further amended to read as follows

Section 1 Be it enacted &c That where any section of a State highway route as now or hereafter defined by law shall be or has been relocated under the authority of existing or future laws the portion of the public road or highway thus abandoned as a State highway route shall be maintained by and at the expense of [the authorities responsible for the maintenance of said public road or highway prior to its having been estabished as a State highway or a State aid highway and where any such abandoned section of State highway was at any time a part or portion of a turnpike or toll road the abandoned portion shall be maintained by and at the expense of] the township borough incorporated town or city wherein it is located but the Department of Highways shall in each case before abandoning such portion of public road or highway improve and repair the same so that it shall be in first class condition when it is taken over by the township borough incorporated town or city

Section 2 That the aforesaid act is further amended by adding thereto the following new section

Section 2 Where the width lines or location of a State highway shall be or have been changed altered or established according to law in a manner which does not create an entirely new highway the section or sections or portions of the right-of-way of the highway as previously established which are not included within the changed altered or established widths shall be considered vacated if such portions or section are not of the full width of the highway as previously established

Section 3 This act shall take effect immediately upon its final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—201

Alspach,	Fleming,	Laughner,	Robertson,
Auker,	Flynn,	Lee,	Root,
Baker,	Foor,	Leisey,	Rose, S.
Barrett,	Fox,	Leonard,	Rose, W. E.,
Barton,	Freed,	Levy,	Rowley,
Bentley,	Fullerton,	Leydic,	Royer,
Bentzel,	Garber,	Lichtenwalter,	Salus,
Boies,	Gardner,	Livingstone,	Sarge,
Bonawitz,	Gates,	Longo,	Sarraf,
Boorse,	Gillan,	Lovett,	Scanlon,
Boory,	Goodling,	Lyons,	Schuster,
Bower,	Goodwin,	Madigan,	Serrill,
Boyd,	Gorman,	Mahany,	Simons,
Bradley,	Grant,	Maxwell,	Skale,
Bretherick,	Green,	McAtee,	Smith,
Brice,	Greenwood,	McClester,	Snider,
Brigerman,	Gross,	McKinney,	Sollenberger,
Brown,	Gyger,	McMillen,	Sorg,
Brunner, P. A.,	Haberlen,	McSurdy,	Stank,
Burns,	Hall,	Menna,	Stockham,
Cadwalader,	Hamilton,	Mihm,	Stonier,
Calvin,	Hannon,	Miller,	Swope,
Campbell,	Hare,	Mintess,	Tahl,
Chervenak,	Harris,	Mock,	Tate,
Chudoff,	Haudenshield,	Modell,	Taylor,
Cohen,	Heatherington,	Mooney,	Thompson,
Coleman,	Helm,	Moore,	Thrasher,
Cook,	Herman,	Moran,	Tiemann,
Cooper,	Hersch,	Moser,	Trent,
Cordier,	Hewitt,	Muir,	Trout,
Corrigan,	Hocke,	Munley,	Turbett,
Costa,	Hoffman,	Murray,	Van Allsburg,
Coulson,	Hoggard,	Nowak,	Verona,
Croop,	Holmes,	O'Brien,	Wachhaus,
Cullen,	Hoopes,	O'Connor,	Wagner, K. H.,
Dague,	Hunter, B. F.,	O'Dare,	Wagner, P. L.,
Dalrymple,	Hunter, W. M.,	O'Neill,	Wallin,
Denman,	Huntley,	Owens,	Walton,
Dennison,	Imbrie,	Petrosky,	Watkins,
Depuy,	Irvin,	Pettit,	Weiss,
Dillon,	James,	Polaski,	Welsh,
Dix,	Jones,	Powers,	Winner,
Duffy,	Kennedy,	Readinger,	Wood, L. H.,
Elder,	Kirley,	Reagan,	Wood, N.,
Elliott,	Kitchen,	Reese, D. P.,	Worley,
Ely,	Kline,	Reese, R. E.,	Wright,
Erb,	Kolankiewicz,	Reilly,	Yeakel,
Ewing,	Kowalski,	Regan,	Yester,
Figlock,	Krepps,	Reynolds,	Fiss,
Finnerty,	Krise,	Riley,	Speaker.
Flack,	Lane,		

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 86, as follows:

An Act to amend paragraph (f) of section two thousand three and paragraph (e) of section two thousand five of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Common-

wealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant-Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined by extending the authority of the Department of Highways to rent and sell certain equipment and material

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Paragraph (f) of section two thousand three of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant-Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" is hereby amended to read as follows

Section 2003 Machinery Equipment Lands and Buildings The Department of Highways shall have the power and its duty shall be

* * * * *

(f) To rent State owned road building equipment to political subdivisions of the Commonwealth [for periods not exceeding three months] or to any agency bureau or department of the Federal Government upon such terms as shall be established by the rules and regulations of the Department with the approval of the Governor providing however that State owned road building equipment shall not be rented to political subdivisions of the Commonwealth for periods exceeding three months and to sell at cost to any agency bureau or department of the Federal Government any road or bridge building material for which the Department may have no immediate need

Section 2 Paragraph (c) of section two thousand five of said act approved the ninth day of April one thousand nine hundred twenty-eight (P. L. 177) is hereby amended to read as follows

Section 2005 General Road Improvement The Department of Highways shall have the power and its duty shall be

* * * * *

(e) To cause to be published maps showing complete surveys of each county which shall be kept on sale in the Department at the cost of publication Said maps may be furnished free to any agency bureau or department of the Federal Government

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—201

Alspach,	Fleming,	Laughner,	Robertson,
Auker,	Flynn,	Lee,	Root,
Baker,	Foor,	Leisey,	Rose, S.,
Barrett,	Fox,	Leonard,	Rose, W. E.,
Barton,	Freed,	Levy,	Rowley,
Bentley,	Fullerton,	Leydic,	Royer,
Bentzel,	Garber,	Lichtenwalter,	Salus,
Boies,	Gardner,	Livingstone,	Sarge,
Bonawitz,	Gates,	Longo,	Sarraf,
Boorse,	Gillan,	Lovett,	Scanlon,
Boory,	Goodling,	Lyons,	Schuster,
Bower,	Goodwin,	Madigan,	Serrill,
Boyd,	Gorman,	Mahany,	Simons,
Bradley,	Grant,	Maxwell,	Skale,
Bretherick,	Green,	McAtee,	Smith,
Brice,	Greenwood,	McClester,	Snider,
Brigerman,	Gross,	McKinney,	Sollenberger,
Brown,	Gyger,	McMillen,	Sorg,
Brunner, P. A.,	Haberlen,	McSurdy,	Stank,
Burns,	Hall,	Menna,	Stockham,
Cadwalader,	Hamilton,	Mihm,	Stonier,
Calvin,	Hannon,	Miller,	Swope,
Campbell,	Hare,	Mintess,	Tahl,
Chervenak,	Harris,	Mock,	Tate,
Chudoff,	Haudenshield,	Modell,	Taylor,
Cohen,	Heatherington,	Mooney,	Thompson,
Coleman,	Helm,	Moore,	Thrasher,
Cook,	Herman,	Moran,	Tiemann,
Cooper,	Hersch,	Moser,	Trent,
Cordier,	Hewitt,	Muir,	Trout,
Corrigan,	Hocke,	Munley,	Turbett,
Costa,	Hoffman,	Murray,	Van Allsburg,
Coulson,	Hoggard,	Nowak,	Verona,
Croop,	Holmes,	O'Brien,	Wachhaus,
Cullen,	Hoopes,	O'Connor,	Wagner, K. H.,
Dague,	Hunter, B. F.,	O'Dare,	Wagner, P. L.,
Dalrymple,	Hunter, W. M.,	O'Neill,	Wallin,
Denman,	Huntley,	Owens,	Walton,
Dennison,	Imbrie,	Petrosky,	Watkins,
Depuy,	Irvin,	Pettit,	Weiss,
Dillon,	James,	Polaski,	Welsh,
Dix,	Jones,	Powers,	Winner,
Duffy,	Kennedy,	Readinger,	Wood, L. H.,
Elder,	Kirley,	Reagan,	Wood, N.,
Elliott,	Kitchen,	Reese, D. P.,	Worley,
Ely,	Kline,	Reese, R. E.,	Wright,
Erb,	Kolankiewicz,	Regan,	Yeakel,
Ewing,	Kowalski,	Reilly,	Yester,
Figlock,	Krepps,	Reynolds,	Fiss,
Finnerty,	Krise,	Riley,	Speaker.
Flack,	Lane,		

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 220, as follows:

An Act to further amend section six of the act approved the eighteenth day of June one thousand nine hundred and twenty-three (P. L. 840) entitled "An act concerning declaratory judgments and decrees and to make uniform the law relating thereto" further defining the circumstances under which the remedy provided is available

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section six of the act approved the eighteenth day of June one thousand nine hundred and twenty-three

(P. L. 840) entitled "An act concerning declaratory judgments and decrees and to make uniform the law relating thereto" as amended by the act approved the twenty-fifth day of April one thousand nine hundred thirty-five (P. L. 72) is hereby further amended to read as follows

Section 6 Discretionary Relief by declaratory judgment or decree may be granted in all civil cases where an actual controversy exists between contending parties or where the court is satisfied that antagonistic claims are present between the parties involved which indicate imminent and inevitable litigation or where in any such case the court is satisfied that a party asserts a legal relation status right or privilege in which he has a concrete interest and that there is a challenge or denial of such asserted relation status right or privilege by an adversary party who also has or asserts a concrete interest therein and the court is satisfied also that a declaratory judgment or decree will serve to terminate the uncertainty or controversy giving rise to the proceeding Where however a statute provides a special form of remedy for a specific type of case that statutory remedy must be followed but the mere fact that an actual or threatened controversy is susceptible of relief through a general common law remedy or an equitable remedy or an extraordinary legal remedy whether such remedy is recognized or regulated by statute or not shall not debar a party from the privilege of obtaining a declaratory judgment or decree in any case where the other essentials to such relief are present [but the case is not ripe for relief by way of such common law remedy or extraordinary legal remedy or where the party asserting the claim relation status right or privilege and who might bring action thereon refrains from pursuing any of the last mentioned remedies Nothing herein provided is intended to or shall limit or restrict the general powers or jurisdiction conferred by the act hereby amended] but proceeding by declaratory judgment shall not be permitted in any case where a divorce or annulment of marriage is sought

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—201

Alspach,	Fleming,	Laughner,	Robertson,
Auker,	Flynn,	Lee,	Root,
Baker,	Foor,	Leisey,	Rose, S.
Barrett,	Fox,	Leonard,	Rose, W. E.,
Barton,	Freed,	Levy,	Rowley,
Bentley,	Fullerton,	Leydic,	Royer,
Bentzel,	Garber,	Lichtenwalter,	Salus,
Boies,	Gardner,	Livingstone,	Sarge,
Bonawitz,	Gates,	Longo,	Sarraf,
Boorse,	Gillan,	Lovett,	Scanlon,
Boory,	Goodling,	Lyons,	Schuster,
Bower,	Goodwin,	Madigan,	Serrill,
Boyd,	Gorman,	Mahany,	Simons,
Bradley,	Grant,	Maxwell,	Skale,
Bretherick,	Green,	McAtee,	Smith,
Brice,	Greenwood,	McClester,	Snider,
Brigerman,	Gross,	McKinney,	Sollenberger,
Brown,	Gyger,	McMillen,	Sorg,
Brunner, P. A.,	Haberlen,	McSurdy,	Stank,
Burns,	Hall,	Menna,	Stockham,
Cadwalader,	Hamilton,	Mihm,	Stonier,
Calvin,	Hannon,	Miller,	Swope,
Campbell,	Hare,	Mintess,	Tahl,
Chervenak,	Harris,	Mock,	Tate,
Chudoff,	Haudenshield,	Modell,	Taylor,
Cohen,	Heatherington,	Mooney,	Thompson,
Coleman,	Helm,	Moore,	Thrasher,
Cook,	Herman,	Moran,	Tiemann,
Cooper,	Hersch,	Moser,	Trent,
Cordier,	Hewitt,	Muir,	Trout,
Corrigan,	Hocke,	Munley,	Turbett,
Costa,	Hoffman,	Murray,	Van Allsburg,
Coulson,	Hoggard,	Nowak,	Verona,
Croop,	Holmes,	O'Brien,	Wachhaus,
Cullen,	Hoopes,	O'Connor,	Wagner, K. H.,
Dague,	Hunter, B. F.,	O'Dare,	Wagner, P. L.,
Dalrymple,	Hunter, W. M.,	O'Neill,	Wallin,
Denman,	Huntley,	Owens,	Walton,
Dennison,	Imbrie,	Petrosky,	Watkins,
Depuy,	Irvin,	Pettit,	Weiss,
Dillon,	James,	Polaski,	Welsh,
Dix,	Jones,	Powers,	Winner,
Duffy,	Kennedy,	Readinger,	Wood, L. H.,
Elder,	Kirley,	Reagan,	Wood, N.,
Elliott,	Kitchen,	Reese, D. P.,	Worley,
Ely,	Kline,	Reese, R. E.,	Wright,
Erb,	Kolankiewicz,	Regan,	Yeakel,
Ewing,	Kowalski,	Reilly,	Yester,
Figlock,	Krepps,	Reynolds,	Fiss,
Finnerty,	Krise,	Riley,	Speaker.
Flack,	Lane,		

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 201, as follows:

An Act to amend the title and section one of the act approved the twentieth day of April one thousand nine hundred and five (P. L. 239) entitled "An act providing for and defining the rights remedies duties and liabilities of purchasers of real estate at judicial sales and of their grantees heirs and devisees and of the persons then in possession thereof" extending the provisions of said act to purchasers of real estate at tax sales and their grantees heirs and devisees and persons then in possession thereof

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The title and section one of the act approved the twentieth day of April one thousand nine hundred and five (P. L. 239) entitled "An act providing for and defining the rights remedies duties and liabilities of purchasers of real estate at judicial sales and of their grantees heirs and devisees and of the persons then in possession thereof" are hereby amended to read as follows

An Act providing for and defining the rights remedies duties and liabilities of purchasers of real estate at judicial sales and tax sales and of their grantees heirs and devisees of the persons then in possession thereof

Section 1 Be it enacted &c That purchasers at judicial sales of real estate and at sales held for the collection of unpaid taxes on real estate in this Commonwealth including any political subdivision and grantees heirs and devisees thereof after confirmation of such sales where required and after the execution acknowledgment and delivery of the deeds therefor may present a petition under oath or affirmation to the court out of which was issued the writ of execution or order by virtue of which said sales was had except in case of testatum writs and then to the court of common pleas of the county in which the land is situate setting forth

(a) A description of the real estate sold an averment of petitioner's title thereto with a specific reference to the proceedings under which such sale was had and if the petitioner to the grantee heir or devisee of such purchaser a statement of the method by which he derived title to such real estate

(b) That the persons in possession are the defendants as whose property such real estate was sold or that such named persons came into possession mediately or immediatedly through a right or title derived from such defendants or some of them in the manner set forth or an averment that the manner of their obtaining possession is unknown to petitioner

(c) If the persons in possession be other than the defendants in the execution or order of sale the petitioner's brief of title of said real estate commencing at a point covering the title if any by right of which the persons in possession claim to retain such possession

(d) That the persons in possession had notice of the title of petitioner and declined to deliver up possession of said real estate to petitioner or if tenants for a term of years with a right of possession paramount to petitioner that they declined to execute a lease with petitioner for the balance of said term or to attorn in writing to petitioner on the terms and conditions of his letting with the previous owner or that petitioner believes that the lease or attornment respondent was willing to execute was not upon the same terms and conditions as his letting with the previous owner and praying that a citation issue to the persons in possession commanding them to appear and answer said petition and show cause if any they have why possession of such real estate should not be delivered to petitioner

Whereupon the court shall issue a citation as prayed for returnable at the expiration of fifteen days from the service thereof and of a copy of said petition or at such subsequent time not later than the next session of the court after the expiration of said fifteen days as the court shall direct

Section 2 All acts and parts of acts inconsistent with the provisions of this act are hereby repealed

Section 3 The provisions of this act shall become effective immediately upon final enactment

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. AUKER. Mr. Speaker, I would like to inquire if there is anyone in the House to be interrogated on this bill, Senate No. 201, Printer's No. 72?

Mr. BROWN. Mr. Speaker, I will be interrogated.

Mr. AUKER. Mr. Speaker, I would like to ask the gentleman from Allegheny, Mr. Brown, whether or not if this bill was enacted into law would it do away with the redemption period on tax sales that now exists under the present act?

Mr. BROWN. Mr. Speaker, I think the gentleman is confused with another bill on the calendar. This bill has nothing to do with the quota of redemption. This bill simply amends the act of April 20, 1905 whereby tax sales are given the same validity as any other sales in the matter of the possession of the premises sold at tax sales. That is all this act does. I think the gentleman is confused with the Tahl bill which is on the calendar.

Mr. AUKER. Mr. Speaker, I would like to further ask the gentleman from Allegheny whether or not upon petition to the court by the purchaser at tax sale he can get clear title upon setting forth the facts in the petition and after giving notice to the former owner of the property.

Mr. BROWN. Mr. Speaker, this act has nothing to do with the efficacy of tax sale insofar as title is concerned. Under the present law, as the gentleman well knows, the purchaser at a judicial sale has certain rights insofar as the possession of the premises is concerned, and he must go into court if he cannot get possession peaceably and follow a certain procedure. Our courts have held that a tax sale is not a judicial sale, and therefore this amendment brings the tax sale within the definition of a judicial sale so that those who purchase at tax sales may have the same remedies as those who purchase at other sales.

Mr. AUKER. Would it be possible then for a purchaser at a tax sale to take the same procedure that we take now on any other kind of judicial sale and immediately make his title good without any period of redemption?

Mr. BROWN. As I said before, Mr. Speaker, this act has nothing to do with the question of title. This act has only to do with the question of possession, and by virtue of a court decision holding that a tax sale is not a judicial sale, the purchasers at a tax sale did not therefore have the right of possession as would be accorded purchasers at other judicial sales. This act has nothing to do with the question of title; it has only to do with the question of possession.

Mr. AUKER. I thank the gentleman from Allegheny, Mr. Speaker. I think that clears it up for me. I didn't have time to digest the act thoroughly, but I wanted to make sure that this did not affect the period of redemption. On his explanation, and following the bill with it I find that the gentleman is correct.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—201

Alspach,	Fleming,	Laughner,	Robertson,
Auker,	Flynn,	Lee,	Root,
Baker,	Foor,	Leisey,	Rose, S.,
Barrett,	Fox,	Leonard,	Rose, W. E.,
Barton,	Freed,	Levy,	Rowley,
Bentley,	Fullerton,	Leydic,	Royer,
Bentzel,	Garber,	Lichtenwalter,	Salus,
Boies,	Gardner,	Livingstone,	Sarge,
Bonawitz,	Gates,	Longo,	Sarraf,
Boorse,	Gillan,	Lovett,	Scanlon,
Boory,	Goodling,	Lyons,	Schuster,
Bower,	Goodwin,	Madigan,	Serrill,
Boyd,	Gorman,	Mahany,	Simons,
Bradley,	Grant,	McAtee,	Skale,
Bretherick,	Green,	Maxwell,	Smith,
Brice,	Greenwood,	McClester,	Snider,
Brigerman,	Gross,	McKinney,	Sollenberger,
Brown,	Gyger,	McMillen,	Sorg,
Brunner, P. A.,	Haberlen,	McSurdy,	Stank,
Burns,	Hall,	Menna,	Stockham,
Cadwalader,	Hamilton,	Mihm,	Stonier,
Calvin,	Hannon,	Miller,	Swope,
Campbell,	Hare,	Mintess,	Tahl,
Chervenak,	Harris,	Mock,	Tate,
Chudoff,	Haudenshield,	Modell,	Taylor,
Cohen,	Heatherington,	Mooney,	Thompson,
Coleman,	Helm,	Moore,	Thrasher,
Costa,	Herman,	Moran,	Tiemann,
Cook,	Hersch,	Moser,	Trent,
Cooper,	Hewitt,	Muir,	Trout,
Cordier,	Hocke,	Munley,	Turbett,
Corrigan,	Hoffman,	Murray,	Van Allsburg,
Coulson,	Hoggard,	Nowak,	Verona,
Croop,	Holmes,	O'Brien,	Wachhaus,
Cullen,	Hoopes,	O'Connor,	Wagner, K. H.,
Dague,	Hunter, B. F.,	O'Dare,	Wagner, P. L.,
Dalrymple,	Hunter, W. M.,	O'Neill,	Wallin,
Denman,	Huntley,	Owens,	Walton,
Dennison,	Imbrie,	Petrosky,	Watkins,
Depuy,	Irvin,	Pettit,	Weiss,
Dillon,	James,	Polaski,	Welsh,
Dix,	Jones,	Powers,	Winner,
Duffy,	Kennedy,	Readinger,	Wood, L. H.,
Elder,	Kirley,	Reagan,	Wood, N.,
Elliott,	Kitchen,	Reese, D. P.,	Worley,
Ely,	Kline,	Reese, R. E.,	Wright,
Erb,	Kolankiewicz,	Regan,	Yeakel,
Ewing,	Kowalski,	Reilly,	Yester,
Figlock,	Krepps,	Reynolds,	Fiss,
Finnerty,	Krise,	Riley,	Speaker.
Flack,	Lane.		

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 301, as follows:

An Act to amend section one hundred four clause (a) of section two hundred five clause (a) of section two hundred twelve section four hundred three section five hundred five and to add clause (d) to section five hundred two of the act approved the twenty-fifth day of June one thousand nine hundred and forty-one (P. L. 159) entitled "An act amending revising consolidating and changing the law relating to the borrowing of money by certain political subdivisions the authorization issuance and sale of general obligation bonds as herein defined of bonds imposing no general obligation of debt and of bonds not deemed to constitute a debt for certain purposes and to the funding of debt and the refunding of bonds regulating the keeping and use of sinking funds imposing powers and duties upon the Department of Internal Affairs and upon corporate bodies and officers of political subdivisions imposing penalties and repealing existing laws" clarifying and correcting the provisions of said sections and providing for the funding of debts represented by judgments entered by courts

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section one hundred four clause (a) of section two hundred five clause (a) of section two hundred twelve section four hundred three section five hundred five of the act approved the twenty-fifth day of June one thousand nine hundred and forty-one (P. L. 159) entitled "An act amending revising consolidating and changing the law relating to the borrowing of money by certain political subdivisions the authorization issuance and sale of general obligations bonds as herein defined of bonds imposing no general obligation of debt and of bonds not deemed to constitute a debt for certain purposes and to the funding of debt and the refunding of bonds regulating the keeping and use of sinking funds imposing powers and duties upon the Department of Internal Affairs and upon corporate bodies and officers of political subdivisions imposing penalties and repealing existing laws" are hereby amended to read as follows

Section 104 Purpose of Act It is the intent of this act to regulate the manner of borrowing money by the issue of bonds by municipalities and to impose limits and conditions on such borrowing in certain cases [Nothing in this act shall be construed to confer on any municipality any power or authority to borrow money for any purpose for which such municipality is not otherwise authorized by law to borrow money nor shall anything in this act be construed to deprive any municipality of any power or authority to borrow money for any purpose for which such municipality is or may hereafter be authorized to borrow money] Nothing in this act shall be construed to enlarge or curtail the purposes for which any municipality may now or hereafter be authorized to borrow money This act shall be deemed to provide an exclusive and uniform system on the subjects covered by this act

Section 205 Desire Ordinance Elections to Authorize an Increase of Indebtedness (a) Whenever the corporate authorities of any municipality by their ordinance shall have signified a desire to make an increase of debt where the assent of the electors is required and shall have called an election for the purpose of obtaining such assent they shall give notice of an election to be held at the places of holding elections in said municipality on a day to be by them fixed for the purpose of obtaining the assent of the electors thereof to such increase of debt Such notice shall be given in a newspaper or newspapers of general circulation not exceeding two published in said municipality and in the legal journal if any designated by the rules of court for the publication of legal notices and advertisements and if no such newspaper is published therein the notice shall be given in at least one newspaper of general circulation circulating generally in the municipality [Such election notice shall be published three times at intervals of not less than three days where daily newspapers of general circulation are available for such publication and in the case of weekly newspapers of general circulation and legal journals shall be published only twice once a week for two successive weeks] In case such election notice is published in a daily newspaper or newspapers it shall be published three times at intervals of not less than three days and in the case of weekly newspapers and legal journals it shall be published only twice once a week for two successive weeks The first publication of such notice shall be not less than fourteen nor more than twenty-one days before the day of the election Such notice may be published at any time after the ordinance shall have become effective

Section 212 Regulations for Sale of General Obligation Bonds (a) When any municipality shall desire to borrow money and issue general obligation bonds therefor the municipality shall sell such bonds to the highest responsible bidder or bidders after public notice by advertisement in at least one and not more than two newspapers of general circulation published in the county in which such municipality shall be situated and in the legal journal if any designated by the rules of court for the publication of legal notices and advertisements [Such notice shall be published three times at intervals of not less than three days where daily newspapers of general circulation are available for such publication and in the case of weekly newspapers and legal journals shall be published only twice once a week for two successive weeks] In case such notice is published in a daily newspaper or newspapers it shall be published three times at intervals of not less than three days and in the case of weekly newspapers and legal journals it shall be published only twice once a week for two successive weeks The first advertisement shall be published not less than fifteen days before the day fixed for the opening of bids

Section 403 Use of Money in Sinking Fund Investment The money or other assets in the sinking fund shall be applied to the payment of any taxes covenanted to be paid on the general obligation bonds for the payment of which such fund was created to the payment of interest on such bonds and to the payment of the principal of such bonds at their maturity Any moneys in the sinking fund not needed for the time being for any of the above purposes may be invested in obligations issued by the United States of America and general obligation bonds of the Commonwealth of Pennsylvania or any political subdivision thereof The moneys and other assets held in the sinking fund shall not be used for any other purpose except for such other investment purposes as may be specifically authorized by law

Any investments including bonds of the municipality held in the sinking fund may be sold at any time by the body board or commission having the management and control of such sinking fund

Nothing contained in this section shall be construed to require the sale of any obligations bonds or notes legally held in a sinking fund at the time this act takes effect

Section 505 Sale or Exchange of Funding and Refunding Bonds Except in the case of refunding general obligation bonds issued to redeem bonds which the holders are willing to surrender any municipality shall first offer funding or refunding general obligation bonds for sale in accordance with the provisions of section [214] 212 of this act and if no bids are received for the same any such municipality shall be authorized to exchange such bonds with the debtors in the case of bonds issued to fund floating indebtedness and with the holders of the

outstanding bonds in the case of bonds issued to redeem and pay off such outstanding bonds when such debt is to be funded or when such outstanding bonds are to be redeemed and paid off as the case may be The maximum rate of interest of the bonds to be exchanged shall not be in excess of the maximum rate of interest borne by the bonds previously offered for sale In the case of bonds issued to redeem bonds which the holders are willing to surrender the municipality shall have the option to offer said bonds for sale or to exchange said bonds with the holders of the outstanding bonds without previously having offered the same for sale

For services in procuring the exchange or surrender of bonds or other evidences of debt a municipality may expend not to exceed one per centum of the debt so funded or refunded in addition to its actual expenses in the preparation and issue of such funding or refunding bonds

Section 2 Section five hundred two of said act is hereby amended by adding thereto a new clause to read as follows

Section 502 Funding Bonds Conditions

(d) If the unfunded debt which is to be funded under the provisions of this section is represented by a judgment or judgments entered by a court of competent jurisdiction the municipality shall not be required to obtain the consent of the court of quarter sessions nor submit the question of the ratification confirmation or validation of the debt represented thereby to the electors thereof General obligation bonds issued to fund any such judgment or judgments shall bear interest at a rate not exceeding six per centum in addition to any taxes payment of which may be assumed by the municipality and shall mature not later than twenty years from the date thereof

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—201

Alspach,	Fleming,	Laughner,	Robertson,
Auker,	Flynn,	Lee,	Root,
Baker,	Foor,	Leisey,	Rose, S.
Barrett,	Fox,	Leonard,	Rose, W. E.,
Barton,	Freed,	Levy,	Rowley,
Bentley,	Fullerton,	Leydic,	Royer,
Bentzel,	Garber,	Lichtenwalter,	Salus,
Boies,	Gardner,	Livingstone,	Sarge,
Bonawitz,	Gates,	Longo,	Sarraf,
Boorse,	Gillan,	Lovett,	Scanlon,
Boory,	Goodling,	Lyons,	Schuster,
Bower,	Goodwin,	Madigan,	Serrill,
Boyd,	Gorman,	Mahany,	Simons,
Bradley,	Grant,	Maxwell,	Skale,
Bretherick,	Green,	McAtee,	Smith,
Brice,	Greenwood,	McClester,	Snider,
Brigerman,	Gross,	McKinney,	Sollenberger,
Brown,	Gyger,	McMillen,	Sorg,
Brunner, P. A.,	Haberlen,	McSurdy,	Stank,
Burns,	Hall,	Menna,	Stockham,
Cadwalader,	Hamilton,	Mihm,	Stonier,
Calvin,	Hannon,	Miller,	Swope,
Campbell,	Hare,	Mintess,	Tahl,
Chervenak,	Harris,	Mock,	Tate,
Chudoff,	Haudenshield,	Modell,	Taylor,
Cohen,	Heatherington,	Mooney,	Thompson,
Coleman,	Helm,	Moore,	Thrasher,
Cook,	Herman,	Moran,	Tiemann,
Cooper,	Hersch,	Moser,	Trent,
Cordier,	Hewitt,	Muir,	Trout,
Corrigan,	Hocke,	Murray,	Turbett,
Costa,	Hoffman,	Munley,	Van Allsburg,
Coulson,	Hoggard,	Nowak,	Verona,
Croop,	Holmes,	O'Brien,	Wachhaus,
Cullen,	Hoopes,	O'Connor,	Wagner, K. H.,
Dague,	Hunter, B. F.,	O'Dare,	Wagner, P. L.,
Dalrymple,	Hunter, W. M.,	O'Neill,	Wallin,
Denman,	Huntley,	Owens,	Walton,
Dennison,	Imbrie,	Petrosky,	Watkins,
Depuy,	Irvin,	Pettit,	Weiss,
Dillon,	James,	Polaski,	Welsh,
Dix,	Jones,	Powers,	Winner,
Duffy,	Kennedy,	Readinger,	Wood, L. H.,
Elder,	Kirley,	Reagan,	Wood, N.,
Elliott,	Kitchen,	Reese, D. P.,	Worley,
Ely,	Kline,	Reese, R. E.,	Wright,
Erb,	Kolankiewicz,	Regan,	Yeakel,
Ewing,	Kowalski,	Reilly,	Yester,
Figlock,	Krepps,	Reynolds,	Fiss,
Finnerty,	Krise,	Riley,	Speaker.
Flack,	Lane,		

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

RECONSIDERATION OF VOTE ON HOUSE BILL No. 486

In the House of Representatives, May 4, 1943.

Mr. COOK. Mr. Speaker, I move that the vote by which House Bill No. 486, Printer's No. 591, entitled:

An act to amend the act, approved the fifth day of May, one thousand nine hundred thirty-three (P. L. 457), entitled "An act relating to the business of building and loan associations; providing for the organization and voluntary dissolution of such associations; defining the rights, powers, duties, liabilities, and immunities of such associations, and of their officers, directors, shareholders, solicitors, and other employes; prohibiting the transaction of business in this Commonwealth by foreign building and loan associations; conferring powers and imposing duties upon the courts, recorders of deeds and certain State departments, commissions, and officers; establishing limitations of actions; imposing penalties; and repealing certain acts and parts of acts," further defining the rights, powers, duties, liabilities and immunities of building and loan associations, and their shareholders and creditors.

was defeated on final passage, Wednesday, April 28th, be reconsidered.

Mr. WELSH. Mr. Speaker, I second the motion.

The SPEAKER. How did the gentleman from Erie, Mr. Cook, vote on the final passage of this bill?

Mr. COOK. Mr. Speaker, I voted in the majority.

The SPEAKER. How did the gentleman from Philadelphia, Mr. Welsh, vote on the final passage of this bill?

Mr. WELSH. Mr. Speaker, I voted in the majority.

On the question,

Will the House agree to the motion?

MOTION TO LAY ON TABLE

Mr. HOCKE. Mr. Speaker, I move that the motion be laid on the table.

On the question,

Will the House agree to the motion?

Mr. PAUL L. WAGNER. Mr. Speaker, I rise to ask the Members of the House to oppose this motion—

The SPEAKER. For the information of the gentleman, a motion to lay on the table is not debatable.

Mr. PAUL L. WAGNER. Mr. Speaker, is it in order to ask for a roll call?

The SPEAKER. That is in order.

Mr. PAUL L. WAGNER. I ask for a roll call, Mr. Speaker.

The yeas and nays were required by Mr. Paul L. Wagner and Mr. Auker and were as follows:

YEAS—50

Barrett,	Fullerton,	Levy,	Smith,
Barton,	Gorman,	Lyons,	Stockham,
Boyd,	Green,	McClester,	Tate,
Bradley,	Harris,	Moser,	Tiemann,
Bretherick,	Hoopes,	Munley,	Verona,
Brice,	Hunter, W. M.,	O'Dare,	Wallin,
Corrigan,	James,	Powers,	Walton,
Costa,	Kirley,	Reese, R. E.,	Watkins,
Croop,	Kolankiewicz,	Reynolds,	Wood, N.,
Denman,	Lane,	Sarraf,	Worley,
Dix,	Lee,	Scanlon,	Yeakel,
Duffy,	Leisey,	Schuster,	Yester,
Freed,	Leonard,		

NAYS—104

Alspach,	Garber,	Kowalski,	Riley,
Auker,	Gillan,	Laughner,	Root,
Bentzel,	Goodling,	Leydic,	Rose, W. E.,
Bonawitz,	Goodwin,	Lichtenwalter,	Rowley,
Boorse,	Grant,	Livingstone,	Serrill,
Bower,	Greenwood,	Lovett,	Simons,
Brunner, P. A.,	Gross,	Mahany,	Snider,
Calvin,	Hall,	Maxwell,	Sollenberger,
Campbell,	Hamilton,	McAtee,	Sorg,
Chervenak,	Hannon,	McMillen,	Stank,
Coleman,	Hare,	McSurdy,	Stonier,
Cook,	Haudenshield,	Mihm,	Swope,
Cordier,	Heatherington,	Miller,	Tahl,
Coulson,	Helm,	Mintess,	Thrasher,
Cullen,	Hewitt,	Mock,	Trent,
Dalrymple,	Hocke,	Mooney,	Trout,
Dennison,	Hoffman,	Moran,	Van Allsburg,
Depuy,	Hoggard,	Murray,	Wachhaus,
Elliott,	Holmes,	Nowak,	Wagner, K. H.,
Ely,	Hunter, B. F.,	O'Connor,	Wagner, P. L.,
Erb,	Huntley,	Owens,	Weiss,
Figlock,	Imbrie,	Pettit,	Welsh,
Flack,	Irvin,	Readinger,	Winner,
Fleming,	Jones,	Reagan,	Wood, L. H.,
Foor,	Kennedy,	Reese, D. P.,	Wright,
Fox,	Kitchen,	Regan,	Fiss,
			Speaker.

So the question was determined in the negative and the motion was not agreed to.

On the question recurring,

Will the House agree to the motion to reconsider the vote by which House Bill No. 486 was defeated on final passage?

It was agreed to.

On the question recurring,

Shall the bill pass finally?

QUESTION OF INFORMATION

Mr. WILLIAM M. HUNTER. Mr. Speaker, I would like to ask for information.

The SPEAKER. The gentleman will state his question of information.

Mr. WILLIAM M. HUNTER. I would like, Mr. Speaker, to know if it would be possible to put this bill back on second reading for possible amendments. If so, I would like to offer them.

The SPEAKER. That would be impossible. The answer is no.

Mr. AUKER. Mr. Speaker, I did not speak on this bill when it came up for final passage the other night inasmuch as the hour was late and there had been considerable debate on the measure. I have been connected with building and loan associations, first as solicitor since 1925 and lately, within the last two or three years as trustee for five of the thirty-eight building and loan associations in Blair County that had to go into liquidation because we did not have this plan.

Both of the associations that I represented in Altoona previous to the liquidation of those building and loan associations went into that liquidating pool. Around 1932 and 1933, when things were indeed tough in Blair County and on up to 1938 when the whistles didn't even blow for eight months, I begged my two associations to adopt this plan, knowing full well that if this direct reduction plan were adopted that we would be able to help people who had borrowed money from our building and loan associations. In other words, if they had had the direct reduction loan plan in the building and loan associations we could have allowed them to have paid their interest on their indebtedness plus one-twelfth of their yearly taxes and have been able to carry them on without any loss to the investors whatsoever. Instead of that we had the old time, old fashioned covered share loan. They were forced to demand the payments. They were unable to make those payments, and on top of that they were getting back with their taxes. Then they had to come into the building and loan association and ask to be refinanced. We refinanced them and paid their taxes, and then another hard year came along and we would have to again refinance them, and we would get into trouble. Costs were piling up; they were on the increase, and all that they could do was to throw up their hands and say "All right, clean it all up; we won't try to put it off any longer." Now, that could be multiplied by thousands, and that applied not only in our section but throughout many other sections of the state. This plan is the only reasonable, logical plan for persons who wish to pay for their homes through building and loan associations. We have tried it now for about four years.

When we first started going in to this liquidating pool around forty-five associations in Blair County, we formed five new associations out of the assets of those forty-five associations. All of those new associations immediately adopted this direct reduction loan plan. All are thriving vigorously today. Everyone of the people who are buying their homes through those new associations are very, very well satisfied. They know exactly where they stand month to month. They know exactly what their indebtedness is month after month. They get a statement to that effect. If one of those associations should happen to go into liquidation—suppose one of them failed, the borrowers from those associations would not be affected one iota. They have a contract, and as long as they keep up their payments under their contract, no liquidation can affect them whatsoever. By reducing their indebtedness on the monthly payment plan they can be sure that it pays out, and I defy anyone to say that is not true. Under the old share building and loan association, if an old share building and loan association goes into liquidation the members can pay and pay and pay, and many of them did in Altoona. Many of them paid one hundred seventy-five, many of them paid as high as two hundred before they got out, and then were not out. I submit to you based on my experience as a solicitor under the old building and loan plan and being familiar with this direct reduction loan plan, it is the best thing that has hit Pennsylvania since building and loan came, and I respectfully ask the members of the House to vote in favor of that bill. I know they will

if they will take my word and the experience that I have had both ways in the building and loan game.

Mr. WILLIAM M. HUNTER. Mr. Speaker, I am certainly glad that Mr. Auker has taken that matter up and explained it very, very clearly so far as his situation is concerned. I agree with him very heartily, but he has never said one word in reference to the investors. Where can we expect to get the money from to loan to the borrower? Every provision in this bill points to the borrower entirely. I agree with him that the borrower has no expense whatever towards the operation of the building and loans. Now, the chances are that the investor in putting his money into this building and loan association naturally is thinking of the return from it too. All the expense is saddled on the investor. If the building and loan fails the borrower loses no money whatsoever. He gets out every dollar that he puts in, plus the profits that that building and loan association has made. And he has a guaranteed contract not to lose any money from that association. The building and loan association has to go that far as to see that he gets a mortgage somewhere, but just as I say, the investor under this bill has no protection whatsoever.

There are two sections in this bill, Members of the House; it is not only the borrowers, but it is the investors. Now, if we go into this proposition of obtaining the money to take care of the borrowers to build and give him his book value on the withdrawal and that association should have to undergo financial conditions and go into liquidation, the borrower would get dollar for dollar from that association. The investor loses. We have no reserves; all of the reserves have been set aside to take care of the borrower. I have been in this game forty years I think I know something about building and loans too and have been connected with quite a number of them in Chester, of which we have about fourteen. We have been financing homes for fourteen years through building and loan associations, but this is putting it upon a banking basis in this bill. I feel that if this bill passes the House we must make some provision to build up substantial reserves in building and loan associations so that if we were to have to another depression like we had ten years ago nothing in this world would stop it from failing if they do not have a sufficient amount of money in the reserve to take care of it.

The effective date of this bill was amended to July 1, 1944. This means any building and loan association to build up a substantial reserve to take care of any withdrawals, we should go on a wholesale basis. I feel we should have more time, that is the amendment I wanted to introduce to this bill, and I figure it is more than right that we should have that privilege. I think the largest building and loan association is located right here in Harrisburg, the Capitol Building and Loan Association. We have the second largest in Chester, and they are of the opinion that it will be impossible for them to build up a sufficient reserve in this short time to guarantee against the withdrawals that we will have in case of depression. If they can't stand it how is the small institution going to stand it? They will simply have to go out of business, and you are going to hurt the very fellow that you are talking about, which is the little fellow. I think this time should be extended to at least December 1948 to give the building and loan association people sufficient time to get their money together to build up an ample reserve to take care of anything that might happen in the future. I hope you will give this your thoughtful consideration, for it is very vital for every man in this House and every man in a building and loan association in Pennsylvania. I hope you will think this matter over carefully before you vote.

Mr. WALTON. Mr. Speaker, if the only thing this bill did was to affect bonds and mortgages that Mr. Auker talked about I would be for it. In most of the building and loan associations they are doing that at the present time, but what I do object to is the lobby that we are having here on this bill at this time. There has been a lot of money spent. For instance at the time of the public hearing, people who were for this bill asked for a public hearing, and invited every member of this House that was either for or against it to dinner at the Penn-Harris Hotel. I know that the little fellows do not have that kind of money to spend. In fact I know and you know that they are the type of people that take care of it. I have a few things that I would like to say about it.

It is hard to conceive that the Banking Department is attempting to put all small old-line associations out of business. On page 3, line 23, participation value becomes an accumulating sum, less 1 per cent withdrawal payment fee, so that if a person subscribes for stock and pays in $5 his participation value immediately becomes $4.95. If he stays in the association seven months, his participation value would be $35 plus the earnings for the first six months and minus 1 per cent of the whole. Then, upon page 6, line 27, this amount is then divided by the par value of one share of stock, so that his value of shares in the association carries some number such as 34996 over 20000. It would be extremely difficult if not impossible, to explain any such fraction to the average shareholder.

Page 7, Section 602, apparently changes building and loan associations into banking institutions so that instalment shares of stock no longer carry series, but are issued at the determination of the board of directors. In other words, the board of directors might issue a new series every time it meets, and the money so deposited with the association could be withdrawn as stated on page 8, line 22, at the participation value, less not more than 1 per cent which would result in a loss to the association upon all stock upon which the reserve had not yet been built up to cover the cost of opening and closing this account.

On page 21, under Section 18, subdivision c, provision is made for closing the books semi-annually or oftener, again carrying out the principle that series may be opened at any time and calculated up to date of maturity, but there appears to be no good reason for any maturity date, execpt the avoidance of the withdrawal fee not exceeding 1 per cent. With this exception, the associations are banks of deposit with limitations as to investments. Under subdivision d, the payment of dividends on full paid shares monthly carries out the same idea with no corresponding benefit. Subdivision e, on page 22, goes still farther and permits interest to be credited to accounts of $100 and more, from the actual date of payment. Not even savings institutions have been figuring quite that close.

It is extremely difficult to understand Section 907, page

33, line 3. Apparently for the purpose of carrying out the banking idea, all payments with exception of interest are to be credited directly upon the principal of the mortgage loans. The section, however, provided for dues paid on each direct loan share. The only way I can understand it would be that if a loan were made for $100 upon which the borrower would ordinarily pay $10 per month, he would then be compelled to pay $11 from which the interest would first be deducted and the balance applied to the loan. To call this a share of stock is begging the question, since nothing remains with the association except the name. I presume that what was intended was to make him liable with other shareholders in case of liquidation. Since the direct-reduction shareholder has no such liability, this whole idea does not make sense.

With the exception of the change of the word "prepaid" to "full paid", I find no sense in the bill except, as I previously stated, for the purpose of driving small, old-line associations out of business. If this is intended, the bill should state so. Building and loan associations were intended to cover the need of persons to make small, regular investments to secure their futures. Unless the Banking Department and the Legislature believe that such associations are no longer necessary, they should not be legislated out of existence by indirectness

In other words, gentlemen, the building and loan associations that have been in existence for a hundred years are trying to be legislated out by this bill. If it were not for the Building and Loans that have built up the cities in the east and in the west too, we wouldn't have the type of citizens that we have in Pennsylvania today. Any man that owns his own home is a good citizen, and the Building and Loan associations are the ones that made it possible. I ask you to vote this bill down in the interest of the building and loan associations. The people of Pennsylvania do not want the building and loan associations put out of business.

Mr. ALSPACH. Mr. Speaker, I would like to interrogate the gentleman from Delaware Mr. Hunter.

The SPEAKER. Will the gentleman from Delaware permit himself to be interrogated?

Mr. WILLIAM M. HUNTER. I will, Mr. Speaker.

Mr. ALSPACH. My understanding of the present bill is that under the terms thereof earnings of the association in each calendar year will be accruing and credited in the year in wich earned, is that correct?

Mr. WILLIAM M. HUNTER. That is correct, Mr. Speaker.

Mr. ALSPACH. And I also understand, Mr. Speaker, that under the present terms these earnings are carried at the time the shares mature, is that not correct?

Mr. WILLIAM M. HUNTER. I didn't understand that, Mr. Speaker.

Mr. ALSPACH. The earnings under the present system, Mr. Speaker, are carried at the time at which the shares mature, is that not right?

Mr. WILLIAM M. HUNTER. That is right.

Mr. ALSPACH. Therefore I understand that any profit which may inure to the benefit of the investors will be figured or calculated as of the date and of the time at which the shares mature, is that right?

Mr. WILLIAM M. HUNTER. That is right, Mr. Speaker.

Mr. ALSPACH. And therefore any Federal income tax which would be due would be due in the amount accrued in the year in which the shares mature, is that correct?

Mr. WILLIAM M. HUNTER. That is correct, Mr. Speaker.

Mr. ALSPACH. I thank the gentleman, Mr. Speaker. I would like to clear the air. So far the debate on this matter has been concerned with the effect of this bill upon the person borrowing, who wants to build a house and takes out "shares" and give that as collateral for his loan. I would like to call to the attention of the House a very simple situation. I would like to show you the present system and how it discriminates particularly against the investor at the present time the shares would mature in twelve or thirteen years, depending upon the earnings of the association. I might subscribe to a few shares, and I might make my monthly payments for eleven, twelve, thirteen or fourteen years, or might elect to purchase full paid shares, depending upon what association I may be in. I pay in my dollars for months, I pay in for eleven or twelve or thirteen years, and at the end of that time I find that the secretary of the association returns Form No. 1099, the little green slip to the Federal income tax authorities, and he lists, not earnings which I would have been entitled to earn in eleven, twelve or thirteen years, but he returns in the one calendar year every cent that has accrued to me during the entire period. The result is that I pay a tax not on the portion I earned in the calendar year, but I pay on the whole thing, the whole ten or eleven or twelve or fourteen years. That to me makes a tremendous difference because I may be in a higher income tax bracket. For instance, a man came to me who subscribed to some shares, and he was told that he would be required to pay income tax on his shares to the amount of seventeen hundred dollars, his entire earnings.

Understand I am not saying a person should not pay income tax on his earnings. I say it is his duty to pay income tax on his earnings, but he should only be required to pay in each of the eleven or twelve or thirteen years during the life of these shares, and should not be required to return all of those earnings in one year, the result of which would be to stick him for an income tax which would be a large percentage of his earnings during all those years.

Much has been said so far as to the position of the borrower. I am merely injecting this to show that the present system does work severe injustice to the person who is investing. Bear in mind, they are not always large investors. They are mostly small investors who save a small amount each month of their earnings through building and loan associations. I am mentioning that to show to the Members of the House how this would work with regard to the investor as well as the borrower.

Mr. AUKER. Mr. Speaker, I would like briefly to answer the gentleman from Philadelphia and also the gentleman from Delaware.

Before I do that I want briefly to point out the situation from the standpoint of the borrower under these share associations. Let us take for instance the fact that a share association goes into liquidation. A man has borrowed on a mortgage say of three thousand dollars from that association. The association goes into liquidation. He has purchased shares from that association, and if he pays out those shares before his loan is paid off,

he is all right. But if the association goes into liquidation, and we will say that he still owes two thousand dollars of the debt, the association can come in and collect two thousand dollars, no matter how much he has paid in on those shares which he has assigned back to the association as security for the payment of his loan.

Now, let us take it from the standpoint of the investor. I can only cite experience, and they say that the proof of the pudding is the eating thereof. We had about three associations in Altoona that were in good shape and that didn't have to go into liquidation, but they did go into the direct reduction loan plan as set up under this bill. Those building and loans are still doing business and doing it better and better every day.

We had one Federal association start up about 1935. Today they are one of the largest associations in Altoona. In this liquidation of these building and loan associations in which I am engaged at the present time we have been paying some dividends. Fully half of the people to whom we have paid dividends, who formerly owned the stock in the old associations, are putting their money back in the new associations as set up under this plan. They are getting more money, they are getting stronger every day, they are setting up reserves every day. I myself am an investor in two of them, and I hope to educate my two boys with the money that I am investing in these two associations. I am sure if these several big associations down east will come under this bill, as they will if the bill is finally enacted and put into law, that they will not be put out of business, but will be able to do business and they will grow under this act. I again ask the Members on both sides to vote for this measure.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—102

Alspach,	Foor,	Lichtenwalter,	Rose, S.
Auker,	Fox,	Livingstone,	Rose, W E.,
Bentley,	Garber,	Lovett,	Rowley,
Bentzel,	Gillan,	Madigan,	Salus,
Boorse,	Goodling,	Mahany,	Serrill,
Bower,	Goodwin,	Maxwell,	Sollenberger,
Brown,	Grant,	McAtee,	Sorg,
Brunner, P. A.,	Greenwood,	McMillen,	Stank,
Calvin,	Gross,	McSurdy,	Stonier,
Campbell,	Hall,	Miller,	Swope,
Chervenak,	Hamilton,	Mintess,	Tahl,
Cohen,	Hannon,	Mock,	Trent,
Coleman,	Hare,	Mooney,	Trout,
Cook,	Haudenshield,	Moran,	Turbett,
Cordier,	Heatherington,	Moser,	Wachhaus,
Coulson,	Helm,	Munley,	Wagner, K. H.,
Croop,	Hewitt,	O'Connor,	Wagner, P. L.,
Cullen,	Hoffman,	Pettit,	Weiss,
Dalrymple,	Holmes,	Readinger,	Welsh,
Depuy,	Hunter, B. F.,	Reagan,	Winner,
Elliott,	Irvin,	Reese, D. P.,	Wood, L. H.,
Ely,	Jones,	Regan,	Wood, N.,
Ewing,	Kennedy,	Riley,	Wright,
Figlock	Kitchen,	Robertson,	Fiss,
Flack,	Kowalski,	Root,	Speaker.
Fleming,	Leydic,		

NAYS—60

Baker,	Fullerton,	Leisey,	Scanlon,
Barrett,	Gardner,	Leonard,	Schuster,
Bonawitz,	Gorman,	Levy,	Simons,
Boyd,	Green,	Lyons,	Snider,
Bradley,	Gyger,	McClester,	Stockham,
Bretherick,	Harris,	Menna,	Tate,
Brice,	Hoopes,	Mihm,	Taylor,
Burns,	Hunter, W. M.,	Moore,	Tiemann,
Corrigan,	Huntley,	Muir,	Van Allsburg,
Costa,	Imbrie,	Nowak,	Verona,
Dennison,	James,	O'Dare,	Wallin,
Dix,	Kirley,	Owens,	Walton,
Erb,	Kolankiewicz,	Powers,	Worley,
Flynn,	Lane,	Reynolds,	Yeakel,
Freed,	Lee,	Royer,	Yester,

Less than the majority required by the Constitution having voted in the affirmative, the question was determined in the negative and the bill falls.

BILLS ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 400, as follows:

An Act to ratify confirm and validate as debts of the municipality bonds and obligations issued by municipal corporations for the payment of the cost of a public improvement which were to rest alone for their security and payment upon assessments for benefits

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Whenever prior to the effective date of the act approved the twenty-fifth day of June one thousand nine hundred forty-one (P. L. 159) entitled "An act amending revising consolidating and changing the law relating to the borrowing of money by certain political subdivisions the authorization issuance and sale of general obligation bonds are herein defined of bonds imposing no general obligation of debt and of bonds not deemed to constitute a debt for certain purposes and to the funding of debt and the refunding of bonds regulating the keeping and use of sinking funds imposing powers and duties upon the Department of Internal Affairs and upon corporate bodies and officers of political subdivisions imposing penalties and repealing existing laws" any municipal corporation has in good faith issued bonds or other obligations for the payment of the cost of a public improvement on the assumption that such bonds were not debts of the municipality within the meaning and intent of article nine section eight of the Constitution for the reason that such bonds or obligations were secured or to be secured by assessments against property benefitted by such improvement and were to rest alone for their security and payment upon such assessments such bonds and obligations are hereby ratified confirmed and made valid and binding obligations and debts of the municipality notwithstanding the fact that the corporate authorities of the municipality failed either in whole or in part to comply with the laws of the Commonwealth providing the method of incurring and increasing its indebtedness Provided however that this act shall not be construed to validate any such issue of bonds or obligations as valid debts of the municipality where the amount of any such issue when added to the existing debt of the municipality exceeds the limits of indebtedness permitted by the Constitution

Section 2 This act shall take effect immediately

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—126

Alspach,	Freed,	Krepps,	Rowley,
Auker,	Fullerton,	Krise,	Royer,
Barton,	Garber,	Laughner,	Salus,
Bonawitz,	Gardner,	Lee,	Sarge,
Boorse,	Gates,	Leisey,	Serrill,
Bower,	Gillan,	Leydic,	Simons,

Boyd,	Goodling,	Lichtenwalter,	Smith,
Bretherick,	Gorman,	Livingstone,	Sollenberger,
Brice,	Greenwood,	Lyons,	Sorg,
Cadwalader,	Gross,	Madigan,	Stockham,
Calvin,	Gyger,	Mahany,	Stonier,
Campbell,	Hall,	McAtee,	Tahl,
Cook,	Hannon,	McClester,	Taylor,
Cooper,	Hare,	McKinney,	Thrasher,
Cordier,	Haudenshield,	McMillen,	Tiemann,
Costa,	Helm,	McSurdy,	Trout,
Coulson,	Hewitt,	Menna,	Turbett,
Dague,	Hocke,	Miller,	Van Allsburg,
Dalrymple,	Hoffman,	Mintess,	Wachhaus,
Denman,	Holmes,	Mock,	Wagner, K. H.,
Dennison,	Hoopes,	Moore,	Wagner, P. L.,
Depuy,	Hunter, W. M.,	Moser,	Wallin,
Dix,	Huntley,	Murray,	Walton,
Elder,	Imbrie,	Nowak,	Watkins,
Ely,	Irvin,	Reagan,	Winner,
Erb,	James,	Reese, D. P.,	Wood, L. H.,
Ewing,	Jones,	Reilly,	Wood, N.,
Figlock,	Kennedy,	Riley,	Worley,
Flack,	Kitchen,	Robertson,	Yeakel,
Fleming,	Kline,	Root,	Fiss,
Foor,	Kowalski,	Rose, W. E.,	Speaker.
Fox,			

NAYS—75

Baker,	Duffy,	Levy,	Regan,
Barrett,	Elliott,	Longo,	Reynolds,
Bentley,	Finnerty,	Lovett,	Rose, S.,
Bentzel,	Flynn,	Maxwell,	Sarraf,
Boies,	Goodwin,	Mihm,	Scanlon,
Boory,	Grant,	Modell,	Schuster,
Bradley,	Green,	Mooney,	Skale,
Brigerman,	Haberlen,	Moran,	Snider,
Brown,	Hamilton,	Munley,	Stank,
Brunner, P. A.,	Harris,	O'Brien,	Swope,
Burns,	Heatherington,	O'Connor,	Tate,
Chervenak,	Herman,	O'Neill,	Thompson,
Chudoff,	Hersch,	Owens,	Trent,
Cohen,	Hoggard,	Petrosky,	Verona,
Coleman,	Hunter, B. F.,	Pettit,	Weiss,
Corrigan,	Kirley,	Polaski,	Welsh,
Croop,	Kolankiewicz,	Powers,	Wright,
Cullen,	Lane,	Readinger,	Yester,
Dillon,	Leonard,	Reese, R. E.,	

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 427, as follows:

An Act to amend Sections 2501, 2504, 2505 and 2506 of the act approved the twenty-fourth day of June one thousand nine hundred and thirty-one (P. L. 1206) entitled "An act concerning townships of the first class amending revising consolidating and changing the law relating thereto" providing for the payment of sewer assessments in monthly or quarterly instalments regulating the filing of liens therefor and authorizing the filing of such liens after the time fixed by law shall have expired

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Sections 2501, 2504, 2505 and 2506 of the act approved the twenty-fourth day of June one thousand nine hundred and thirty-one (P. L. 1206) entitled "An act concerning townships of the first class amending revising consolidating and changing the law relating thereto" are hereby amended to read as follows

Section 2501 Ordinances for Instalment Payments When any township shall authorize the grading subgrading or the permanent paving and improvement of any streets or alleys or parts thereof or the construction of curbs sidewalks or sewers and the entire cost or any part thereof shall be assessed against the properties abutting on such improvement whether by the foot front rule or according to benefits the board of commissioners may provide in the ordinance that the assessment or any of them may be paid in semiannual or annual instalments and it may also provide that sewer assessments may be paid in twelve monthly or in quarterly instalments Such instalments shall bear interest at a rate not exceeding six per centum to be fixed by the board of commissioners in the ordinance from the date of the commencement of the work or the construction of such improvement

Section 2504 Entry of Liens Liens to secure the assessments or any part thereof remaining due shall be entered in the prothonotary's office of the county in the same form and collected in the same manner as municipal claims are filed and collected Provided however That when any person has accepted the monthly or quarterly payment plan for any sewer assessment as herein provided no lien shall be filed for such assessment except upon a default in payment as provided in section two thousand five hundred six as herein amended

Section 2505 Assessments Where Payable Such assessments shall be payable at the office of the township treasurer or such other place as the ordinance shall provide in semiannual or annual instalments and in the case of sewer assessments in monthly or quarterly instalments with interest at the rate provided from the date from which interest is computed on the amount of the assessments The moneys so received by the township shall be applied to the payment of such bonds exclusively

Section 2506 Default in Payment of Instalment In case of default in the payment of any semiannual or annual instalment and interest for a period of sixty days after the same shall become due the entire assessment and accrued interest shall become due and the township solicitor shall proceed to collect the same under the general laws relating to the collection of municipal claims

In case of default in the payment of any monthly or quarterly instalment and interest of a sewer assessment for a period of thirty days after the same shall become due a lien shall be filed for the balance due on such assessment and interest accrued thereon In no case shall a township lose its right to file a lien for any sewer assessment by reason of its failure to file the same within the time fixed by general law relating to the filing of municipal liens for any sewer assessment which is being paid under the instalment plan herein provided and if any lien is filed after the time fixed by said general law for the filing thereof because of default in the payment of any instalment such delayed filing is hereby validated and the lien of such assessment claim so filed shall be in full force and effect from the time of such filing

Section 2 The provisions of this act shall become effective immediately upon final enactment and shall include and apply to sewer assessments made in the year one thousand nine hundred and forty-three

Section 3 All acts and parts of acts inconsistent with the provisions of this act are hereby repealed

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—201

Alspach,	Fleming,	Laughner,	Robertson,
Auker,	Flynn,	Lee,	Root,
Baker,	Foor,	Leisey,	Rose, S.
Barrett,	Fox,	Leonard,	Rose, W. E.,
Barton,	Freed,	Levy,	Rowley,
Bentley,	Fullerton,	Leydic,	Royer,
Bentzel,	Garber,	Lichtenwalter,	Salus,
Boies,	Gardner,	Livingstone,	Sarge,
Bonawitz,	Gates,	Longo,	Sarraf,
Boorse,	Gillan,	Lovett,	Scanlon,

Boory,	Goodling,	Lyons,	Schuster,
Bower,	Goodwin,	Madigan,	Serrill,
Boyd,	Gorman,	Mahany,	Simons,
Bradley,	Grant,	Maxwell,	Skale,
Bretherick,	Green,	McAtee,	Smith,
Brice,	Greenwood,	McClester,	Snider,
Brigerman,	Gross,	McKinney,	Sollenberger,
Brown,	Gyger,	McMillen,	Sorg,
Brunner, P. A.,	Haberlen,	McSurdy,	Stank,
Burns,	Hall,	Menna,	Stockham,
Cadwalader,	Hamilton,	Mihm,	Stonier,
Calvin,	Hannon,	Miller,	Swope,
Campbell,	Hare,	Mintess,	Tahl,
Chervenak,	Harris,	Mock,	Tate,
Chudoff,	Haudenshield,	Modell,	Taylor,
Cohen,	Heatherington,	Mooney,	Thompson,
Coleman,	Helm,	Moore,	Thrasher,
Cook,	Herman,	Moran,	Tiemann,
Cooper,	Hersch,	Moser,	Trent,
Cordier,	Hewitt,	Muir,	Trout,
Corrigan,	Hocke,	Munley,	Turbett,
Costa,	Hoffman,	Murray,	Van Allsburg,
Coulson,	Hoggard,	Nowak,	Verona,
Croop,	Holmes,	O'Brien,	Wachhaus,
Cullen,	Hoopes,	O'Connor,	Wagner, K. H.,
Dague,	Hunter, B. F.,	O'Dare,	Wagner, P. L.,
Dalrymple,	Hunter, W. M.,	O'Neill,	Wallin,
Denman,	Huntley,	Owens,	Walton,
Dennison,	Imbrie,	Petrosky,	Watkins,
Depuy,	Irvin,	Pettit,	Weiss,
Dillon,	James,	Polaski,	Welsh,
Dix,	Jones,	Powers,	Winner,
Duffy,	Kennedy,	Readinger,	Wood, L. H.,
Elder,	Kirley,	Reagan,	Wood, N.,
Elliott,	Kitchen,	Reese, D. P.,	Worley,
Ely,	Kline,	Reese, R. E.,	Wright,
Erb,	Kolankiewicz,	Regan,	Yeakel,
Ewing,	Kowalski,	Reilly,	Yester,
Figlock,	Krepps,	Reynolds,	Fiss,
Finnerty,	Krise,	Riley,	Speaker.
Flack,	Lane,		

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 534, as follows:

An Act to amend section four hundred thirty-seven and to further amend section four hundred thirty-eight of the act approved the second day of May one thousand nine hundred twenty-nine (P. L. 1278) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto" changing the amount of aid which the board of county commissioners may pay out of the county funds to the historical society of the county and changing the qualifications of historical societies to receive county appropriations

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section four hundred thirty-seven of the act approved the second day of May one thousand nine hundred twenty-nine (P. L. 1278) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto" is hereby amended to read as follows

Section 437 Payment to Historical Societies The board of commissioners may pay out of the county funds not otherwise appropriated and upon proper vouchers being given a sum of money not exceeding [one thousand] two thousand dollars annually to the county historical society [of the county] to assist in paying the running expenses thereof If there are any more than one such societies in the county such payment may be made only to the oldest society When any such society is comprised of residents of more than one county the commissioners of said respective counties may jointly pay said sum in such proportion as they shall agree

No such appropriation shall be renewed until vouchers have been filed with the commissioners showing that the appropriation for any prior year has been expended for the purpose herein designated

Section 2 Section four hundred thirty-eight of said act as amended by the act approved the eleventh day of June one thousand nine hundred forty-one (P L 51) is hereby further amended to read as follows

Section 438 Qualification of Society In order to entitle any historical society to the said appropriation the following conditions shall have been first complied with it shall have been organized at least two years incorporated by the proper authority and have an active membership of one hundred or more persons each of whom shall have paid into the treasury of said society a membership fee of at least two dollars for the support of the same it shall hold at least two public meetings yearly whereat papers shall be read or discussions held on historic subjects it shall have established a museum wherein shall be deposited curios and other objects of interest and books documents and papers relating to the history of the county or State and it shall have adopted a constitution and code of by-laws and elected proper officers to conduct its business

Section 3 This act shall become effective immediately upon final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—201

Alspach,	Fleming,	Laughner,	Robertson,
Auker,	Flynn,	Lee,	Root,
Baker,	Foor,	Leisey,	Rose, S.,
Barrett,	Fox,	Leonard,	Rose, W. E.,
Barton,	Freed,	Levy,	Rowley,
Bentley,	Fullerton,	Leydic,	Royer,
Bentzel,	Garber,	Lichtenwalter,	Salus,
Boies,	Gardner,	Livingstone,	Sarge,
Bonawitz,	Gates,	Longo,	Sarraf,
Boorse,	Gillan,	Lovett,	Scanlon,
Boory,	Goodling,	Lyons,	Schuster,
Bower,	Goodwin,	Madigan,	Serrill,
Boyd,	Gorman,	Mahany,	Simons,
Bradley,	Grant,	Maxwell,	Skale,
Bretherick,	Green,	McAtee,	Smith,
Brice,	Greenwood,	McClester,	Snider,
Brigerman,	Gross,	McKinney,	Sollenberger,
Brown,	Gyger,	McMillen,	Sorg,
Brunner, P. A.,	Haberlen,	McSurdy,	Stank,
Burns,	Hall,	Menna,	Stockham,
Cadwalader,	Hamilton,	Mihm,	Stonier,
Calvin,	Hannon,	Miller,	Swope,
Campbell,	Hare,	Mintess,	Tahl,
Chervenak,	Harris,	Mock,	Tate,
Chudoff,	Haudenshield,	Modell,	Taylor,
Cohen,	Heatherington,	Mooney,	Thompson,
Coleman,	Helm,	Moore,	Thrasher,
Cook,	Herman,	Moran,	Tiemann,
Cooper,	Hersch,	Moser,	Trent,
Cordier,	Hewitt,	Muir,	Trout,
Corrigan,	Hocke,	Munley,	Turbett,
Costa,	Hoffman,	Murray,	Van Allsburg,
Coulson,	Hoggard,	Nowak,	Verona,
Croop,	Holmes,	O'Brien,	Wachhaus,
Cullen,	Hoopes,	O'Connor,	Wagner, K. H.,
Dague,	Hunter, B. F.,	O'Dare,	Wagner, P. L.,
Dalrymple,	Hunter, W. M.,	O'Neill,	Wallin,
Denman,	Huntley,	Owens,	Walton,
Dennison,	Imbrie,	Petrosky,	Watkins,
Depuy,	Irvin,	Pettit,	Weiss,
Dillon,	James,	Polaski,	Welsh,
Dix,	Jones,	Powers,	Winner,

Duffy,	Kennedy,	Readinger,	Wood, L. H.,
Elder,	Kirley,	Reagan,	Wood, N.,
Elliott,	Kitchen,	Reese, D. P.,	Worley,
Ely,	Kline,	Reese, R. E.,	Wright,
Erb,	Kolankiewicz,	Regan,	Yeakel,
Ewing,	Kowalski,	Reilly,	Yester,
Figlock,	Krepps,	Reynolds,	Fiss,
Finnerty,	Krise,	Riley,	Speaker.
Flack,	Lane,		

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 539, as follows:

An Act to further amend section eight hundred one of the act approved the twenty-eighth day of April one thousand nine hundred thirty-seven (P. L. 417) entitled "An act relating to milk and the products thereof creating a Milk Control Commission establishing its jurisdiction powers and duties regulating the production transportation manufacturing processing storage distribution delivery and sale of milk and certain products thereof providing for the licensing of milk dealers and the payment of fees therefor requiring milk dealers to file bonds to secure payment for milk to producers and certain milk dealers authorizing the holding of hearings and the issuance of subpoenas by the commission conferring jurisdiction upon courts to punish contempts and to prohibit violations of this act and of rules regulations and orders of the commission authorizing the commission to adopt rules regulations and orders and to enter into interstate and Federal compacts requiring persons who weigh measure sample or test milk to procure permits or certificates to take examinations to pay fees therefor to furnish certain notices records and statements and to use certain methods of weighing measuring sampling and testing authorizing the commission to examine the business papers and premises of milk dealers and producers requiring the keeping of records and the filing of reports by milk dealers and permitting with limitations the use of information obtained thereby authorizing the commission to fix prices for milk and certain milk products subject to the approval of the Governor and conferring certain powers upon the Governor with respect thereto providing for appeals to the courts from decisions of the commission and for the burden of proof upon such appeals prescribing penalties fines and imprisonment for violations of this act and rules regulations and orders of the commission defining perjury defining remedies repealing legislation supplied and superseded by this act and saving rights duties and proceedings thereunder and making appropriations" by requiring further hearings on proposed orders and eliminating the requirement of the Governor's approval for certain orders of the commission and any amendments or revisions thereof fixing or changing the price of milk

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section eight hundred one of the act approved the twenty-eighth day of April one thousand nine hundred thirty-seven (P. L. 417) entitled "An act relating to milk and the products thereof creating a Milk Control Commission establishing its jurisdiction powers and duties regulating the production transportation manufacturing processing storage distribution delivery and sale of milk and certain products thereof providing for the licensing of milk dealers and the payment of fees therefor requiring milk dealers to file bonds to secure payment for milk to producers and certain milk dealers authorizing the holding of hearings and the issuance of subpoenas by the commission conferring jurisdiction upon courts to punish contempts and to prohibit violations of this act and of rules regulations and orders of the commission authorizing the commission to adopt rules regulations and orders and to enter into interstate and Federal compacts requiring persons who weigh measure sample or test milk to procure permits or certificates to take examinations to pay fees therefor to furnish certain notices records and statements and to use certain methods of weighing measuring sampling and testing authorizing the commission to examine the business papers and premises of milk dealers and producers requiring the keeping of records and the filing of reports by milk dealers and permitting with limitations the use of information obtained thereby authorizing the commission to fix prices for milk and certain milk products subject to the approval of the Governor and conferring certain powers upon the Governor with respect thereto providing for appeals to the courts from decisions of the commission and for the burden of proof upon such appeals prescribing penalties fines and imprisonment for violations of this act and rules regulations and orders of the commission defining perjury defining remedies repealing legislation supplied and superseded by this act and saving rights duties and proceedings thereunder and making appropriations" as amended by the act approved the twenty-fourth day of July one thousand nine hundred forty-two (P. L. 443) is hereby further amended to read as follows

Section 801 Requisites of Orders Fixing Price of Milk The commission shall ascertain after a hearing in which all interested persons shall be given reasonable opportunity to be heard the logical and reasonable milk marketing areas within the Commonwealth shall describe the territorial extent thereof shall designate such areas by name or number and shall ascertain and maintain such prices for milk in the respective milk marketing areas as will be most beneficial to the public interest best protect the milk industry of the Commonwealth and insure a sufficient quantity of pure and wholesome milk to inhabitants of the Commonwealth having special regard to the health and welfare of children residing therein

The commission shall base all prices upon all conditions affecting the milk industry in each milk marketing area including the amount necessary to yield a reasonable return to the producer which return shall not be less than the cost of production and a reasonable profit to the producer and a reasonable return to the milk dealer or handler In ascertaining such returns the commission shall utilize a cross-section representative of the average or normally efficient producers and dealers or handlers in the area

The commission shall file at its office with each order issued a general statement in writing of the findings of fact in support of and the reasons for such order

The commission may upon its own motion or upon application in writing from time to time alter revise or amend an official order defining milk marketing areas or fixing prices to be charged or paid for milk Before making revising or amending any order defining milk marketing areas or fixing prices to be charged or paid for milk the commission shall hold a hearing after giving reasonable opportunity to be heard to interested persons of whom the commission has notice and in the case of any order affecting the public after giving reasonable notice thereof to the public in such newspaper or newspapers as in the judgment of the commission shall afford sufficient notice and publicity Provided however That [upon] after such hearing there shall be a further hearing or conference before the commission on any proposed order and notice of such further hearing or conference shall be given to the parties represented and heard at the previous hearing Upon application in writing from a person aggrieved by an order of the commission hereunder filed within fifteen (15) days after the issuance of the order complained of or upon its own motion the commission may within twenty (20) days after the effective date of

such order issue an order revising or amending such order without a further hearing if such revision or amendment is based on the record of the hearing held prior to the issuance of such order.

"Interested persons" as used in this section means all persons who may be affected by an order of the commission fixing prices and who have signified to the commission in writing their desire to be notified of such hearings concerning a particular milk market area or areas within the Commonwealth "Reasonable opportunity to be heard" may be afforded by written notice addressed to the last known address of an interested party by mail postage prepaid by deposit in a United States post office or any receptacle thereof Nothing contained in this section shall be construed to limit or modify the provisions of section three hundred eight of this act relating to the posting and publicizing of orders of the commission including orders made under this article and the force and effect thereof

At any hearing provided for herein the testimony of an expert statistician present at the hearing and any printed typewritten duplicated mimeographed or other written treatise report or statistical data by an expert not present as a witness if and to the extent it is endorsed as reliable by an expert witness present at the hearing shall be competent evidence on any subject material to fixing any price under this article

All provisions of all price-fixing orders of the commission shall be presumed to be valid and the burden of proving any invalidity of any provisions thereof shall be upon the person asserting the same Any determination by the commission or a court to which an appeal has been taken that the wholesale or retail prices provided are invalid shall not prevent the enforcement of prices to producers but any determination that prices to producers are unreasonable shall require the redetermination by the commission of wholesale and retail prices as well as prices to producers

Whenever an order of the commission fixing prices is remitted to the commission with directions to reform the findings or order in accordance with the opinion of the court and no further appeal is taken by the commission the commission shall make such reformation within thirty days from the entry of the order of the court remitting the price fixing order to the commission

[Every order made pursuant to this article and any revision or amendment thereof in which the commission fixes or changes the price of milk to producers or to consumers or both shall be subject to the approval of the Governor]

Section 2 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—200

Alspach,	Fleming,	Lane,	Robertson,
Auker,	Flynn,	Laughner,	Root,
Baker,	Foor,	Lee,	Rose, S.,
Barrett,	Fox,	Leisey,	Rose, W E.,
Barton,	Freed,	Leonard,	Rowley,
Bentley,	Fullerton,	Levy,	Royer,
Bentzel,	Garber,	Leydic,	Salus,
Boies,	Gardner,	Lichtenwalter,	Sarge,
Bonawitz,	Gates,	Livingstone,	Sarraf,
Boorse,	Gillan,	Longo,	Scanlon,
Boory,	Goodling,	Lovett,	Schuster,
Bower,	Goodwin,	Lyons,	Serrill,
Boyd,	Gorman,	Mahany,	Simons,
Bradley,	Grant,	Maxwell,	Skale,
Bretherick,	Green,	McAtee,	Smith,
Brice,	Greenwood,	McClester,	Snider,
Brigerman,	Gross,	McKinney,	Sollenberger,
Brown,	Gyger,	McMillen,	Sorg,
Brunner, P. A.,	Haberlen,	McSurdy,	Stank,
Burns,	Hall,	Menna,	Stockham,
Cadwalader,	Hamilton,	Mihm,	Stonier,
Calvin,	Hannon,	Miller,	Swope,
Campbell,	Hare,	Mintess,	Tahl,
Chervenak,	Harris,	Mock,	Tate,
Chudoff,	Haudenshield,	Modell,	Taylor,
Cohen,	Heatherington,	Mooney,	Thompson,
Coleman,	Helm,	Moore,	Thrasher,
Cook,	Herman,	Moran,	Tiemann,
Cooper,	Hersch,	Moser,	Trent,
Cordier,	Hewitt,	Muir,	Trout,
Corrigan,	Hocke,	Munley,	Turbett,
Costa,	Hoffman,	Murray,	Van Allsburg,
Coulson,	Hoggard,	Nowak,	Verona,
Croop,	Holmes,	O'Brien,	Wachhaus,
Cullen,	Hoopes,	O'Connor,	Wagner, K. H.,
Dague,	Hunter, B F.,	O'Dare,	Wagner, P. L.,
Dalrymple,	Hunter, W M.,	O'Neill,	Wallin,
Denman,	Huntley,	Owens,	Walton,
Dennison,	Imbrie,	Petrosky,	Watkins,
Depuy,	Irvin,	Pettit,	Weiss,
Dillon,	James,	Polaski,	Welsh,
Dix,	Jones,	Powers,	Winner,
Duffy,	Kennedy,	Readinger,	Wood, L. H.,
Elder,	Kirley,	Reagan,	Wood, N.,
Elliott,	Kitchen,	Reese, D P.,	Worley,
Ely,	Kline,	Reese, R. E.,	Wright,
Erb,	Kolankiewicz,	Regan,	Yeakel,
Ewing,	Kowalski,	Reilly,	Yester,
Figlock,	Krepps,	Reynolds,	Fiss,
Finnerty,	Krise,	Riley,	Speaker.
Flack,			

NAYS—1

Madigan,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 516, as follows:

An Act authorizing during the continuance of the present war and for a period thereafter the employment except during school hours or after the hour of eleven o'clock post meridian of certain male minors as pin boys in bowling alleys and suspending existing laws which prohibit such employment

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 During the continuance of the war in which the United States is now engaged and for a period of six months after the cessation of hostilities male minors fourteen years of age and over may be employed as pin boys in any bowling alley in this Commonwealth notwithstanding the provisions of any existing law and the rules and regulations of any department or agency of the Commonwealth contrary thereto This act does not authorize the employment of any such minor at any hour when such minor is required by existing law to attend school or after the hour of eleven o'clock post meridian

Section 2 The provisions of the act approved the thirteenth day of May one thousand nine hundred fifteen (P. L. 286) entitled "An act to provide for the health safety and welfare of minors by forbidding their employment of work in certain establishments and occupations and under certain specified ages by restricting their hours of labor and regulating certain conditions of their employment by requiring employment certificates for certain minors and prescribing the kinds thereof and the rules for the issuance reissuance filing return and recording of the same by providing that the Industrial Board shall under certain conditions determine and declare whether certain occupations are within the prohibitions of this act requiring that certain minors shall during the period of their employment attend certain schools to be established

as therein provided and to be approved by the State Superintendent of Public Instruction and regulating the conditions of such attendance authorizing the State Board of Education in certain cases to appoint attendance officers to aid in enforcing the provisions of this act and creating the salary and expenses of such officers a charge against the school district wherein they are employed requiring certain abstracts and notices to be posted providing for the enforcement of this act by the Commissioner of Labor and Industry the attendance officers of school districts and police officers and defining the procedure in prosecutions thereunder and establishing certain presumptions in relation thereto providing penalties for the violation of the provisions thereof and repealing all acts or parts of acts inconsistent therewith" and section six hundred fifty-one of the act approved the twenty-fourth day of June one thousand nine hundred thirty-nine (P. L. 872) entitled "An act to consolidate amend and revise the penal laws of the Commonwealth" and of all other acts and parts of acts inconsistent herewith are hereby suspended in so far as they are inconsistent with the provisions of this act during the period this act shall remain in effect

Section 3 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—192

Alspach,	Finnerty,	Krise,	Riley,
Auker,	Flack,	Lane,	Robertson,
Baker,	Fleming,	Laughner,	Root,
Barrett,	Flynn,	Lee,	Rose, S.
Barton,	Foor,	Leisey,	Rose, W. E.,
Bentley,	Fox,	Leonard,	Rowley,
Bentzel,	Freed,	Levy,	Royer,
Boies,	Fullerton,	Leydic,	Salus,
Bonawitz,	Garber,	Lichtenwalter,	Sarge,
Boorse,	Gardner,	Livingstone,	Sarraf,
Boory,	Gates,	Longo,	Scanlon,
Bower,	Gillan,	Lovett,	Schuster,
Boyd,	Goodling,	Lyons,	Serrill,
Bradley,	Goodwin,	Madigan,	Simons,
Bretherick,	Gorman,	Mahany,	Skale,
Brice,	Grant,	Maxwell,	Smith,
Brigerman,	Green,	McAtee,	Snider,
Brown,	Greenwood,	McKinney,	Sollenberger,
Brunner, P. A.,	Gross,	McMillen,	Sorg,
Burns,	Gyger,	McSurdy,	Stank,
Cadwalader,	Haberlen,	Menna,	Stockham,
Calvin,	Hall,	Mihm,	Stonier,
Campbell,	Hamilton,	Miller,	Swope,
Chervenak,	Hannon,	Mintess,	Tahl,
Chudoff,	Hare,	Mock,	Tate,
Cohen,	Haudenshield,	Modell,	Taylor,
Coleman,	Heatherington,	Mooney,	Thompson,
Cook,	Helm,	Moore,	Thrasher,
Cooper,	Herman,	Moran,	Tiemann,
Cordier,	Hersch,	Moser,	Trent,
Corrigan,	Hocke,	Muir,	Trout,
[illegible],	Hoffman,	Munley,	Turbett,
Coulson,	Hoggard,	Murray,	Van Allsburg,
Croop,	Holmes,	Nowak,	Verona,
Cullen,	Hoopes,	O'Brien,	Wachhaus,
Dague,	Hunter, B. F.,	O'Connor,	Wagner, P. L.,
Dalrymple,	Hunter, W. M.,	O'Dare,	Wallin,
Denman,	Huntley,	O'Neill,	Walton,
Dennison,	Imbrie,	Owens,	Watkins,
Depuy,	Irvin,	Petrosky,	Weiss,
Dillon,	James,	Polaski,	Welsh,
Dix,	Jones,	Powers,	Winner,
Duffy,	Kennedy,	Readinger,	Wood, L. H.,
Elder,	Kirley,	Reagan,	Wood, N.,
Elliott,	Kitchen,	Reese, D. P.,	Wright,
Ely,	Kline,	Reese, R. E.,	Yeakel,
Erb,	Kolankiewicz,	Regan,	Fiss,
Ewing,	Kowalski,	Reilly,	Speaker.
Figlock,	Krepps,	Reynolds,	

NAYS—7

Harris,	McClester,	Wagner, K. H.,	Yester,
Hewitt,	Pettit,	Worley,	

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 749, as follows:

An Act to further amend sections fifteen and eighteen of the act approved the twelfth day of June one thousand nine hundred nineteen (P. L. 466) entitled "An act to provide for the incorporation and regulation of cooperative agricultural associations not having a capital stock and not conducted for profit and defining agriculture so as to include persons engaged in agriculture dairying livestock raising poultry raising beekeeping and horticulture" by providing for the termination of memberships and exempting associations from payment of certain State county or municipal tax and the filing of reports relative to such taxes

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Sections fifteen and eighteen of the act approved the twelfth day of June one thousand nine hundred nineteen (P. L. 466) entitled "An act to provide for the incorporation and regulation of cooperative agricultural associations not having a capital stock and not conducted for profit and defining agriculture so as to include persons engaged in agriculture dairying livestock raising poultry raising beekeeping and horticulture" as amended by the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 1201) are hereby further amended to read as follows

Section 15 Any member director or officer of the association may for cause at any regular meeting or any special meeting called for the purpose after a notice in writing has been sent to each member at least ten days before the time set for such meeting setting forth the purpose of such meeting be removed from office by vote of not less than two-thirds of the members present Reasonable notice of the time place and object of any such meeting shall be given in the manner prescribed in the by-laws to the members directors or officers against whom charges are to be presented Such directors members or officers shall at the same time be informed of such charges and at such meeting shall have an opportunity to be heard in person or by counsel and by witnesses in regard thereto In cases where the member has done no business with the association for a period of twelve months the board of directors upon at least ten days' notice and after giving such member an opportunity to be heard may terminate the membership of such person or persons Provided however That the termination of the membership of such person or persons shall not affect any claims which such person or persons or their estates may have against the association

Section 18 Every association shall from time to time appoint an auditing committee of three persons who shall not be directors officers agents or employes of the association but who may or may not be members of said association Said committee shall at least once in each fiscal year of such association examine its records and property and within one month after such examination report in writing the results thereof to the association At the close of each fiscal year a complete audit of the operations of the association shall be made in the case of associations having a gross annual income not exceeding two thousand dollars by said committee in all other cases by a qualified accountant or accountants employed

by the board of directors the written report of whom shall include statements of services rendered by the association the balance sheet the receipts and disbursements and the assets and liabilities the members admitted and withdrawn the total number of members and other proper information and shall be submitted to the members at the next regular meeting Within three months after the expiration of the fiscal year for which made the secretary of said association shall file [one copy of said report] a statement of the audit with the Secretary of Agriculture of this Commonwealth and [one copy] with the Dean of the School of Agriculture of the Pennsylvania State College upon the form prescribed by the Secretary of Agriculture with the approval of the Dean of the School of Agriculture No person shall without the consent of the association except in obedience to judicial process make or permit any disclosure whereby any information contained in said report may be identified as having been furnished by said association Any person violating [or failing to comply with] the prohibition set forth in this section shall be guilty of a misdemeanor and upon conviction thereof shall be punished by a fine not more than three hundred dollars or imprisonment for not more than six months or both at the discretion of the court No association organized under the provisions of this act shall be liable for the payment of any State county or municipal tax upon its scrip bonds certificates or other evidences of indebtedness issued by such associations and all bonds et cetera issued by such associations shall be exempt from all State taxation and such association shall be exempt from any tax upon net income provided (a) that they turn back to members and other producers or purchasers all proceeds of sales or purchases less necessary expenses (b) that they do not market or purchase products or supplies for non-members in an amount the value of which exceeds the value of products or supplies marketed or purchased for members and (c) that their purchases for non-producers do not exceed fifteen per centum of the total purchases and provided further that exemption shall not be denied because reasonable necessary reserves are maintained Such associations shall be exempt from any State county or municipal personal property or other tax upon mortgages shares of stock bonds or other securities owned by them in their own right and they shall be exempt from any tax upon net earnings or savings Such association shall not be required to file with the Department of Revenue of this Commonwealth or with any county or municipality the reports relative to such taxes as are or may be by law required of corporations not exempt from the payment of such taxes

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Consitution the yeas and nays were taken and were as follows:

YEAS—168

Auker,	Ewing,	Kowalski,	Regan,
Baker,	Figlock,	Krepps,	Reilly,
Barrett,	Finnerty,	Krise,	Reynolds,
Barton,	Fleming,	Lane,	Riley,
Bentley,	Flynn,	Laughner,	Robertson,
Boies,	Foor,	Lee,	Root,
Bonawitz,	Fox,	Leisey,	Rose, S.,
Boorse,	Freed,	Leonard,	Rose, W. E.,
Boory,	Fullerton,	Levy,	Rowley,
Bower,	Garber,	Leydic,	Salus,
Boyd,	Gardner,	Lichtenwalter,	Sarge,
Bretherick,	Gates,	Lovett,	Sarraf,
Brice,	Gillan	Madigan,	Scanlon,
Brigerman,	Goodwin,	Mahany,	Schuster,
Brown,	Gorman,	Maxwell,	Serrill,
Brunner, P. A.,	Grant,	McAtee,	Skale,
Burns,	Green,	McClester,	Smith,
Cadwalader,	Gross,	McMillen,	Snider,
Calvin,	Gyger,	Menna,	Sollenberger,
Campbell,	Haberlen,	Mihm,	Sorg,
Chervenak,	Hall,	Miller,	Stank,
Chudoff,	Hamilton,	Mintess,	Stonier,
Cohen,	Hannon,	Mock,	Tate,
Coleman,	Haudenshield,	Modell,	Thompson,
Cook,	Heatherington,	Mooney,	Thrasher,
Cooper,	Herman,	Moore,	Tiemann,
Cordier,	Hersch,	Moran,	Trent,
Corrigan,	Hewitt,	Moser,	Van Allsburg,
Costa,	Hocke,	Munley,	Verona,
Croop,	Hoffman,	Murray,	Wachhaus,
Cullen,	Hoggard,	Nowak,	Wagner, P. L.,
Dague,	Holmes,	O'Brien,	Wallin,
Dalrymple,	Hoopes,	O'Connor,	Walton,
Denman,	Hunter, B. F.,	O'Neill,	Weiss,
Dennison,	Hunter, W. M.,	Owens,	Welsh,
Dillon,	Huntley,	Petrosky,	Winner,
Dix,	Imbrie,	Polaski,	Wood, L. H.,
Dague,	James,	Powers,	Wood, N.,
Duffy,	Jones,	Readinger,	Wright,
Elder,	Kirley,	Reagan,	Yeakel,
Elliott,	Kitchen,	Reese, D. P.,	Yester,
Ely,	Kolankiewicz,	Reese, R. E.,	Fiss,
Erb,			Speaker.

NAYS—33

Alspach,	Harris,	McKinney,	Swope,
Bentzel,	Helm,	McSurdy,	Tahl,
Bradley,	Irvin,	Muir,	Taylor,
Coulson,	Kennedy,	O'Dare,	Trout,
Depuy,	Kline,	Pettit,	Turbett,
Flack,	Livingstone,	Royer,	Wagner, K. H.,
Goodling,	Longo,	Simons,	Watkins,
Greenwood,	Lyons,	Stockham,	Worley,
Hare,			

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 892, as follows:

An Act to amend sections two four five six seventeen and twenty of the act approved the thirtieth day of April one thousand nine hundred and twenty-nine (P. L. 885) entitled "An act to provide for the incorporation and regulation of cooperative agricultural associations having capital stock and defining agriculture so as to include persons engaged in agriculture dairying livestock raising poultry raising floriculture mushroom growing beekeeping horticulture and other allied occupations and providing penalties" by providing for associations to be formed by two or more cooperative agricultural associations removal of limitations on holding of common stock further regulating preferred stock dividends and patronage and further exempting certain classes of associations formed under such act from State county and municipal taxation and from the duty of filing certain tax reports

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Sections two four five six seventeen and twenty of the act approved the thirtieth day of April one thousand nine hundred and twenty-nine (P. L. 885) entitled "An act to provide for the incorporation and regulation of cooperative agricultural associations having capital stock and defining agriculture so as to include persons engaged in agriculture dairying livestock raising poultry raising floriculture mushroom growing beekeeping horticulture and other allied occupations and providing penalties" are hereby amended to read as follows

Section 2 Cooperative agricultural associations instituted for the purposes of mutual help having capital stock may be formed under the provisions of this act by any number of persons not less than five engaged in agriculture or by two or more cooperative agricultural associations formed under this or any other act and

qualified to do business within the Commonwealth of Pennsylvania as cooperative agricultural associations For the purposes of this act all persons engaged in agriculture dairying livestock raising poultry raising floriculture mushroom growing beekeeping horticulture and other allied occupations shall be deemed to be engaged in "agriculture"

Section 4 The articles of association of an intended association must be subscribed by five or more persons three of whom must be citizens of this Commonwealth or two or more cooperative agricultural associations and shall set forth

I The name of the association which shall include the word "cooperative"

II The class of services to be performed by the association which services shall be one or more of those enumerated in section three of this act

III The principal place where its business is to be transacted which shall be within this Commonwealth

IV The term for which it is to exist

V The amount of its capital stock and the number and par value of shares into which it is divided the names and post-office address of the subscribers the number of shares subscribed by each and the amount of capital actually paid into the treasury which shall not be less than ten per centum of the capital stock

VI The number of its directors for the first year not less than five the names and residences of those who are chosen for directors for the first year and the name and residence of the treasurer

VII Any other provisions not inconsistent with law which the asscoiation may see fit to adopt governing the regulation and conduct of its affairs

Notice of the intention to apply for any such charter shall be inserted in one newspaper of general circulation printed in the county where the principal place of business is situated for one insertion setting forth briefly the character and purpose of said corporation and the kind of service to be performed by it such advertisement shall be at least three days before the application is laid before the Governor

The articles of association shall be acknowledged by not less than five of the subscribers thereto before any officer authorized to take acknowledgments and administer oaths and affirmations in this Commonwealth and they shall also make and subscribe an oath or affirmation befor said officer that the statements contained therein are true

Said articles of association accompanied with proof of publication of the notice hereinbefore provided to be given shall then be presented to the Governor of this Commonwealth who shall examine the same and if he finds it in proper form and within the purpose mentioned in this act he shall indorse his approval thereon and direct letters patent to issue in form similar to those issued to corporations of the second class in this Commonwealth which letters patent shall incorporate the subscribers and their associates and successors into a body politic and corporate in deed and in law by the name chosen Said articles of asociation shall be recorded in the office of the Secretary of the Commonwealth in a book to be by him kept for the purpose

The original articles of association together with all indorsements shall be recorded in the office of the recorder of deeds in and for the county where the principal place of business is situate From thenceforth the subscribers thereto their associates and successors shall be a body politic and corporate for the purposes and upon the terms named in the said article of association Certified copies of the records thereof shall be competent evidence for all purposes in the courts of this Commonwealth

Section 5 Each association so formed under the provisions of this act and when so formed by virtue of its existence as such shall have the following powers

1 To have succession for the period limited in its articles of association and when no period is limited thereby to exist perpetually subject to the power of the General Assembly under the Constitution of the Commonwealth and unless sooner dissolved by operation of law or under the provisions of this act

2 To maintain and defend judicial proceedings by the name specified in the articles of association

3 To adopt and use a common seal and alter the same at pleasure

4 To hold purchase and transfer such real and personal property as the purposes of the corporation require

5 To elect a board of directors which shall have power to appoint a president vice-president secretary treasurer and other officers agents and employes which may be deemed necessary to prescribe their duties to require bonds of them and to dismiss them and any of them in accordance with the by-laws of said association

6 To make by-laws not inconsistent with the law for the management of its property the regulation of its affairs and the conduct and management of the association

7 To perform for stockholders and other patrons the service described in the articles of association and authorized by this act

8 To make contracts necessary in the conduct of its operation and the transaction of its affairs

9 To borrow money necessary to the conduct of its operations and to issue notes bonds and other evidences of indebtedness therefor and to give security in the form of mortgage or otherwise for the payment thereof

10 To cooperate with any other such association or corporation whether formed under this act or otherwise for the purpose of promoting the objects for which it was incorporated or the objects for which any other similar association was formed Any such association may upon resolution adopted by its board of directors enter into all necessary and proper contracts and agreements and make all necessary and proper stipulations agreements contracts and arrangements with any other cooperative corporation association or associations formed under the provisions of this act or otherwise for the cooperative and more economical carrying on of its business or any part or parts thereof or any two or more cooperative associations formed under the provisions of this act or othewise may upon resolution adopted by their respective boards of directors for the purpose of more economically carrying on their respective businesses by agreement between them unite in employing and using or several such associations may separately employ and use the same methods means and agencies which agencies may be another such association or associations for carrying on and conducting their respective business

11 To foster membership in the association and solicit patrons by advertising or by educational or other lawful means

12 To exercise such incidental powers as may be necessary in the conduct of its operations

13 To issue and sell its preferred and common stock [but no person shall become the owner of more than five per centum of the outstanding common stock of the association]

14 To purchase and hold stock of corporations engaged in the buying or selling of agricultural products as herein defined when such purchase and holding shall be in keeping with the purposes for which the association was formed

Section 6 Any association may transact or do business with or for patron stockholders or patrons not stockholders and may issue and sell its preferred stock to patrons or non-patrons of the association but common stock of the association shall be sold to patrons only and the certificate of common stock shall contain a provision that the association shall have an option to redeem the stock at par value plus accrued dividends when the owner thereof has for a period of twelve months done no business with the association and shall contain a further provision that no sale of stock shall be valid without the written consent of the association and if the association witholds its consent to such sale then the association shall redeem such stock at par value plus accrued dividends Dividends on the common stock shall

be paid only after dividends are paid on the preferred stock and the required surplus fund set aside and shall be not greater than six per centum per annum except as hereinafter provided Dividends on preferred stock shall be not greater than six per centum per annum and [shall] may be cumulative

After payment of the dividend on the preferred stock and after making provision from its net earnings for the reserve fund as hereinafter provided the remainder of the net earnings of the association not required for dividends on the common stock may in the discretion of the directors be distributed as a patronage refund Patron stockholders and non-stockholder patrons shall be entitled to patronage refunds at [double] the same rate [of patronage refunds to which non-stockholder patrons shall be entitled] Patronage refunds may be credited to the accounts of non-stockholders in the purchase of capital stock of the association

Section 17 At the close of each fiscal year a complete audit of the operations of the association shall be made by a qualified accountant or accountants employed by the board of directors the written report of whom shall include statements of services rendered by the association the balance sheet the receipts and disbursments and the assets and liabilities the total number of stockholders and other proper information and shall be submitted to the members at the next regular meeting Within three months after the expiration of the fiscal year for which made the secretary of said association shall file [one copy of] [said report] a statement of the audit with the Secretary of Agriculture of this Commonwealth and [one copy] with the Dean of the School of Agriculture of the Pennsylvania State College upon the form prescribed by the Secretary of Agriculture with the approval of the Dean of the School of Agriculture No person shall without consent of the association except in obedience to judicial process make or permit any disclousre whereby any information contained in said report may be identified as having been furnished by said association No person asociation copartnership or corporation or its or their agents employes or officers shall knowingly induce or attempt to induce any stockholder of an association organized hereunder to breach his marketing contract with the association nor maliciously and knowingly spread false reports about the finances or management thereof Any such person violating the prohibitions set forth in this section shall be guilty of a misdemeanor and upon conviction thereof shall be punished by a fine not more than three hundred dollars or imprisonment for not more than six months or both at the discretion of the court

Section 20 No association organized under the provisions of this act shall be liable for the payment of any State county or municipal tax upon its capital stock or upon any scrip bonds certificates or other evidences of indebtedness issued by such corporation and all stocks bonds et cetera issued by such associations shall be exempt from all State taxation and such associations shall be exempt from any tax upon net income provided (a) that they turn back to members and other producers or purchasers all proceeds of sales or purchases less necessary expenses (b) that the dividend rate on stock shall not exceed six per centum per annum (c) that substantially all voting stock must be owned by persons engaged in agriculture (d) that such associations do not market or purchase products or supplies for nonmembers in an amount the value of which exceeds the value of products or supplies marketed or purchased for members and (e) that their purchases for nonproducers may not exceed fifteen per centum of the total purchases and provided further that exemption shall not be denied because reasonable necessary reserves are maintained Such associations shall be exempt from any State county or municipal personal property or other tax upon mortgages shares of stock bonds or other securities owned by them in their own right and they shall be exempt from any tax upon net earnings or savings Such associations shall not be required to file with the [Auditor General] Department of Revenue of this Commonwealth or with any county or municipality the reports relative to such taxes as are or may be by law required of corporations not exempt from the payment of such taxes

Section 2 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—173

Baker,	Finnerty,	Krepps,	Reilly,
Barrett,	Fleming,	Krise,	Reynolds,
Barton,	Flynn,	Lane,	Riley,
Bentley,	Foor	Laughner,	Robertson,
Boies,	Freed,	Lee,	Root,
Boorse,	Fullerton,	Leisey,	Rose, S.,
Boory,	Garber,	Leonard,	Rose, W. E.,
Bower,	Gardner,	Levy,	Rowley,
Boyd,	Gates,	Leydic,	Salus,
Bradley,	Gillan,	Lichtenwalter,	Sarge,
Bretherick,	Goodwin,	Livingstone,	Sarraf,
Brice,	Gorman,	Lovett,	Scanlon,
Brigerman,	Grant,	Madigan,	Schuster,
Brown,	Green,	Mahany,	Skale,
Brunner, P. A.,	Greenwood	Maxwell,	Smith,
Burns,	Gross,	McAtee,	Snider,
Cadwalader,	Gyger,	McMillen,	Sollenberger,
Calvin,	Haberlen,	McSurdy,	Sorg,
Campbell,	Hall,	Menna,	Stank,
Chervenak,	Hamilton,	Mihm,	Stonier,
Chudoff,	Hannon,	Miller,	Tahl,
Cohen,	Haudenshield,	Mintess,	Tate,
Coleman,	Heatherington,	Mock,	Thompson,
Cook	Herman,	Modell,	Thrasher,
Cooper,	Hersch,	Mooney,	Tiemann,
Cordier,	Hewitt,	Moore,	Trent,
Corrigan,	Hocke,	Moran,	Turbett,
Costa,	Hoffman,	Moser,	Van Allsburg,
Croop,	Hoggard,	Munley,	Verona,
Cullen,	Holmes,	Murray,	Wachhaus,
Dague,	Hoopes,	Nowak,	Wagner, P. L.,
Dalrymple,	Hunter, B F.,	O'Brien,	Wallin,
Denman,	Hunter, W M.,	O'Connor,	Walton,
Dennison,	Huntley,	O'Dare,	Watkins,
Dillon,	Imbrie,	O'Neill,	Weiss,
Dix,	Irvin,	Owens,	Welsh,
Duffy,	James,	Petrosky,	Winner,
Elder,	Jones,	Polaski,	Wood, L. H.,
Elliott,	Kirley,	Powers,	Wood N.,
Ely,	Kitchen,	Readinger,	Wright,
Erb,	Kline,	Reagan,	Yester,
Ewing,	Kolankiewicz,	Reese, R E.,	Fiss,
Figlock,	Kowalski,	Regan,	Speaker.

NAYS—28

Aispach,	Goodling,	McClester,	Simons,
Bentzel,	Hare,	McKinney,	Stockham,
Bonawitz,	Harris,	Muir,	Swope,
Coulson,	Helm,	Pettit,	Taylor,
Depuy,	Kennedy,	Reese, D P.,	Trout,
Flack	Longo,	Royer,	Wagner, K H.,
Fox,	Lyons,	Serrill,	Worley,
			Yeakel,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

BILL ON FINAL PASSAGE

Agreeably to order,

The House proceeded to the consideration on final passage of Senate Bill No. 241, as follows:

An Act to amend section six hundred twenty-eight of the act approved the twenty-fourth day of June one thousand nine hundred thirty-nine (P. L. 872) entitled "An act to consolidate amend and revise the penal laws of the Commonwealth" by providing for the prescribing issuing and filing of certain forms by and with the Commissioner of the Pennsylvania Motor Police instead of the Secretary of the Commonwealth

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section six hundred twenty-eight of the act approved the twenty-fourth day of June one thousand nine hundred thirty-nine (P. L. 872) entitled "An act to consolidate amend and revise the penal laws of the Commonwealth" is hereby amended to read as follows

Section 628 Uniform Firearms Act (a) Definitions As used in this section

"Firearm" means any pistol or revolver with a barrel less than twelve inches any shotgun with a barrel less than twenty-four inches or any rifle with a barrel less than fifteen inches

"Crime of violence" means any of the following crimes or an attempt to commit any of the same namely Murder rape mayhem aggravated assault and battery assault with intent to kill robbery burglary breaking and entering with intent to commit a felony and kidnapping

"Person" includes firm partnership association or corporation and the masculine shall include the feminine and neuter

(b) Crimes Committed with Firearms If any person shall commit or attempt to commit a crime of violence when armed with a firearm contrary to the provisions of this section he may in addition to the punishment provided for the crime be punished also as provided by this section

(c) Evidence of Intent In the trial of a person for committing or attempting to commit a crime of violence the fact that he was armed with a firearm used or attempted to be used and had no license to carry the same shall be evidence of his intention to commit said crime of violence

(d) Former Convict Not To Own a Firearm etc No person who has been convicted in this Commonwealth or elsewhere of a crime of violence shall own a firearm or have one in his possession or under his control

(e) Firearms Not To Be Carried Without a License Exceptions No person shall carry a firearm in any vehicle or concealed on or about his person except in his place of abode or fixed place of business without a license therefor as hereinafter provided

The provisions of clause (e) shall not apply (I) to constables sheriffs prison or jail wardens or their deputies policemen of the Commonwealth or its political subdivisions or other law-enforcement officers (II) or to members of the army navy or marine corps of the United States or of the national guard or organized reserves when on duty (III) or to the regularly enrolled members of any organization duly authorized to purchase or receive such weapons from the United States or from this Commonwealth (IV) or to the members of any organization incorporated under the laws of this Commonwealth engaged in target shooting with rifle pistol or revolver provided such members are at or are going to or from their places of assembly or target practice (V) or to officers or employes of the United States duly authorized to carry a concealed firearm (VI) or to agents messengers and other employes of common carriers banks or business firms whose duties require them to protect moneys valuables and other property in the discharge of such duties (VII) or to any person engaged in the business of manufacturing repairing or dealing in firearms or the agent or representative of any such person having in his possession using or carrying a firearm in the usual or ordinary course of such business (VIII) or to any person while carrying a firearm unloaded and in a secure wrapper from the place of purchase to his home or place of business or to a place of repair or back to his home or place of business or in moving from one place of abode or business to another (IX) or to persons licensed to hunt or fish in this Commonwealth provided that such persons are actually hunting or fishing or are going to the places where they desire to hunt or fish or returning from such places or to persons training dogs Provided That such persons are actually training dogs during the regular training season Provided however That before any such exemption shall be granted to any person licensed to hunt or fish or who desires to train dogs such person shall at the time of securing his hunting or fishing license or any time after any such license has issued register with the county treasurer the make of the firearm he desires to carry and the caliber and number thereof on a blank to be furnished by the [Secretary of the Commonwealth] Commissioner of Pennsylvania State Police The original registration shall be delivered to the person registering such firearm and a copy thereof shall be forwarded by the county treasurer to the [Secretary of the Commonwealth] Commissioner of the Pennsylvania State Police The county treasurer shall be entitled to collect a fee of fifteen (15) cents for each such registration of a firearm The registration of a firearm as herein provided shall be good only for the year for which the hunting or fishing license in connection with which it is granted is issued

Any such registration of a firearm may be revoked by the county treasurer issuing the same upon written notice to the holder thereof and any person aggrieved by the action of a county treasurer in revoking such registration may appeal from such action in the manner proviled by clause (k) of this section

(f) Police Heads in Cities and Sheriffs in Counties May Issue Licenses in Triplicate Fee Revocation The chief or head of any police force or police department of a city and elsewhere the sheriff of a county may upon the application of any person issue a license to such person to carry a firearm in a vehicle or concealed on or about his person within this Commonwealth for not more than one (1) year from date of issue if it appears that the applicant has good reason to fear an injury to his person or property or has any other proper reason for carrying a firearm and that he is a suitable person to be so licensed The license shall be in triplicate in form to be prescribed by the [Secretary of the Commowealth] Comfissioner of the Pennsylvania State Police and shall bear the name address description and signature of the licensee and the reason given for desiring a license The original thereof shall be delivered to the licensee the duplicate shall within seven days be sent by registered mail to the [Secretary of the Commonwealth] Commissioner of the Pennsylvania State Police and the triplicate shall be preserved for six years by the authority issuing said license The fee for issuing such license shall be fifty (50) cents which fee shall be paid into the county treasury except that if the applicant exhibits a resident hunter's license issued to him for the current license year the fee shall not be charged

Any such license to carry firearms may be revoked by the person issuing the same at any time upon written notice to the holder thereof

(g) Persons to Whom Delivery Shall Not Be Made No person shall deliver a firearm to any person under the age of eighteen or to one he has reasonable cause to believe has been convicted of a crime of violence or is a drug addict an habitual drunkard or of unsound mind

(h) Time and Manner of Delivery Statement To Be Signed by Purchaser Sales at Wholesale No seller shall deliver a firearm to the purchaser thereof until forty-eight (48) hours shall have elapsed from the time of the application for the purchase thereof and when delivered said firearm shall be securely wrapped and shall be unloaded At the time of applying for the purchase of a firearm the purchaser shall sign in triplicate and deliver to the seller a statement containing his full name address occupation color place of birth and date and hour of application the caliber length of barrel make model and manufacturer's number of the firearm to be purchased and a statement that he has never been convicted in this Commonwealth or elsewhere of a crime

of violence The seller shall within six hours after such application sign and attach his address and forward by registered mail one copy of such statement to the chief or head of the police force or police department of the city or the sheriff of the county of which the seller is a resident the duplicate duly signed by the seller shall within seven days be sent by him with his address to the [Secretary of the Commonwealth] Commissioner of the Pennsylvania State Police the triplicate he shall retain for six (6) years This clause shall not apply to sales at wholesale

(i) Retail Dealer Required To Be Licensed No retail dealer shall sell or otherwise transfer or expose for sale or transfer or have in his possession with intent to sell or transfer any firearm without being licensed as hereinafter provided

(j) Issuance of Licenses Form To Be Prescribed by [Secretary of Commonwealth] the Commissioner of the Pennsylvania State Police Conditions Display of Firearms Prohibited License Fee Revocation The chief or head of any police force or police department of a city and elsewhere the sheriff of the county shall grant to reputable applicants licenses in form prescribed by the [Secretary of the Commonwealth] Commissioner of the Pennsylvania State Police effective for not more than one (1) year from date of issue permitting the licensee to sell firearms direct to the consumer subject to the following conditions in addition to those specified in clause (h) hereof for breach of any of which the license shall be forfeited and the licensee subject to punishment as provided in this act

I The business shall be carried on only in the building designated in the license

II The license or a copy thereof certified by the issuing authority shall be displayed on the premises where it can easily be read

III No firearm shall be sold (a) in violation of any provision of this section nor (b) shall a firearm be sold under any circumstances unless the purchaser is personally known to the seller or shall present clear evidence of his identity

IV A true record in triplicate shall be made of every firearm sold in a book kept for the purpose the form of which may be prescribed by the [Secretary of the Commonwealth] Commissioner of the Pennsylvania State Police and shall be personally signed by the purchaser and by the person effecting the sale each in the presence of the other and shall contain the date of sale the caliber make model and manufacturer's number of the firearm the name address occupation color and place of birth of the purchaser and a statement signed by the purchaser that he has never been convicted in this Commonwealth or elsewhere of a crime of violence One copy shall within six (6) hours be sent by registered mail to the chief or head of the police force or police department of the city or the sheriff of the county of which the dealer is a resident the duplicate the dealer shall within seven (7) days send to the [Secretary of the Commonwealth] Commissioner of the Pennsylvania State Police the triplicate the dealer shall retain for six (6) years

V No firearm or imitation thereof or placard advertising the sale thereof shall be displayed in any part of any premises where it can readily be seen from the outside

The fee for issuing said license shall be ten dollars ($10.00) which fee shall be paid into the county treasury

VI Any license granted under this clause may be revoked by the person issuing the same upon written notice to the holder thereof

(k) Petition to Common Pleas for Reversal Any applicant aggrieved by the refusal of his application for a license to carry a firearm or for a dealer's license or any person or retail dealer whose license has been revoked may file within thirty (30) days thereafter in the court of quarter sessions of his county a petition against the official who refused his application as defendant alleging therein in brief detail the refusal complained of and praying for reversal thereof Upon service of the copy of the petition upon the defendant returnable within ten (10) days from its date the defendant shall on or before the return day file an answer in which he may allege by way of defense the reason for his refusal and such other reasons as may in the meantime have been discovered Upon application of either party the cause shall be heard without delay The court may either sustain or reverse the action of the defendant If the defendant's action is reversed he shall forthwith issue the license upon payment of the fee A judgment sustaining a refusal to grant a license shall not bar after one (1) year a new application nor shall a judgment in favor of the petitioner prevent the defendant from thereafter revoking or refusing to renew such license for any proper cause which may thereafter occur The court shall have full power to dispose of all costs

(l) Loans on or Lending or Giving Firearms Prohibited No person shall make any loan secured by mortgage deposit or pledge of a firearm nor shall any person lend or give a firearm to another or otherwise deliver a firearm contrary to the provisions of this section

(m) False Evidence of Identity No person shall in purchasing or otherwise securing delivery of a firearm or in applying for a license to carry the same give false information or offer false evidence of his identity

(n) Altering or Obliterating Marks of Identification No person shall change alter remove or obliterate the name of the maker model manufacturer's number or other mark of identification on any firearm Possession of any firearm upon which any such mark shall have been changed altered removed or obliterated shall be prima facie evidence that the possessor has changed altered removed or obliterated the same

(o) Antique Firearms This section shall not apply to antique firearms unsuitable for use and possessed as curiosities or ornaments

(p) Violation Penalty Any person violating any of the provisions of this section is guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine not exceeding three thousand dollars ($3,000) or undergo imprisonment not exceeding three (3) years or both

(q) Short Title This section may be cited as the "Uniform Firearms Act"

(r) Uniformity This section shall be so interpreted and construed as to effectuate its general purpose to make uniform the law of those states which enact it

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—201

Alspach,	Fleming,	Laughner,	Robertson,
Auker,	Flynn,	Lee,	Root,
Baker,	Foor,	Leisey,	Rose, S.,
Barrett,	Fox,	Leonard,	Rose, W. E.,
Barton,	Freed,	Levy,	Rowley,
Bentley,	Fullerton,	Leydic,	Royer,
Bentzel,	Garber,	Lichtenwalter,	Salus,
Boies,	Gardner,	Livingstone,	Sarge,
Bonawitz,	Gates	Longo,	Sarraf,
Boorse,	Gillan,	Lovett,	Scanlon,
Boory,	Goodling,	Lyons,	Schuster,
Bower,	Goodwin,	Madigan,	Serrill,
Boyd,	Gorman,	McAtee,	Simons,
Bradley,	Grant,	Mahany,	Skale,
Bretherick,	Green,	Maxwell,	Smith,
Brigerman,	Greenwood,	McClester,	Snider,
Brice,	Gross,	McKinney,	Sollenberger,
Brown,	Gyger,	McMillen,	Sorg,
Brunner, P. A.,	Haberlen,	McSurdy,	Stank,
Burns,	Hall,	Menna,	Stockham,
Cadwalader,	Hamilton,	Mihm,	Stonier,
Calvin,	Hannon,	Miller,	Swope,
Campbell,	Hare,	Mintess,	Tahl,
Chervenak,	Harris,	Mock,	Tate,
Chudoff,	Haudenshield,	Modell,	Taylor,
Cohen,	Heatherington,	Mooney,	Thompson,
Coleman,	Helm,	Moore,	Thrasher,
Cook,	Herman,	Moser,	Tiemann,

Cooper,	Hersch,	Moran,	Trent,
Cordier,	Hewitt,	Muir,	Trout,
Corrigan,	Hocke,	Munley,	Turbett,
Costa,	Hoffman,	Murray,	Van Allsburg,
Coulson,	Hoggard,	Nowak,	Verona,
Croop,	Holmes,	O'Brien,	Wachhaus,
Cullen,	Hoopes,	O'Connor,	Wagner, K. H.
Dague,	Hunter, B F.,	O'Dare,	Wagner, P L.,
Dalrymple,	Hunter, W M.,	O'Neill,	Wallin,
Denman,	Huntley,	Owens,	Walton,
Dennison,	Imbrie,	Petrosky,	Watkins,
Depuy,	Irvin,	Pettit,	Weiss,
Dillon,	James,	Polaski,	Welsh,
Dix,	Jones,	Powers,	Winner,
Duffy,	Kennedy,	Readinger,	Wood, L. H
Elder,	Kitchen,	Reagan,	Wood, N.,
Elliott,	Kirley,	Reese, D. P.,	Worley,
Ely,	Kline,	Reese, R. E.,	Wright,
Erb,	Kolankiewicz,	Regan,	Yeakel,
Ewing,	Kowalski,	Reilly,	Yester,
Figlock,	Krepps,	Reynolds,	Fiss,
Finnerty,	Krise,	Riley,	Speaker.
Flack,	Lane,		

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

BILLS ON FIRST READING

The SPEAKER. If there is no objection the Chair will now turn to bills on first reading, pages 3 and 4 of the calendar. Is there objection? The Chair hears none.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 894, entitled:

An Act to further amend section ten of the act, approved the third day of May, one thousand nine hundred and thirty-three (P. L. 252), entitled, as amended, "An act to regulate and restrain the traffic in malt and brewed beverages as herein defined; providing for the licensing of the manufacture, transportation, sale and distribution of such beverages; imposing license and permit fees, and providing for collection and distribution thereof; restricting ownership and interest in licensed places; permitting municipalities and townships, by vote of the electors, to prevent the licensing therein of places where such beverages may be sold for consumption on the premises, and regulating elections for this purpose; imposing duties upon the Pennsylvania Liquor Control Board, quarter sessions court, district attorneys, the Department of Justice, proper authorities of political subdivisions of the State, and election officers, providing penalties; and repealing existing acts," requiring and regulating the publishing of notice of applications for new distributors', importing distributors' and retail dispensers' licenses and of applications for the transfer of distributors' importing distributors' and retail dispensers licenses.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 899, entitled:

An Act to further amend section four hundred and two of the act, approved the twenty-ninth day of November, one thousand nine hundred and thirty-three (P. L. 15, 1933-34) entitled, as amended, "An act to regulate and restrain the sale, manufacture, possession, transportation, importation, traffic in, and use of alcohol, and alcoholic and malt or brewed beverages; conferring powers and imposing duties upon the Pennsylvania Liquor Control Board and its agents, the Department of Public Instruction, other officers of the State government, courts, and district attorneys; authorizing the establishment and operation of State stores for the sale of such beverages not for consumption on the premises, and the granting of licenses, subject to local option, to sell such beverages for consumption on and off the premises; forbidding importation or bringing of such beverages into the State except as herein provided; prohibiting certain sales or practices in connection with, and transaction in such beverages by licensees and others; providing for the forfeiture of certain property; making disposition of the receipts," requiring and regulating the publishing of notice of applications for new liquor licenses for hotels, restaurants and clubs, and of applications for the transfer of hotel, restaurant and club liquor licenses.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

BILLS SIGNED BY SPEAKER

Bills numbered and entitled as follows having been prepared for presentation to the Governor, and the same being correct, the titles were publicly read as follows:

HOUSE BILL No. 56.

An Act authorizing the Department of Highways and counties cities boroughs towns and townships to adopt and take over as public roads and highways certain highways taken over located extended or constructed by the Federal Government or any agency thereof in the exercise of the war power and providing the procedure therefor

HOUSE BILL No. 134.

An Act to further amend section eleven of the act approved the thirteenth day of May one thousand nine hundred twenty-five (P. L. 644) entitled "An act relating to and regulating the solicitation of moneys and property for charitable religious benevolent humane and patroitic purposes" by providing that said act shall not apply to certain war veterans' organizations or the subordinate units thereof

Whereupon,

The SPEAKER, in the presence of the House, signed the same.

BILL ON SECOND READING

The SPEAKER. If there is no objection the Chair will return to bills on second reading, page 7 of today's calendar. Is there objection? The Chair hears none.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 587, entitled:

An Act authorizing the treasurer of any city or county of the first class during the continuance of the hostilities incident to the present war and for six months thereafter to invest money in the treasury of such city or county not required for immediate use in certain obligations of the United States Government and to sell or have the same redeemed

The first section was read.

On the question,

Will the House agree to the section?

Messrs. TATE and LEE offered the following amendments.

Amend Section 1, Page 1, Line 1 by inserting after the word "The" the following: "mayor controller and".

Amend Section 1, Page 1, Line 2 by striking out the word "is" and inserting in lieu thereof the following: "are".

Amend Section 1, Page 1, Line 7 by inserting after the word "registered" the following: "or otherwise".

On the question.

Will the House agree to the amendments?

Mr. TATE. Mr. Speaker, I rise at this time in support of the amendments submitted by the gentleman from Philadelphia, Mr. Lee, and myself. I might say at this time also that we consulted the sponsor of the bill and he agreed to the amendments. The amendments really are corrective in form.

The city of Philadelphia back in 1918 at the time of World War No. 1 had a very similar situation. It so happens that the city of Philadelphia, owing to the wage tax with which it is afflicted at the present time, has lying around at the present in the neighborhood of approximately ten million dollars. This money now is in private banks and is earning no interest. It is for that reason that the treasurer is interested and desires to invest this money in short term Federal securities, principally war bonds.

The amendments add to the bill the names of the Mayor and the City Controller so that they can act as a board and invest this money at their discretion. It covers the legal points in the situation and is a good bill.

Mr. LEE. Mr. Speaker, these amendments have the approval of the sponsor of the bill.

On the question recurring,

Will the House agree to the amendments?

They were agreed to.

The section was agreed to as amended.

The second section was read.

On the question,

Will the House agree to the section?

Messrs. TATE and LEE offered the following amendments:

Amend Section 2, Page 2, Line 4 by inserting after the word "said" the following: "mayor controller and".

Amend Section 2, Page 2, Line 5 by striking out the word "is" and inserting in lieu thereof the following: "are".

They were agreed to.

The section was agreed to as amended.

The third and fourth sections were separately read and agreed to.

The title was read.

On the question,

Will the House agree to the title?

Messrs. TATE and LEE offered the following amendment:

Amend first line of title by inserting after the word "the" the first time it appears in said line the following: "mayor controller and".

It was agreed to.

The title was agreed to as amended.

And said bill having been read at length the second time and agreed to as amended.

Ordered, To be transcribed for a third reading.

SENATE MESSAGES

The Clerk of the Senate, Mr. McGroerty, being introduced, presented the following extracts from the Journal of the Senate:

Senate Bill No. 388 and 389 non-concurred in the amendments of the House.

House Bills concurred in by Senate Nos. 5, 81, 110, 277, 278, 307, 316, 327, 364, 398, 415, 445, 468, 491, 511, 514, 536,

House Bills returned with amendments Nos. 92, 106, 171, 173, 191, 395, 451, 467, 493 and 1075.

HOUSE BILLS CONCURRED IN BY SENATE

The Clerk of the Senate being introduced, returned bills from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 5.

An Act making an appropriation to The Glen Mills Schools situate in Delaware County Pennsylvania

HOUSE BILL No. 81.

An Act making an appropriation to the Elwyn Training School at Elwyn in the County of Delaware Commonwealth of Pennsylvania and prescribing certain conditions upon which the appropriation will be available to the school

HOUSE BILL No. 110.

An Act to authorize counties cities boroughs incorporated towns townships school districts poor districts and county institution districts to file tax and municipal claims not filed within the time specified by law and to file suggestions of nonpayment and averments of default or to sue out writs of scire facias on certain tax or municipal claims and to revive judgments where the lien of such claims or the judgments thereon have been lost and providing for the reinstatement of the liens of such claims and judgments

HOUSE BILL No. 277.

An Act making an appropriation for the purpose of maintaining the public roads and improving and replacing bridges thereon through the Corrplanter Indian Reservation in Elk Township Warren County Pennsylvania

HOUSE BILL No. 278.

An Act making an appropriation for the maintenance repair and improvement of the Port of Philadelphia

HOUSE BILL No. 307.

An Act making an appropriation to the Department of Forests and Waters to be used for the acquisition of land within the limits of the "Bucktail State Park" and prescribing the uses to be made of such land

HOUSE BILL No. 316.

An Act to add section six hundred ninety-nine and seven-tenths to the act approved the twenty-fourth day of June one thousand nine hundred thirty-nine (P. L. 872) entitled "An act to consolidate amend and revise the penal laws of the Commonwealth" making it unlawful to capture take or have in ones possession lobsters under a certain size

HOUSE BILL No. 327.

An Act making an appropriation to the several fire companies of the City of Harrisburg Pennsylvania.

HOUSE BILL No. 364.

An Act to amend the title and to further amend sections one two and three of the act approved the twenty-first day of May one thousand nine hundred thirty-seven

(P. L. 787) entitled "An act authorizing the compromise or reduction of tax claims on real property purchased by any county city borough town school district or poor district at any sale for the nonpayment of taxes and the reconveyance or private sale of such property" giving each political subdivision having tax or municipal claims against any such real property the right to petition court for a compromise agreement or sale authorized by the act and extending the time for the holding of a hearing thereon.

HOUSE BILL No. 398.

An Act enabling city county poor institution district ward school borough and township tax collectors their executors and administrators if they are deceased or either surety or sureties to collect taxes for the payment of which they have become personally liable without having collected the same by the expiration of the authority of their respective warrants or by the expiration of their terms of office extending the time for the collection of the same and validating collections and proceedings for collections made or commenced without previous authority.

HOUSE BILL No. 415.

An Act making an appropriation to the Department of Property and Supplies for the acquisition of lands and the erection of new buildings and service system and the alteration and extension of existing buildings and service systems for the use of the Soldiers' Orphan School at Scotland Pennsylvania.

HOUSE BILL No. 445.

An Act making an appropriation to the Pennsylvania Historical Commission for the preservation restoration and rebuilding of certain structures at the Ephrata Cloisters.

HOUSE BILL No. 468.

An Act to further amend sections three hundred seven and five hundred one of the act approved the eleventh day of July one thousand nine hundred twenty-three (P. L. 998) entitled "An act for the prevention and treatment of mental diseases mental defect epilepsy and inebriety regulating the admission and commitment of mental patients to hospitals for mental diseases and institutions for mental defectives and epileptics governing the transfer discharge interstate rendition and deportation of mental patients providing for the payment by individuals counties or the Commonwealth of the cost of the admission care and discharge of mental patients and imposing penalties" imposing certain costs on the institution district

HOUSE BILL No. 491.

An Act making an appropriation to the Department of Highways out of the Motor License Fund for the purpose of rebuilding county bridges carried away or destroyed by fire flood or other casualty and of carrying out the provisions of existing laws relating thereto.

HOUSE BILL No. 511.

An Act to further amend the act approved the fourth day of June one thousand nine hundred and thirty-seven (P. L. 1625) entitled "An act providing for the creation maintenance and operation of a county employes' retirement system in counties of the third class and imposing certain charges on counties" extending and further regulating such retirement systems

HOUSE BILL No. 514.

An Act to amend the act approved the fifth day of August one thousand nine hundred forty-one (P. L. 803) entitled "An act providing for the creation maintenance and operation of a county employes retirement system in counties of the fifth class imposing certain charges on counties and prescribing penalties" further regulating such retirement systems.

HOUSE BILL No. 536.

An Act to further amend section four of the act approved the twenty-ninth day of May one thousand nine hundred and thirty-one (P. L. 280) entitled "An act relating to delinquent taxes on seated lands and prescribing interest charges on nonpayment thereof requiring the receivers and collectors of county city borough town township school district and poor district taxes to make a return to the county commissioners of such unpaid taxes and providing for the lien thereof authorizing the county treasurers to collect such taxes and to sell seated lands at public sale for taxes heretofore or hereafter returned as unpaid and authorizing the county commissioners to purchase such lands and resell the same under certain circumstances" providing that all liens in favor of the Commonwealth other than tax liens charged against real estate heretofore or hereafter sold for taxes by the county treasurers are divested by such sales.

With the information that the Senate has passed the same without amendment.

CONDOLENCE RESOLUTION

Messrs. BRETHERICK and CADWALADER offered a resolution and asked and obtained unanimous consent for its immediate consideration.

The resolution was twice read, considered and adopted as follows:

In the House of Representatives, May 4, 1943.

George B. Wiltbank, an employe of this House, serving as the secretary of three of its standing committees, died on Thursday, April 29, at his home in Brookline, Delaware County.

In spite of his three score years and ten, Mr. Wiltbank was able to efficiently serve this House, and his work made the labors of the members more easy.

His life was marked by an active interest in civic and political affairs in Haverford Township, Delaware County, and his efforts in connection with Red Cross and War Bond drives were outstanding.

He was a charter member of the Square Club of Haverford, a charter member and past president of the Optimist Club of Ardmore, and a past master of Community Lodge No. 744, F. & A. M.; therefore be it

Resolved, by the House of Representatives, that, in the passing of George B. Wiltbank, the House has lost the services of an efficient employe, and his community will be deprived of the help of one who labored incessantly in its behalf; and be it further

Resolved, That the House extends its deepest sympathy to his wife and to his son who survive, and directs the Chief Clerk of the House to forward a copy of this resolution to his wife, Agnes Boyd Wiltbank at her home in Brookline, Delaware County, Pa.

COMMITTEE MEETINGS

There will be meetings of the Committees on

Appropriations, Wednesday, May 5, at 10:45 a. m., Room 328.

Highways, Wednesday, May 5, at 10:30 a. m., Room 329.

Professional Licensure, Wednesday, May 5, at 10:30 a. m., Room 324.

Public Utilities, Wednesday, May 5, at 10:30 a. m., Room 323.

The Legislative Kiwanis Club will meet at the William Penn Hotel at 8:45 a. m. This is the usual time and place.

ADJOURNMENT

Mr. HABERLEN. Mr. Speaker, I move that this House do now adjourn until Wednesday, May 5, 1943, at 11 a. m

The motion was agreed to, and (at 11:30 p. m.) the House adjourned.

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